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Thursday
January 19, 1984

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Air Pollution Control
Environmental Protection Agency

Antibiotics
Food and Drug Administration

Aviation Safety
Federal Aviation Administration

Blood
Food and Drug Administration

Exports
International Trade Administration

Food Grades and Standards
Agricultural Marketing Service

Freedom of Information
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Small Business Administration

Government Property Management
General Services Administration

Grant Programs—Education
Education Department

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Research and Special Programs Administration

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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

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Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 56, 59, and 70

Increase in Fees and Charges

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule.

SUMMARY: The charges for Federal egg, poultry, and rabbit grading; and the Federal mandatory egg products inspection service overtime rate are changed to reflect increased costs associated with these programs. These amendments are being implemented on an interim basis without a prior proposal because of the Agency's need to increase these rates and charges to cover increased costs of these services. Also, the interim final rule is being published for comment as a means of providing full public participation in the rulemaking process prior to promulgation of the final rule.

DATES: Interim final rule effective February 1, 1984; comments must be received on or before February 15, 1984.

ADDRESS: Written comments may be mailed to D. M. Holbrook, Chief, Standardization Branch, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 3944, South Agriculture Building, Washington, D.C. 20250. (For further information regarding comments, see "Comments" under Supplementary Information.)

FOR FURTHER INFORMATION CONTACT: Larry W. Robinson, Assistant to the Director, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 3938, South Agriculture Building, Washington, D.C. 20250, (202) 447–3271.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

An initial determination has been made that this interim final rule is not a major rule under Executive Order 12291. It will not (i) result in an annual effect on the economy of $100 million or more, (ii) result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (iii) have significant effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This regulation has been reviewed for cost effectiveness under U.S. Department of Agriculture Secretary's Memorandum 1512–1 implementing Executive Order 12291. It increases fees and charges to cover escalating costs of providing Federal voluntary grading services and Federal mandatory egg products inspection overtime service. Federal laws require that users pay for these services. It is anticipated that these increases will not have a significant economic effect on producers, packers, and consumers. Alternatively, the Agency could have requested appropriations to subsidize voluntary programs and denied overtime egg products inspection service. However, such actions would require a change in the intent of these laws, would increase the Federal Budget, and would not adhere to the President's economic recovery plan. Furthermore, any denial or disruption of grading/inspection services due to inadequate fees and charges could result in adverse impacts on the orderly marketing of poultry, rabbits, eggs, and egg products and on the quality of products available to consumers.

Effect on Small Entities

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), because (i) the fees and charges merely reflect, on a cost-per-unit-graded/inspected basis, a minimal increase in the costs currently borne by those entities utilizing the services; and (ii) competitive effects are offset under the major voluntary programs (resident shell egg and poultry grading) through administrative charges based on the volume of product handled; i.e., the cost to users increases in proportion to increased volume.

Comments

Interested persons are invited to submit written comments concerning these interim final amendments. Comments must be sent in duplicate to the Standardization Branch and should bear a reference to the date and page of this issue of the **Federal Register.** Comments submitted pursuant to this document will be made available for public inspection in the Washington, D.C., Standardization Branch during regular business hours.

Background

The Agricultural Marketing Act of 1946, as amended, provides for the collection of fees approximately equal to the cost of providing Federal voluntary egg, poultry, and rabbit grading. The Egg Products Inspection Act requires that the cost for overtime inspection be borne by the user of the service. The fees for these services are determined by the grader's or inspector's salary and fringe, cost of supervision, travel, and other overhead and administrative costs.

Last year's fee increase was based primarily on a 4.0-percent salary increase and a loss in appropriated funding used to offset a portion of overhead costs. Since then, program costs have continued to rise.

Federal employees received in January 1984 a 3.5-percent increase in conformity with the Federal Pay Comparability Act of 1970. Likewise, payments for workmen's compensation and medicare have increased 0.5 percent and approximately 0.1 percent, respectively.

Costs of supervision and other overhead and administrative costs have also increased for the same reasons. They are covered by an administrative service charge assessed on each case of shell eggs and each pound of poultry handed in plants using resident grading service. In 1982, these rates were established at $0.024 per case of shell eggs and $0.00024 per pound of poultry. These rates are being changed to $0.025 per case of shell eggs and $0.00025 per pound of poultry. Also, these charges

were set at a minimum of $120 and a maximum of $1,200 per billing period for each official plant. These figures will be changed to $125 and $1,250, respectively.

Due to the situations described above, the hourly rate for mandatory overtime egg products inspection service is increased from $16.56 to $17.20. Administrative charges for the resident voluntary rabbit grading and nonresident voluntary continuous poultry and egg grading programs will continue to be based on 25 percent of the grader's total salary costs. The minimum charge per billing period for these programs is increased from $120 to $125 per official plant.

Overall, fees and charges will be increased about 3.5 percent.

The Agency is implementing these fee amendments effective February 1, 1984, because increased revenues are urgently needed to cover the costs of services, and because a determination of the level of charges could not be completed until the salary increase had been enacted. Therefore, it has been determined that the following amendments must be adopted immediately on an interim final basis. A final rule will be promulgated in the **Federal Register** after evaluation of comments received in response to this notice. Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this interim final rule is impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this interim final rule effective less than 30 days after publication of this document in the **Federal Register.**

Information Collection Requirements and Recordkeeping

Information collection requirements and recordkeeping provisions contained in 7 CFR Parts 56, 59, and 70 have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35, and 7 CFR Part 56 has been assigned OMB No. 0581–0128; and 7 CFR Part 59 has been assigned OMB Nos. 0581–0113 and 0581–0114; and 7 CFR Part 70 has been assigned OMB No. 0581–0127.

List of Subjects

7 CFR Part 56

Shell eggs, Voluntary grading service.

7 CFR Part 59

Shell eggs, Egg products, Mandatory inspection service.

7 CFR Part 70

Poultry, Poultry products, Rabbit products, Voluntary grading service.

Accordingly, under authority contained in the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*), and the Egg Products Inspection Act (21 U.S.C. 1031–1056), the U.S. Department of Agriculture hereby amends the Regulations Governing the Grading of Shell Eggs and United States Standards, Grades, and Weight Classes for Shell Eggs (7 CFR Part 56); the Regulations Governing the Inspection of Eggs and Egg Products (7 CFR Part 59); and the Regulations Governing the Voluntary Grading of Poultry Products and Rabbit Products and United States Classes, Standards, and Grades (7 CFR Part 70) as set forth below:

PART 56—GRADING OF SHELL EGGS AND U.S. STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

1. Section 56.52 is amended by revising paragraph (a)(4) to read as follows:

§ 56.52 Continuous grading performed on a resident basis.

* * * * *

(a) * * *

(4) An administrative service charge based upon the aggregate number of 30-dozen cases of all shell eggs handled in the plant per billing period multiplied by $.025, except that the minimum charge per billing period shall be $125 and the maximum charge shall be $1,250. The minimum charge also applies where an approved application is in effect and no product is handled.

* * * * *

2. Section 56.54 is amended by revising paragraph (a)(2) to read as follows:

§ 56.54 Charges for continuous grading performed on a nonresident basis.

* * * * *

(a) * * *

(2) An administrative service charge equal to 25 percent of the grader's total salary costs. A minimum charge of $125 will be made each billing period. The minimum charge also applies where an approved application is in effect and no product is handled.

* * * * *

PART 59—INSPECTION OF EGGS AND EGG PRODUCTS (EGG PRODUCTS INSPECTION ACT)

3. Section 59.126 is revised to read as follows:

§ 59.126 Overtime inspection service.

When operations in an official plant require the services of inspection personnel beyond their regularly assigned tour of duty on any day, or on a day outside the established schedule, such services are considered as overtime work. The official plant shall give reasonable advance notice to the inspector of any overtime service necessary and shall pay the Service for such overtime at an hourly rate of $17.20 to cover the cost thereof.

PART 70—VOLUNTARY GRADING OF POULTRY PRODUCTS AND RABBIT PRODUCTS AND U.S. CLASSES, STANDARDS, AND GRADES

4. Section 70.76 is amended by revising paragraph (a)(2) to read as follows:

§ 70.76 Charges for continuous poultry grading performed on a nonresident basis.

* * * * *

(a) * * *

(2) An administrative service charge equal to 25 percent of the grader's total salary costs. A minimum charge of $125 will be made each billing period. The minimum charge also applies where an approved application is in effect and no product is handled.

* * * * *

5. Section 70.77 is amended by revising paragraphs (a)(4) and (a)(5) to read as follows:

§ 70.77 Charges for continuous poultry or rabbit grading performed on a resident basis.

* * * * *

(a) * * *

(4) For poultry grading: An administrative service charge based upon the aggregate weight of the total volume of all live and ready-to-cook poultry handled in the plant per billing period computed in accordance with the following: Total pounds per billing period multiplied by $.00025, except that the minimum charge per billing period shall be $125 and the maximum charge shall be $1,250. The minimum charge also applied where an approved application is in effect and no product is handled.

(5) For rabbit grading: An administrative service charge equal to 25 percent of the grader's total salary costs. A minimum charge of $125 will be made each billing period. The minimum charge also applies where an approved application is in effect and no product is handled.

* * * * *

(Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*); Egg Products Inspection Act (21 U.S.C. 1031–1056)).

Done at Washington, D.C., on January 16, 1984.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 84-1441 Filed 1-18-84; 8:45 am]

BILLING CODE 3410-02-M

Federal Crop Insurance Corporation

7 CFR Part 442

[Amdt. No. 2]

Prevented Planting Crop Insurance Regulations

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule; correction.

SUMMARY: The final rulemaking on the Prevented Planting Crop Insurance Regulations, published in the **Federal Register** on Tuesday, December 13, 1983 (48 FR 55418–55421), contained an error of omission in that Appendix A, listing the counties wherein prevented planting crop insurance is otherwise authorized to be offered, was inadvertently omitted. This notice is being published to correct that error.

EFFECTIVE DATE: January 19, 1984.

ADDRESS: Any suggestions or inquiries on this notice should be sent to the Office of the Manager, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250, telephone (202) 447–3325. The correction is as follows:

SUPPLEMENTARY INFORMATION: On page 55421, following Section 20., and the words "receipt of the written notice.", and before the words "Approved by the Board of Directors on * * *", insert the following:

APPENDIX A

Counties Designated for Prevented Planting Crop Insurance—7 CFR Part 442

In accordance with the provisions of 7 CFR 442.1, the following counties are designated for prevented planting crop insurance:

Indiana: Posey, Vanderburgh
Minnesota: Kittson, Marshall
Mississippi: Leflore, Sunflower
Ohio: Brown, Highland.

Done in Washington, D.C., on January 10, 1984.

Peter F. Cole,

Secretary, Federal Crop Insurance Corporation.

Dated: January 11, 1984.
Approved by:

Michael Bronson,

Acting Manager.

[FR Doc. 84-1391 Filed 1-18-84; 8:45 am]

BILLING CODE 3410-08-M

Agricultural Stabilization and Conservation Service

7 CFR Part 770

Special Programs of Payment in Kind for Acreage Diversion for 1984 and Subsequent Crops of Wheat, Feed Grains, Upland Cotton, Extra Long Staple Cotton, and Rice

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Final rule.

SUMMARY: A proposed rule was published in the **Federal Register** on January 4, 1984 (49 FR 409) which would amend the regulations at 7 CFR Part 770 and make them applicable to any programs of payment in kind for acreage diversion for any of the 1984 and subsequent crops of wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, or rice which are announced by the Secretary of Agriculture. It was also proposed that payments in kind received under such programs with respect to 1984 and subsequent crops be taken into account in the application of the payment limitation regulations set forth at 7 CFR Part 795. This final rule discusses the comments which were received and adopts the proposed regulations without change.

EFFECTIVE DATE: January 16, 1984.

ADDRESS: Grant Buntrock, Director, Cotton, Grain, and Rice Price Support Division, USDA–ASCS, Room 3630, South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Grant Buntrock, ASCS, (202) 447–7641.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA procedures implementing Executive Order 12291 and Secretary's Memorandum No. 1512–1 and has been classified "not major". It has been determined that this rule will not result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The titles and numbers of the Federal assistance programs to which this final rule applies are: Cotton Production Stabilization, 10.052; Feed Grain Production Stabilization, 10.055; Rice Production Stabilization, 10.065; and Wheat Production Stabilization, 10.058; as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since the Agricultural Stabilization and Conservation Service is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore neither an Environmental Assessment nor an Environmental Impact Statement is needed.

A proposed rule was published in the **Federal Register** on January 4, 1984 (49 FR 409) which would amend the regulations at 7 CFR Part 770 and make them applicable to any programs of payment in kind for acreage diversion for any of the 1984 and subsequent crops of wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, or rice which are announced by the Secretary of Agriculture. It was also proposed that payments in kind received under such programs with respect to 1984 and subsequent crops be taken into account in the application of the payment limitation regulations set forth at 7 CFR Part 795.

Comments Received

Comments of the proposed rule were received from five individuals, two Congressmen, and one national farm organization. The following summarizes the comments and discusses the issues raised:

1. Two individuals suggested that the amount of the limitation on the total payments (excluding disaster payments) that a person may receive annually under one or more of the feed grain, rice, upland cotton, extra long staple cotton, and wheat programs should be raised from $50,000 to reflect the increased costs to producers over the last 20 years and to recognize that larger units are

now required if farming is to be economical. This suggestion has not been adopted. Section 1101 of the Agriculture and Food Act of 1981, as amended, provides for a payment limitation of $50,000.

2. The national farm organization and one Congressman commented that wheat received as compensation under the program of payment in kind for 1984 wheat should not be taken into account when the $50,000 payment limitation is applied. The organization and the Congressman stated that applying the payment limitation to such compensation will greatly reduce participation in the program by larger producers and thereby cause the 1984 wheat program to fail to achieve its objective. The organization and the Congressman recommended that this provision of the proposed rule should be rescinded in the interest of encouraging the maximum possible participation.

As noted in the proposed rule, the General Counsel of the General Accounting Office (GAO) has recently taken the position that compensation received under the program of payment in kind for 1983 crops should be subject to the payment limitation. The Department is also involved in litigation with respect to this issue. While the Department does not agree with the position taken by GAO, it proposed that the 1984 and subsequent payment in kind programs be subject to the payment limitation in order to resolve this issue. The Department continues to believe that uncertainty over the application of the limitation to the payment in kind program must be avoided. Therefore, the proposed rule has not been changed.

3. Three individuals stated that the Agricultural Stabilization and Conservation Service ("ASCS") had, in earlier internal instructions issued to county ASCS offices with respect to the provisions of the 1984 wheat program, indicated that the $50,000 payment limitation would not apply to wheat received as payment in kind under the program. These individuals stated that they had relied upon these internal instructions and planted their fall-seeded wheat accordingly. They claimed that making the payment limitation applicable to compensation under the payment in kind program, as provided for in the proposed rule, will cause them losses which they will be unable to recover by changes in their spring plantings. One Congressman made a similar point commenting that since the payment limitation question was not mentioned in the announcement of the 1984 program, producers assumed that the 1983 policy would be continued and made their fall plantings accordingly.

The reasons for the Department's decision to apply the payment limitation to the payment in kind program have already been described. The fact that some producers have acted on the basis of an internal ASCS document issued prior to that decision is not a sufficient basis for reversing the decision. Serious question as to whether the payment limitation applies to the payment in kind program were not raised until after most fall seeded wheat had been planted. In particular, the GAO opinion concluding that the limitation did apply was not received by the Department until November 1, 1983. The Department has acted to resolve the uncertainty created by these questions by applying the limitation to the 1984 and subsequent payment in kind programs. The Department regrets that the issue was not raised by GAO and others before some producers had already completed their planting of fall seeded wheat for the 1984 crop year.

4. The program of payment in kind for 1984 wheat provides that producers will receive as compensation under the program a quantity of wheat which is pledged as collateral for a CCC price support loan, redeemed, and sold to CCC. The loan may have been for 1983 or earlier crop production or it may be for 1984 harvested production under a special "harvest for PIK" procedure. In either case, it normally is wheat which the producer grew and harvested. Unlike the 1983 program, producers will not receive as compensation other wheat owned by CCC which was acquired from other producers independently of the payment in kind program. Instead, producers who are unable to harvest all of the production required due to conditions beyond the producer's control will be released from their obligations under the program contract.

One Congressman commented that this new provision for 1984 is a disincentive for producers to participate in the program. A producer whose 1984 crop of wheat totally fails and who has no outstanding wheat loans for earlier years would be released from the contract rather than receiving compensation under the program. Accordingly, the Congressman suggested that the same provision which was applicable to the 1983 program should be utilized.

Experience with the 1983 wheat program shows that producers expect to receive as payment in kind compensation wheat of the same class as they normally produce and which is located in a nearby elevator. It proved impossible to satisfy totally these expectations under the 1983 program. There was not complete correlation between the areas of high participation in the program, including the classes of wheat grown by participating producers, and the classes and storage locations of wheat in existing CCC-owned inventories. Accordingly, meeting producer expectations in 1984 would again prove to be difficult, expensive, and impossible to achieve fully. On the other hand, it is not believed that this provision will significantly lower producer participation. A producer who participates in the program of payment in kind for 1984 wheat at the 20 percent level and plants the full permitted acreage of wheat could have the harvested yield for the farm in 1984 reduced by up to 70 percent and still receive full compensation under the "harvest for PIK" procedure. A producer whose wheat is completely destroyed due to hail would still be able, in many of the wheat growing areas, to plant a short maturity crop on the acreage that is released under the contract. Such a producer would also still be able to receive deficiency payments, if applicable, for the destroyed acreage under the 1984 acreage reduction program for wheat. For these reasons, it has been decided not to change the provisions of the proposed rule.

The information collection requirements of this subpart have been approved by the Office of Management and Budget (OBM) for purposes of the Paperwork Reduction Act and OMB number 0560–0092 has been assigned.

The regulations previously appearing at 7 CFR Part 770 with respect to the 1983 crops of wheat, corn, grain sorghum, upland cotton, and rice shall remain applicable to such crops.

List of Subjects in 7 CFR Part 770

Cotton, Feed grains, Price support program, Wheat, Rice.

Final Rule

Accordingly, effective for the 1984 and subsequent crops of wheat, feed grains, upland cotton, extra long staple cotton, and rice, the proposed regulations at 7 CFR Part 770 as published in the **Federal Register** on January 4, 1984 (49 FR 410) are adopted as a final rule without change as set forth below.

Signed at Washington, D.C. on January 16, 1984.

John R. Block,

Secretary.

Part 770 of 7 CFR Ch. VII is revised to read as follows:

PART 770—SPECIAL PROGRAMS OF PAYMENT IN KIND FOR ACREAGE DIVERSION FOR THE 1984 AND SUBSEQUENT CROPS OF WHEAT, FEED GRAINS, UPLAND COTTON, EXTRA LONG STAPLE COTTON, AND RICE

Sec.

770.1 General description of program.
770.2 Obligations of operators and producers.
770.3 Obligations of the Department.
770.4 Other contract provisions.
770.5 Contracting procedures.
770.6 Miscellaneous provisions.
770.7 Paperwork Reduction Act assigned number.

Authority: Secs. 101(i), 103(g), 103(h), 105B and 107B of the Agricultural Act of 1949, as amended (7 U.S.C. 1441, 1444, 1444(d), 1444(g), 1444(h), and 1445b–1) and the Commodity Credit Corporation Charter Act (15 U.S.C. 714).

§ 770.1 General description of program.

(a) The Department of Agriculture, through the Commodity Credit Corporation, will enter into contracts with operators and producers who agree to reduce the acreage normally planted to a commdity specified in § 770.1(b) and devote an equivalent acreage to an approved conserving use in return for compensation in the form of the commodity for which the planted acreage is reduced. This part describes the general terms and conditions of these contracts and the procedures under which the Department will enter into such contracts.

(b) This special program is available throughout the United States, including Puerto Rico, for the 1984 and subsequent crops of wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, or rice as announced by the Secretary of Agriculture (the "Secretary").

§ 770.2 Obligations of operators and producers.

(a) The contract between the Department and the operator of a farm and any other producers on the farm will impose the following obligations on the operator and any other producers:

(1) The operator and any other producers will be required to comply with all of the requirements of any other acreage reduction or paid diversion program established by the Department for any commodity included in the contract.

(2) The operator and any other producers will be required to devote a percentage of the farm's acreage base for any commodity included in the contract to an approved conserving use in addition to any other acreage reduction or paid diversion. This percentage will depend on the contract between the Department and the operator and any other producers.

(i) The Department may enter into a contract with the operator of a farm and any other producer on the farm which provides for devoting a percentage of the farm's acreage base for one or more commodities to an approved conserving use, with a commensurate reduction in permitted acreage, if the operator and any other producers wish to do so. The operator and any other producers may select the commodities to be included in the contract, except that the Department may require that the contract include either both crops or neither crop of corn and grain sorghum or barley and oats. Compensation to operators and other producers under these contracts will be based on a fixed percentage of the farm yield for each of the commodities included in the contract. See § 770.3(a)(1). The percentage or range of percentages will be announced by the Secretary.

(ii) In addition, the Department may, in some cases, enter into a contract with the operator of a farm and any other producers on the farm which requires the operator and any other producers to devote 100 percent of the farm's acreage base for one or more commodities to an approved conserving use. These contracts will be awarded on a competitive bid basis and the compensation to an operator and any other producers under one of these contracts will be based on the percentage of the established yield for the farm for each of the commodities included in the contract which was bid by the operator and any other producers. See § 770.5(b).

(3) If the operator of a farm or any other producers on the farm have outstanding farmer owned reserve loans obtained prior to a date specified by the Secretary or regular price support loans for which they have pledged as security a commodity which the Department is obligated to pay them under the contract they must, at the time they request payment of the commodity, sell the commodity to the Department, if required by the Secretary up to the quantity of the commodity the Department is obligated to pay them. The purchase price shall be equal to the cost of liquidating the loan or the portion of the loan for which the quantity of the commodity sold to the Department is pledged as collateral, except that, in the case of a farmer owned reserve loan, the price will be reduced by the amount of any unearned advance storage payments received under the loan.

(4) To the extent that the operator or any other producers have loans to which paragraph (a)(3) of this section applies at the time they enter into the contract, they may liquidate those loans or forfeit the commodity securing them only to the extent that the liquidation or forfeiture does not reduce the quantity of the commodity pledged as security for the loans still held by the operator and such other producers below the quantity of the commodity the Department is obligated to pay the operator and such other producers under the contract. The commodities pledged as security for loans that must be held under this paragraph will be used by the Department to compensate the operator and any other producers under the contract. See § 770.3(a)(2)(i).

(b) The contract shall provide for the payment of liquidated damages in the event that the operator or any other producers fail to comply with their obligations under the contract. The purpose of a program of payment in kind is to obtain a diversion of acreage from production of the applicable crops of commodities in order to adjust the total national acreage of such commodities to desirable goals. Once a contract has been entered into between the Department and producers, the Department, and other segments of the agricultural community, act based upon the assumption that the contract will be fulfilled and the reduction in acreage will be obtained. The Department's action include budgeting and planning for programs in subsequent crop years, as well as making the necessary arrangements to compensate producers through payment in kind. A producer's failure to comply with a contract undermines the basis for these actions, damages the credibility of the Department's programs with other segments of the agricultural community, and requires additional expenditures in subsequent crop years to offset the effect of the increased production in the current crop year. While the adverse effects on the Department of the producer's failure to comply with a contract are obvious, it would be impossible to compute the actual damage suffered by the Department.

§ 770.3 Obligations of the Department.

(a) The contract between the Department and the operator of a farm and any other producers on the farm will impose the following obligations on the Department:

(1) The Department will be required to compensate the operator and any other producers for devoting acreage to an approved conserving use by payment of

a quantity of the commodity or commodities that would otherwise have been produced, unless the substitution of a different commodity is provided for in the contract. The quantity shall be the yield for the farm for a commodity multiplied by the acreage devoted to a conserving use in accordance with the provisions of the contract less the acreage devoted to a conserving use as required under any acreage reduction and cash land diversion program which is in effect for the commodity, multiplied by a percentage determined as follows:

(i) For contracts awarded on a competitive bid basis, the percentage shall be the percentage bid by the operator and any other producers.

(ii) For contracts other than those awarded on a competitive bid basis, the percentage shall be the percentage announced by the Secretary.

(2) The contract will provide that the commodities will be paid in the following manner:

(i) To the extent that the operator and any other producers have outstanding regular price support or farmer owned reserve loans for which they have pledged as security a commodity which they must sell to the Department, the commodities sold to the Department will be paid to the operator and such other producers. See § 770.2(a)(3).

(ii) To the extent that a commodity cannot be paid using the procedure described in paragraph (a)(2)(i) of this section, the producer may be required to pledge as collateral for a price support loan eligible quantities of the crop produced in the current crop year and then be paid the commodity using the procedure described in paragraph (a)(2)(i) of this section.

(iii) To the extent that a commodity cannot be paid using the procedures described in paragraphs (a)(2)(i) and (ii) of this section, the contract may provide that the commodity shall be paid out of stocks available to the Department for that purpose. Alternatively, as announced by the Secretary, the contract may provide that the producer will be released from the obligations under the contract rather than receiving any quantity of the commodity.

(3) The contract will provide that the commodities will be paid upon request of the operator and any other producers at any time during the five month period with a date announced for the commodity in the area where the area where the farm is located.

(4) The contract may contain special arrangements and requirements with respect to the Department's obligations to producers who are active members of a marketing cooperative.

§ 770.4 Other contract provisions.

(a) The contract between the Department and the operator of a farm and any other producers on the farm will establish standards for the grade and other characteristics affecting the quality of any commodity the Department is obligated to pay to the operator and any other producers. It will further provide for adjustments in the quantity of a commodity paid to this operator and any other producers to compensate for any difference between these standards and the grade and other characteristics affecting the quality of the commodity paid to the operator and any other producers. For the purpose of determining these adjustments, a commodity paid under the procedure described in § 770.3(a)(2)(i) shall be treated as having the grade and other characteristics affecting its quality which it was treated as having at the time that the price support or farmer owned reserve loan for which it was pledged as security was made.

(b) The contract between the Department and the operator of a farm and any other producers on the farm shall contain such other provisions as the Department determines appropriate to carry out the program established by this part.

§ 770.5 Contracting procedures.

(a) An operator of a farm and any other producers on the farm may enter into a contract with the Department, which provides for devoting a percentage of the farm's acreage base, as determined in accordance with § 770.2, to an approved conserving use. The contract may be entered into at the appropriate county ASCS office prior to the close of business on a date to be announced by the Secretary.

(b) An operator of a farm and any other producers on the farm may submit a bid for a contract with the Department, which provides for devoting 100 percent of the farm's acreage base for one or more commodities to an approved conserving use. The bid may be submitted to the appropriate county ASCS office prior to the close of business on a date to be announced by the Secretary.

(1) The operator and any other producers may select the commodities to be included in the bid, except that the Department may require that the bid include either both crops or neither crop of corn and grain sorghum, or barley and oats.

(2) The bid shall state the percentage of the established yield for the farm for each of the commodities included in the bid to be used in determining the compensation to be paid to the operator and any other producers under the contract if the bid is accepted. The operator and any other producers may select any percentage, except that the maximum percentage and other conditions will be announced by the Secretary.

(c) After the final date for submitting bids, the bids in each county shall be ranked for each commodity, treating corn and grain sorghum or barley and oats as single commodities, if so required by the Department, on the basis of the percentage of established yield to be used in determining compensation stated in the bids, with the lowest percentage being ranked highest. In the case of identical bids, they shall be ranked in the order received or, where an appointment procedure was utilized by the county ASCS office during the course of which producers submitted bids, a lottery shall be conducted to determine the order by which such bids should be ranked. The bids for each commodity shall then be accepted in rank order. The Department will establish the number of acres for which bids will be accepted for each commodity in each county, based on particular supply/demand situations, conditions in local communities, and other relevant factors. In no case will more than 50 percent of the total of the acreage bases for a commodity in a county be removed from production of the commodity under the program established by this part and any other acreage reduction or diversion program established under Part 713 of this chapter. Acceptance of a bid under this subsection with respect to a commodity shall terminate any contractual obligations with respect to that commodity entered into under paragraph (a) of this section.

§ 770.6 Miscellaneous provisions.

(a) Part 795 of this chapter contains regulations which govern the applicability of the payment limitations imposed by section 1101 of the Agriculture and Food Act of 1981. Payments in kind received under the programs established by this part with respect to 1984 and subsequent crops shall be taken into account in the application of the payment limitation regulations set forth at Part 795 of this chapter. The value assigned to the payment in kind for this purpose will be based upon the county price support loan rate applicable to the commodity for the crop year for which the payment in kind program has been implemented.

(b) Part 713 of this chapter contains regulations which govern regular annual acreage reduction and diversion and

other programs for wheat, feed grains, cotton and rice. Sections 713.60 through 713.74 of that part concerning land eligible for designation as conserving use acreage and the obligations of producers with respect to the use of that acreage shall apply to the program established by this part.

(c) In addition, the following provisions of this title concerning general program administration also apply to the program established by this part:

(1) Part 707—Payments Due Persons Who have Died, Disappeared, or Have Been Declared Incompetent.

(2) Part 718—Determination of Acreage and Compliance.

(3) Part 780—Appeal Regulations.

(4) Part 790—Incomplete Performance Based Upon Action Or Advice of an Authorized Representative of the Secretary.

(5) Part 791—Authority to Make Payments Where There Has Been a Failure to Comply Fully with the Program.

(6) Part 1403—Interest on Delinquent Debts.

(7) Section 110 of Part 713 concerning protection of tenants and sharecroppers.

(d) When any person who had an interest as a producer in the commodity or would have had an interest in the commodity as a producer if the commodity had been planted (herein called "predecessor") is succeeded on the farm by another producer (herein called "successor") after a contract has been executed, any payment in kind which is due and owing shall be divided between the predecessor and successor on such basis as the predecessor, successor, and the Department agree is fair and equitable, the contract shall be revised accordingly, and the successor shall sign the revised contract.

(e) Assignments with repect to quantities of a commodity which can be received by a producer as payment in kind will be recognized by the Department only if such assignment is made on Form CCC–479, Assignment of Payment-In-Kind, executed by the assignor and assignee, and filed with the county committee.

(f) Except as provided in paragraph (e) of this section, any payment in kind or portion thereof which is due any person shall be made without regard to questions of title under State law, and without regard to any claim of lien against the commodity, or proceeds thereof, which may be asserted by any creditor, except for a levy by the Internal Revenue Service.

§ 770.7 Paperwork Reduction Act assigned number.

The information collection requirements contained in these regulations (7 CFR Part 770) have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB Control Number 0560–0092.

[FR Doc. 84–1531 Filed 1–17–84; 8:51 am]

BILLING CODE 3410–05–M

Agricultural Marketing Service

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Reg. 6, Amdt. 29]

Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Amendment of Grade and Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This action: (1) Lowers the minimum diameter requirement for domestic shipments of Florida white seedless grapefruit and imports of white seedless grapefruit from 3 9/16 inches to 3 5/16 inches; and (2) lowers the minimum diameter requirement for domestic shipments for Florida Temple oranges from 2 9/16 inches to 2 1/16 inches and requires domestic and export shipments of Florida Temple oranges to meet the requirements of U.S. No. 1 Golden. The change in minimum size and grade of such fruit recognizes the grade and size composition of the remaining fruit supply and is consistent with the available crop in the interest of growers and consumers.

EFFECTIVE DATES: January 16, 1984 for Temple oranges and January 23, 1984 for white seedless grapefruit.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities.

The amendment is issued under the marketing agreement and Order No. 905 (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and information submitted by the Citrus Administrative Committee, and upon other available information. It is hereby found that the regulation of Florida white seedless grapefruit, and Temple oranges as hereinafter provided, will tend to effectuate the declared policy of the act.

The minimum grade and size requirements, specified herein, reflect the committee's and the Department's appraisal of the need to revise the size requirements applicable to Florida white seedless grapefruit, and the grade and size requirements applicable to Florida Temple oranges in recognition of the recent freeze in Florida. The freeze has resulted in some fruit loss and increased market demand for the remaining fruit supply. Specification of these requirements assures that the available supply of such marketable fruit reaches the consumer.

Under section 8e of the act (7 U.S.C. 608e–1), whenever specified commodities, including grapefruit, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality or maturity requirements as those in effect for the domestically produced commodity. Thus, size requirements for imported white seedless grapefruit will also change to conform to the size requirements for domestic shipments of Florida white seedless grapefruit.

It is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this amendment is based and the effective date necessary to effectuate the declared purposes of the act. This amendment relieves restrictions on shipments of Florida white seedless grapefruit, Temple oranges and imports of white seedless grapefruit. Handlers have been apprised of such provisions and the effective dates.

List of Subjects in 7 CFR Part 905

Marketing agreements and orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

PART 905—[AMENDED]

Accordingly, the provisions of § 905.306 are amended by revising the following entries in Table I paragraph (a), applicable to domestic shipments, and Table II paragraph (b), applicable to export shipments, to read as follows:

§ 905.306 Orange, grapefruit, tangerine and tangelo regulation 6.

(a) * * *

TABLE I

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
*	* *	* *	
Grapefruit: Seedless, white.	1/23/84–8/19/84.	Improved No. 2 (External), U.S. No. 1 (Internal).	3 3/16
	On and after 8/20/84.	Improved No. 2 (External), U.S. No. 1 (Internal).	3 5/16
Oranges: Temple.	1/16/84–8/19/84.	U.S. No. 1 Golden.	2 11/16
	On and after 8/20/84.	U.S. No. 1	2 13/16
*	* *	* *	

(b) * * *

TABLE II

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
*	* *	* *	
Oranges: Temple.	1/16/84–8/19/84.	U.S. No. 1 Golden.	2 11/16
	On and after 8/20/84.	U.S. No. 1	2 13/16
*	* *	* *	

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 16, 1984.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 84-1513 Filed 1-18-84; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Parts 959 and 979

Expenses and Rates of Assessment for Specified Marketing Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses of the committees functioning under Marketing Orders 959 and 979. Funds to administer these programs are derived from assessments on handlers of the fruits and vegetables regulated under the orders.

EFFECTIVE DATES: August 1, 1983—July 31, 1984 (§ 959.224); October 1, 1983—September 30, 1984 (§ 979.206).

FOR FURTHER INFORMATION CONTACT: Robert F. Matthews, Vegetable Branch, F&V, AMS, USDA, Washington, D.C. 20250; (202) 447–5764.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a "nonmajor" rule.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities.

These marketing orders are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). These actions are based upon the recommendations and information submitted by each committee established under the respective marketing orders, and upon other information. It is found that the expenses and rates of assessment, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rulemaking and good cause exists for not postponing the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553). Each order requires that the rate of assessment for a particular fiscal period shall apply to all assessable fruits and vegetables handled from the beginning of such period. To enable the committee to meet current fiscal obligations, approval of the expenses is necessary without delay. It is necessary to effectuate the declared policy of the act to make these provisions effective as specified and handlers have been apprised of such provisions, and the effective time.

List of Subjects in 7 CFR Parts 959 and 979

Marketing agreements and orders, Onions, Melons, Texas.

Sections 959.223 (M.O. 959) and 979.205 (M.O. 979) are removed and new sections are added as follows: (The following sections prescribe annual expenses and assessment rates and will not be published in the Code of Federal Regulations.)

PART 959—ONIONS GROWN IN SOUTH TEXAS

§ 959.224 Expenses and assessment rate.

Expenses of $230,150 by the South Texas Onion Committee are authorized, and an assessment rate of $0.03 per 50-pound container or equivalent quantity is established for the fiscal period ending July 31, 1984. Unexpended funds may be carried over as a reserve.

PART 979—MELONS GROWN IN SOUTH TEXAS

§ 979.206 Expenses and assessment rate.

(a) Expenses of $118,600 by the South Texas Melon Committee are authorized, and an assessment rate of $0.01 per carton of melons is established for the fiscal period ending September 30, 1984.

(b) In accordance with the provisions of § 979.42, late payment charges of one and one-half percent per month shall be charged on the unpaid balance for each past due account. An account is past due 30 days after the billing date. Unexpended funds may be carried over as a reserve.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 16, 1984.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 84-1512 Filed 1-18-84; 8:45 am]

BILLING CODE 3410-02-M

Food Safety and Inspection Service

9 CFR Parts 301, 317, 320 and 381

[Docket No. 82-018F]

Policy Governing Inspection of Packaging Materials

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal meat and poultry products inspection regulations to clarify the Food Safety and Inspection Service (FSIS) policy on the use by federally inspected establishments of various packaging materials for meat and poultry products. Inspectors are authorized to prevent the use of any packaging materials that might lead to the adulteration of product. The current FSIS policy of providing an advisory evaluation of packaging materials prior to use, to ensure they will be permitted to be used in the establishment, has been misinterpreted to be a mandatory premarket approval procedure. The

policy therefore requires clarification and revision. This final rule defines "packaging material" and requires that official establishments receive from the suppliers of their packaging materials, and retain in their files, written guaranties that the materials are in compliance with the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended, and all applicable food additive regulations; that inspectors view such guaranties as establishing that the described packaging materials are in compliance with the FFDCA and all applicable food additive regulations unless the inspector has specific reason to believe otherwise; that FSIS continue to evaluate packaging materials upon request; and that FSIS institute a monitoring program to ensure written guaranties can be substantiated.

EFFECTIVE DATE: July 17, 1984.

FOR FURTHER INFORMATION CONTACT: Charles Edwards, Chief, Product Safety Branch, Food Ingredient Assessment Division, Science, Food Safety and Inspection Service, U.S. Department of Agriculture, Bldg. 306, BARC East, Beltsville, MD 20705, (301) 344–2566.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Agency has made a determination that this final rule is not a major rule under Executive Order 12291. It will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. This regulation provides that federally inspected meat and poultry establishments obtain and keep on file a written guaranty from packaging suppliers that packaging is in compliance with the FFDCA and all applicable food additive regulations. This will result in a more simple, timely, and economical way than is now available for official establishments to demonstrate to inspectors that packaging materials comply with the food additive laws.

Effect on Small Entities

The Administrator, FSIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, Pub. L. 95–354 (5 U.S.C. 601). The rule may have a very minor impact on costs to those official establishments where no records of packaging materials used are currently kept. Thus, the increased cost to small entities within this class is not expected to be significant. Otherwise, no increased cost to official establishments is expected.

Background

The Poultry Products Inspection Act (PPIA) and the Federal Meat Inspection Act (FMIA) authorize Federal inspectors in official establishments subject to either Act to prevent product which may be adulterated from entering into commerce (21 U.S.C. 451 *et seq.* and 601 *et seq.*). Product may become adulterated in a number of ways, including by migration of substances from containers.

A meat or poultry-product is adulterated if it bears or contains any food additive which is unsafe within the meaning of section 409 of the FFDCA (21 U.S.C. 453(g)(2)(c) and 601(m)(2)(c)). Section 409 of the FFDCA provides that all food additives are unsafe unless found by the Food and Drug Administration (FDA) to be safe for their intended use (21 U.S.C. 438). FDA lists approved food additives and other substances that might become components of food, together with conditions of use for such products, in its regulations (21 CFR Parts 170–189). These listings include indirect food additives such as packaging materials which may become components of the foods due to their contact with the foods. Therefore, packaging or other food contact materials that might become components of food and that are intended for use in federally inspected establishments must comply with all applicable regulations promulgated under the FFDCA or be deemed "unsafe."

Furthermore, a meat or poultry product may be adulterated under the PPIA and FMIA "if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health" (21 U.S.C. 453(g)(6) and 601(m)(6)).

Thus, Federal inspectors in official establishments are authorized to inspect packaging materials intended for use with food products subject to the FMIA and the PPIA. Although there are currently no regulations in Title 9 of the Code of Federal Regulations that deal specifically with packaging materials for meat and poultry products, § 17.16 of the Meat and Poultry Inspection Manual explains the inspectors' authority in this regard by stating: "Generally, packages and packaging materials need not be sampled; however, if the inspector has reason to doubt their acceptability, he requires the plant or supplier to show a letter of acceptance, and permits use of materials on the basis of such letter."

Under current policy, if an inspector questions the safety of a packaging material, the Food Ingredient Assessment Division (FIAD), Science, FSIS, evaluates the material's chemical acceptability and advises the inspector and establishment of its findings. There is on regulatory requirement for prior review and approval of packaging materials, and packaging materials may be sold to and used by official establishments without any prior approval by any central USDA authority. However, a Federal inspector may inspect and disallow the use of a packaging material, and may retain any product contained in it if he/she has reason to doubt the chemical acceptability of the packaging material.

Since 1972, FSIS has provided as a free service to industry a prior evaluation of packaging materials and other resinous or polymeric materials which may be used in a food contact setting. This service resulted from discussions in the late 1960's with the packaging industry concerning ways to confirm acceptance of materials when inspectors question their acceptability. Prior evaluation (not approval) of those materials in that context can be advantageous to all involved. This can help to prevent unnecessary confrontations and costly delays for the food industry that may result when an inspector questions the acceptability of a packaging material. FIAD's written response serves as evidence to the inspector that the material is in compliance with the FFDCA and all applicable food additive regulations. If not in compliance, the materials are unsafe within the meaning of the FFDCA, the use of which would result in an adulterated product.

To obtain the service, the supplier of the material must advise FIAD of the intended use and provide a statement of composition for the material to be evaluated. The evaluation process requires approximately 6 weeks at the end of which FIAD provides a written response indicating whether or not it can confirm that the material meets the appropriate regulatory criteria. These responses can then be provided to Federal inspection officials as proof of acceptance.

During 1981, the American Paper Institute (API) expressed its belief that the FSIS system for prior evaluation of packaging materials is excessive and undesirably limits competition and

innovation to the detriment of the packaging industry and consumers. This view was also expressed early in 1982 by the American Meat Institute and the National Broiler Council.

On May 18, 1982, FSIS received a petition from the API, the Paperboard Packaging Council (PPC), and the Fibre Box Association (FBA) requesting that FSIS amend its policy governing the evaluation of packaging materials.

The petitioners assert that "for many years a letter from FSIS confirming regulatory compliance has been necessary, as a practical matter, to market packaging products for use with meat and poultry" because "USDA inspectors have often made continued plant operation conditional on the availability of USDA letters of acceptance for such packaging." The petitioners stated that the current FSIS system of voluntary prior evaluation of packaging materials imposes unnecessary delays and inefficiencies on the marketing process. They content that the delays caused by the system often result in the loss of commercial opportunities.

The petitioners requested that FSIS "adopt a packaging program that does not require premarket review for packaging" and issue a statement of policy discontinuing the issuance of letters of acceptability and indicating that USDA inspectors "may not prohibit the entry of packaging from USDA inspected plants merely because such packaging is not accompained by such a letter."

FSIS concluded that although the petition may have been based on the misconception that the current assessment program is mandatory, the petition was for the most part meritorious. Therefore, on November 10, 1982, FSIS published in the **Federal Register** (47 FR 50914) a proposed rule clarifying the fact that any premarket assessment of packaging material is strictly voluntary and instituting a simple procedure whereby the supplier of the packaging shall provide an accompanying written guaranty that the materials used in the packaging comply with FDA regulations.

This guaranty would be kept on file by the establishments and would be accepted by Federal inspectors to establish that the materials are in compliance with the FFDCA and applicable food additive regulations. The use by FSIS of this guaranty will be consistent with the provisions regarding guaranties under Sections 301(h) and 303(c) (2) and (3) of the FFDCA (21 U.S.C. 331(h) and 333(a) (2) and (3)). Guarantors, therefore, may refer to FDA's regulations concerning guaranties and their suggested forms (21 CFR 7.12 and 7.13). Furthermore, FSIS would undertake a monitoring program involving a series of limited surveys of official establishments, conducted on a random basis, to determine what packaging materials are being used. FSIS would then request an inspector from each of the selected establishments to collect information on a specific number of packaging materials. From the information received, FSIS would review the materials to assure compliance with applicable food additive regulations.

Discussion of Comments

FSIS received 43 comments in response to the proposed rule—25 from suppliers and component manufacturers of packaging materials, 9 from packaging material trade associations, 3 from meat and poultry processors, and 6 from meat and poultry trade associations. All commenters supported the intent of the proposed rule, with 14 recommending changes either substantive in nature or merely for clarification. The following is a summary of the issues raised by the commenters and FSIS's response to each:

Letter of Guaranty

1. *Comment.* Seven commenters believed that the phrase "all applicable food additive regulations" could be misinterpreted to preclude the use of lawful substances (e.g., GRAS (generally recognized as safe), prior-sanctioned, and nonmigrating substances) which are not covered by a specific food additive regulation. They suggested that the wording be changed to "compliance with the Federal Food, Drug, and cosmetic Act, as amended, and all applicable food additive regulations."

Response. FSIS believes that this suggestion is valid. It was not FSIS's intent to exclude GRAS, prior-sanctioned, nor nonmigrating substances. Therefore, wording of the final rule has been amended, as suggested, to avoid that misinterpretation.

2. *Comment.* Three commenters stated that the specific means of assurance should not be mandated. The manufacturer should be free to use the letter of guaranty, assurance letter, guaranty form, suitable invoice stamp, or similar written communication.

Response. The intent of the proposed rule was to obtain a guaranty from the supplier of finished packaging materials. The form of such guaranty is not as important as the content. The text of the proposed rule used the phrase "letter of guaranty" and the content of such "letters of guaranty" was specified. As long as the required information is provided, FSIS sees no reason why it must be supplied in a mandated format. Therefore, to remove the implication that the guaranty must be in the form of a letter, FSIS has changed the phrase "letter of guaranty" to read "guaranty" in the final rule.

3. *Comment.* One commenter recommended that suppliers be permitted to provide letters of guaranty from component manufacturers to fulfill the requirement of supplying a guaranty. Another commenter suggested that the convertor (one who converts unfinished materials into a finished product) be required, along with the packaging manufacturer, to supply a guaranty.

Response. Responsibility for providing a guaranty for the finished packaging material rests with the suppliers under whose trade name and firm name the material is presented at the official establishments. Such suppliers should obtain from their component manufacturers and convertor any assurances that they deem appropriate in order to provide that guaranty. However, it is not appropriate that suppliers of the finished material provide guaranties from their component manufacturers to USDA. This would create additional paperwork and confusion. Establishments would be required to retain several papers for a single material. Therefore, FSIS advises that guaranties from component manufacturers will not fulfill the guaranty requirement of the final rule. Also, FSIS will not require a guaranty from the convertor unless the material is marketed to the official establishment under that firm's name and brand name or code designation. To avoid any confusion as to who shall supply the guaranty, FSIS has revised the final rule to refer only to "suppliers" of the packaging material rather than "manufacturers." This is in keeping with the requirement that responsibility for providing the guaranty rests with the suppliers.

4. *Comment.* One commenter believed that guaranties required from packaging manufacturers need only be given for those packaging material components which, in the intended use of the packaging material, come into direct contact with food. The commenter recommended that USDA apply this concept (FDA's functional barrier concept) for inks. It was stated that inks separated by a functional barrier should be excluded from the need for certification of compliance with food additive regulations. However, an opposing commenter suggested that

USDA publish a list of acceptable printing inks and continue its evaluation of printing inks.

Response. The "functional barrier" concept is applied by FSIS to food products under its jurisdiction. However, FDA regulations concerning packaging materials explicitly require consideration of food type and conditions of use as factors in determining safe use. Therefore, the "functional barrier" concept is applied by FSIS in light of all the circumstances surrounding the use of the packaging material.

Suppliers of packaging materials should base guaranties given for their finished packaging materials (including inks used on such materials) on compliance of the materials with the FFDCA. Therefore, printing inks in contact with meat or poultry must consist of appropriately regulated substances, prior-sanctioned substances, GRAS substances, substances not reasonably expected to become a component of the food, or substances otherwise lawfully permitted in food packaging materials. Inks that are separated from meat or poultry by an effective barrier to migration of ink components need not comply with the food additive regulations if, under the conditions of use, they are not expected to be food additives within the meaning of the FFDCA. However, suppliers should be prepared to verify that the inks are not food additives. Suppliers, as a good manufacturing practice, should not use toxic ink components, even if such inks are not intended to be food additives, because of the possibility of accidental contamination. FSIS will continue working with FDA to assure consistent policies in this area and to resolve any printing ink issues that may arise.

5. *Comment.* Two commenters suggested that guaranties should specify the packaging material use for which the guaranty is given, in order to avoid unauthorized use and to insure that there is no misunderstanding among manufacturers, official establishments, and inspectors.

Response. FSIS agrees. Existing requirements limit certain materials to specified amounts and use conditions. Both the nature of a material and its use must be clearly understood in order to determine whether it is acceptable. Suppliers must necessarily include the use conditions specified for approval under the FFDCA in order to give a guaranty on any given material. To make this quite clear, the final rule has been amended to require that guaranties specify the applicable conditions of use. Such conditions shall include temperature limits and any other pertinent limits specified under the FFDCA and food additive regulations.

6. *Comment.* One commenter contended that the use of the term "guaranty" is inappropriate as it would create a second class of guaranties. The present class refers to substances intended as food or direct additives to food. The commenter suggested the use of another term such as letter of compliance.

Response. The term "guaranty" is commonly used and well understood in the food industry in connection with food additives. The FFDCA has express provisions regarding guaranties which are found in sections 301(h) and 303(c)(2) and (3) (21 U.S.C. 331(h) and 333(a)(2) and (3)). Under the FFDCA, the term "food additive" is defined as ". . . any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food) * * *." The definition of "food additive" includes indirect additives, such as packaging material components, as well as direct additives. Therefore, the term "guaranty" is properly used in reference to indirect additives and is commonly used within the meat and poultry inspection program to designate a supplier's written assurance that substances comply with the FFDCA. Thus, FSIS determines that the use of the term "guaranty" is appropriate as set forth in this final rule. However, for clarity, FSIS has revised the final rule by defining "guaranty" in §§ 317.20(b) and 381.144(b) as a "statement of assurance."

7. *Comment.* One commenter stated that the introductory sentence in § 317.20(b) of the proposed rule implies that a letter of guaranty should accompany each shipment, and recommend some clarification.

Response. The proposed §§ 317.20(b) and 381.144(b) indicate that packaging materials must be accompanied or covered by a guaranty. This was not intended to imply that a written guaranty must actually accompany each shipment. However, if the guaranty does not accompany the shipment, the material must be covered by a continuing guaranty previously given. Since, as the commenter further stated, the implication is dispelled as the regulation continues, FSIS concludes that there is no need to reword the text of the final rule.

8. *Comment.* One commenter contended that multiplant firms (official establishments) should be allowed to maintain guaranty letters at a central location as long as they are available for the inspector within 24 hours.

Response. The guaranty is intended to provide assurance that uses of packaging materials comply with the FFDCA and all applicable regulations. FSIS inspectors are to accept such guaranties to establish that materials do comply. Therefore, it is anticipated that inspectors will routinely require that files of guaranties be available for review. The capability of plants to make copies available within 24 hours as the commenter suggested is doubtful. This invites confrontations between plant management and inspectors which this rule is intended to eliminate. From a practical standpoint, FSIS does not believe this suggestion is feasible. FSIS recommends that plants with central purchasing functions consider implementing systems which make copies of all applicable guaranties available at each plant.

Monitoring Program

9. *Comment.* One commenter opposed the requirement for the "complete chemical composition" as part of the monitoring program and suggested requiring instead "detailed proof of compliance with FDA regulations."

Response. The monitoring program is intended to verify suppliers' guaranties for their packaging materials. In order to confirm a material's approval for use under the FFDCA, FSIS will in any case need the complete chemical composition; i.e., a complete listing of ingredients used in the manufacture of the packaging material. It should be noted that under the monitoring program, FSIS will not require the chemical composition of the packaging prior to selection for review. As indicated in § 317.20(d), selection of a material for review does not in itself affect a material's acceptability. Materials may continue to be used during the review period. The suggestion of requiring "detailed proof of compliance with FDA regulations" may cause confusion in that it does not differentiate between the guaranty and FSIS's need for specific compositional information. Therefore, FSIS concludes that the requirement for complete chemical composition will stand as proposed.

10. *Comment.* One suggestion was made that the regulation be written to state that packaging materials monitoring will be "conducted on a random basis."

Response. FSIS's intent is that the monitoring be random. However, FSIS reserves the authority to monitor problems revealed by the random monitoring on a selective basis. FSIS believes this is necessary in order to fulfill its responsibility to insure that materials used to package meat and poultry are approved under the FFDCA. Therefore, the description of the packaging monitoring program will remain as proposed.

Lists of Acceptable/Unacceptable Materials

11. *Comment.* Four commenters opposed the listing of packaging materials that are found to be unacceptable. They believed that there is no need for a listing because the FFDCA provides adequate remedies and penalties. The major concerns were marketing problems due to the system of being listed, competitor's misuse of the listings, and errors in the listing.

Response. Penalties under the FFDCA may be applied only by FDA. FSIS receives its authority and responsibility under the FMIA and PPIA. FSIS concludes that the listing is necessary to provide inspection personnel with timely information concerning unacceptable packaging materials. The listing will be distributed through the FSIS issuance system (e.g., MPI Bulletin or FSIS Notice). The listing of packaging materials which could adulterate meat and poultry products will serve as an interagency communication of administrative findings made under this regulation. Sections 317.20(e) and 381.144(e) state that before approval to use a packaging material is finally denied, the official establishment, as well as the supplier, shall be given the opportunity to present their views to the Administrator. If the official establishment and the supplier do not accept the Administrator's determination, a hearing will be held to resolve the dispute. Approval to use the materials pending the outcome will be denied only if the Administrator determines that there is an imminent hazard to public health. Furthermore, the provisions of § 317.20 (d) and (e) and 381.144 (d) and (e) allow ample opportunity for suppliers to avoid having their materials listed.

12. *Comment.* One commenter suggested that FSIS publish a list of acceptable packaging materials.

Response. Establishing a list of acceptable materials would nullify the intent of this rule. Publication of such a list would tend to perpetuate the misperception that premarket approval is mandatory. Therefore, FSIS does not consider it appropriate to publish a list of packaging materials currently recognized as acceptable.

Voluntary Evaluation Service

13. *Comment.* One commenter stated that voluntary evaluation should be limited to components of packaging materials which may reasonably be expected to come into direct contact with food. The commenter also stated that continuing the voluntary evaluation may lead users of packaging materials to believe that they are better protected from liability with FSIS acceptance letters. On the other hand, two commenters supported retention of the voluntary prior evaluation service.

Response. The purpose of this rule is to clarify FSIS's intent that any premarket assessment of packaging materials is voluntary. FSIS has determined that its voluntary prior-evaluation program is perceived as mandatory and that this perception fosters over-reliance by inspectors on acceptance letters. However, there is a need for official establishments to be able to provide inspectors with tangible assurances of the safety of packaging materials. Therefore, the rule provides for written guaranties which inspectors will accept as assurance that packaging materials comply with the FFDCA. The monitoring program is intended to verify such guaranties. These provisions are intended to eliminate the misperception concerning mandatory prior evaluation by providing another means by which assurances can be made by inspectors. It is not intended to curtail a service to the industry which many may find useful. Therefore, it is not appropriate that FSIS discontinue its voluntary evaluation program.

Current Procedures

14. *Comment.* Twelve commenters expressed the view that the present system has resulted in delays because of misinterpretation of requirements by industry, customers, or inspectors. One of these commenters also stated that part of the problem (i.e., misinterpretation as mandatory prior evaluation requirement) has resulted from the inability to reference a USDA regulation or policy statement.

Response. FSIS agrees that misperceptions concerning voluntary prior evaluation and the absence of a regulation or policy statement concerning the inspection of packaging materials has contributed to delays in the marketing process. This regulation's clear statement of FSIS policy should alleviate this problem. The provisions in this rule are consistent with current practices within the food industry and will continue to provide the necessary assurance that meat and poultry products are not adulterated by packaging materials.

Miscellaneous

15. *Comment.* Two commenters recommended that, if the proposed rule is made a final rule, FSIS allow official establishments a grace period of 6 months to obtain the required guaranties.

Response. FSIS agrees that some phase-in period is necessary. To allow for an orderly phase-in, FSIS has made this final rule effective 180 days after publication. The Agency believes that suppliers of packaging materials have a responsibility to use this period to help make the requirements of this regulation known to the regulated industry and to take the action necessary to assure that the regulated industry is not disrupted because guaranties are not in place.

16. *Comment.* FSIS should make it clear that the rule is applicable to packaging materials only and not to all materials used in establishments (e.g., aprons, gloves, and surface coatings).

Response. This rule applies only to packaging materials. The term "packaging material" means any cloth, paper, plastic, or metal material used to form a container, wrapper, label, or cover for meat and poultry products. The provisions of this rule are not applicable to personal equipment such as gloves, aprons, and smocks, nor to surface coatings applied to equipment or structural surfaces. These items will continue to be handled as in the past. The final rule has been amended to include a definition for "packaging material."

Final Rule

After careful consideration of the comments received on the proposed rule, FSIS has determined to adopt the proposal as published, with the modifications previously discussed herein.

This rule does not limit the inspectors' authority to question the safety or sanitation of a packaging material if the inspector determines that cause exists for suspecting it is out of compliance, nor does it preclude any appropriate action under the FMIA or PPIA in the event of possible adulteration or misbranding of product.

Information collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB #0583–0015.

List of Subjects

9 CFR Part 301

Meat inspection, Meat and meat food products.

9 CFR Part 317

Meat inspection, Packaging and containers.

9 CFR Part 320

Meat inspection, Reporting and recordkeeping requirements.

9 CFR Part 381

Poultry products inspection, Packaging and containers, Reporting and recordkeeping requirements.

1. The authority citation for Parts 301, 317 and 320 reads as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*, 601 *et seq.*, 33 U.S.C. 1254.

PART 301—[AMENDED]

2. Section 301.2 is amended by adding a new paragraph (xxx) to read as follows:

§ 301.2 Definitions.

* * * * *

(xxx) *Packaging material.* Any cloth, paper, plastic, metal, or other material used to form a container, wrapper, label, or cover for meat products.

* * * * *

PART 317—[AMENDED]

3. A new § 317.20 (9 CFR 317.20) is added to the Federal meat inspection regulations to read as follows:

§ 317.20 Packaging materials.

(a) Edible products may not be packaged in a container which is composed in whole or in part of any poisonous or deleterious substances which may render the contents adulterated or injurious to health. All packaging materials must be safe for their intended use within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act, as amended (FFDCA).

(b) Packaging materials entering the official establishment must be accompanied or covered by a guaranty, or statement of assurance, from the packaging supplier under whose brand name and firm name the material is marketed to the official establishment. The guaranty shall state that the material's intended use complies with the FFDCA and all applicable food additive regulations. The guaranty must identify the material, e.g., by the distinguishing brand name or code designation appearing on the packaging material shipping container; must specify the applicable conditions of use, including temperature limits and any other pertinent limits specified under the FFDCA and food additive regulations; and must be signed by an authorized official of the supplying firm. The guaranty may be limited to a specific shipment of an article, in which case it may be part of or attached to the invoice covering such shipment, or it may be general and continuing, in which case, in its application to any article or other shipment of an article, it shall be considered to have been given at the date such article was shipped by the person who gives the guaranty. Guaranties consistent with the Food and Drug Administration's regulations regarding such guaranties (21 CFR 7.12 and 7.13) will be acceptable. The management of the establishment must maintain a file containing guaranties for all food contact packaging materials in the establishment. The file shall be made available to Program inspectors or other Department officials upon request. While in the official establishment, the identity of all packaging materials must be traceable to the applicable guaranty.

(c) The guaranty by the packaging supplier will be accepted by Program inspectors to establish that the use of material complies with the FFDCA and all applicable food additive regulations.

(d) The Department will monitor the use of packaging material in official establishments to assure that the requirements of paragraph (a) of this section are met, and may question the basis for any guaranty described under paragraph (b) of this section. Official establishments and packaging suppliers providing written guaranties to those official establishments will be permitted an opportunity to provide information to designated Department officials as needed to verify the basis for any such guaranty. The required information will include, but is not limited to, manufacturing firm's name, trade name or code designation for the material, complete chemical composition, and use. Selection of a material for review does not in itself affect a material's acceptability. Materials may continue to be used during the review period. However, if information requested from the supplier is not provided within the time indicated in the request—a minimum of 30 days—any applicable guaranty shall cease to be effective, and approval to continue using the specified packaging material in official establishments may be denied. The Administrator may extend this time where reasonable grounds for extension are shown, as, for example, where data must be obtained from suppliers.

(e) The Administrator may disapprove for use in official establishments packaging materials whose use cannot be confirmed as complying with FFDCA and applicable food additive regulations. Before approval to use a packaging material is finally denied by the Administrator, the affected official establishment and the supplier of the material shall be given notice and the opportunity to present their views to the Administrator. If the official establishment and the supplier do not accept the Administrator's determination, a hearing in accordance with applicable rules of practice will be held to resolve such dispute. Approval to use the materials pending the outcome of the presentation of views or hearing shall be denied if the Administrator determines that such use may present an imminent hazard to public health.

(f) Periodically, the Administrator will issue to inspectors a listing, by distinguishing brand name or code designation, of packaging materials that have been reviewed and that fail to meet the requirements of paragraph (a) of this section. Listed materials will not be permitted for use in official establishments. If a subsequent review of any material indicates that it meets the requirements of paragraph (a), the material will be deleted from the listing.

(g) Nothing in this section shall affect the authority of Program inspectors to refuse a specific material if he/she determines the material may render products adulterated or injurious to health.

PART 320—[AMENDED]

4. Section 320.1 of the Federal meat inspection regulations (9 CFR 320.1) is amended by adding a new paragraph (b)(5) and a reference to the OMB Control Number to read as follows:

§ 320.1 Records required to be kept.

* * * * *

(b) * * *

(5) Guaranties provided by suppliers of packaging materials under § 317.20.

* * * * *

(Approved by the Office of Management and Budget under OMB #0583-0015)

PART 381—[AMENDED]

5. The authority citation for Part 381 reads as follows:

Authority: 71 Stat. 441, as amended, 76 Stat. 663, 86 Stat. 819, as amended; 21 U.S.C. 451 *et seq.*, 7 U.S.C. 450, 33 U.S.C. 1254.

6. Section 381.1 is amended by adding a new paragraph (b)(59) to read as follows:

§ 381.1 Definitions.

* * * * *

(b)(59) *Packaging material.* Any cloth, paper, plastic, metal, or other material used to form a container, wrapper, label, or cover for poultry products.

* * * * *

7. A new § 381.144 is added to Subpart N of the poultry products inspection regulations to read as follows:

§ 381.144 Packaging materials.

(a) Edible products may not be packaged in a container which is composed in whole or in part of any poisonous or deleterious substances which may render the contents adulterated or injurious to health. All packaging materials must be safe for the intended use within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act, as amended (FFDCA).

(b) Packaging materials entering the official establishment must be accompanied or covered by a guaranty, or statement of assurance, from the packaging supplier under whose brand name and firm name the material is marketed to the official establishment. The guaranty shall state that the material's intended use complies with the FFDCA and all applicable food additive regulations. The guaranty must identify the material, e.g., by the distinguishing brand name or code designation appearing on the packaging material shipping container; must specify the applicable conditions of use, including temperature limits and other pertinent limits specified under the FFDCA and food additive regulations; and must be signed by an authorized official of the supplying firm. The guaranty may be limited to a specific shipment of an article, in which case it may be part of or attached to the invoice covering such shipment, or it may be general and continuing, in which case, in its application to any article or other shipment of an article, it shall be considered to have been given at the date such article was shipped by the person who gives the guaranty. Guaranties consistent with the Food and Drug Administration's regulations regarding such guaranties (21 CFR 7.12 and 7.13) will be acceptable. The management of the establishment must maintain a file containing guaranties for all food contact packaging materials in the establishment. The file shall be made available to Program inspectors or other Department officials upon request. While in the official establishment, the identity of all packaging materials must be traceable to the applicable guaranty.

(c) The guaranty by the packaging supplier will be accepted by Program inspectors to establish that the use of material complies with the FFDCA and all applicable food additive regulations.

(d) The Department will monitor the use of packaging materials in official establishments to assure that the requirements of paragraph (a) of this section are met, and may question the basis for any guaranty described under paragraph (b) of this section. Official establishments and packaging suppliers providing written guaranties to those official establishments will be permitted an opportunity to provide information to designated Department officials as needed to verify the basis for any such guaranty. The required information will include, but is not limited to, manufacturing firm's name, trade name or code designation for the material, complete chemical composition, and use. Selection of a material for review does not in itself affect a material's acceptability. Materials may continue to be used during the review period. However, if information requested from the supplier is not provided within the time indicated in the request—a minimum of 30 days—any applicable guaranty shall cease to be effective and approval to continue using the specified packaging material in official establishments may be denied. The Administrator may extend this time where reasonable grounds for extension are shown, as, for example, where data must be obtained from suppliers.

(e) The Administrator may disapprove for use in official establishments packaging materials whose use cannot be confirmed as complying with the FFDCA and applicable food additive regulations. Before approval to use a packaging material is finally denied by the Administrator, the affected official establishment and the supplier of the material shall be given notice and the opportunity to present their views to the Administrator. If the official establishment and the supplier do not accept the Administrator's determination, a hearing in accordance with applicable rules of practice will be held to resolve such dispute. Approval to use the materials pending the outcome of the presentation of views or hearing shall be denied if the Administrator determines that such use may present an imminent hazard to public health.

(f) Periodically, the Administrator will issue to inspectors a listing, by distinguishing brand name or code designation, of packaging materials that have been reviewed and that fail to meet the requirements of paragraph (a) of this section. Listed materials will not be permitted for use in official establishments. If a subsequent review of any material indicates that it meets the requirements of paragraph (a), the material will be deleted from the listing.

(g) Nothing in this section shall affect the authority of Program inspectors to refuse a specific material if he/she determines the material may render products adulterated or injurious to health.

8. Section 381.175 of the poultry products inspection regulations (9 CFR 381.175) is amended by adding a new paragraph (b)(2) and a reference to the OMB Control Number to read as follows:

§ 381.175 Records required to be kept.

* * * * *

(b) * * *

(2) Guaranties provided by suppliers of packaging materials under § 381.144.

(Approved by the Office of Management and Budget under OMB #0583-0015)

Done at Washington, DC, on January 9, 1984.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 84-1442 Filed 1-18-84; 8:45 am]

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DEPARTMENT OF THE TREASURY

Comptroller of the Currency

12 CFR Part 29

[Docket No. 84-1]

Adjustable-Rate Mortgages

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Final rule.

SUMMARY: The Office of the Comptroller of the Currency ("Office") is revising its Adjustable-Rate Mortgage ("ARM") regulation (12 CFR Part 29) to exempt ARM loans with open-end credit features from the periodic disclosure requirements specified in § 29.7 (b) and (c). This revision will enhance the ability of national banks to design ARM loans with open-end credit features without unduly reducing disclosures to borrowers. The disclosure requirements for closed-end ARMs remain unchanged.

EFFECTIVE DATE: Jaunary 19, 1984.

FOR FURTHER INFORMATION CONTACT: Nancy Jones or David Nebhut, Financial Economists, Economic and Policy Analysis Division (202) 447-1924, or Jonathan L. Levin, Senior Attorney, Legal Advisory Services Division (202)

447–1880, Office of the Comptroller of the Currency, Washington, D.C. 20219.

SUPPLEMENTARY INFORMATION:

Special Analyses

The Secretary of the Treasury has certified that this regulation will not have a "significant impact on a substantial number of small businesses," as that phrase is used in the Regulatory Flexibility Act; therefore, no regulatory flexibilty analysis has been prepared. The revised regulation eases the burden of existing requirements. The effect of the revisions is expected to be beneficial rather than adverse, and small entities are generally expected to share the benefits of the revisions with larger institutions.

A Regulatory Impact Analysis is not required because the Office has determined that the regulation is not a "major rule" as defined by Executive Order 12291. The regulation will not have an annual effect on the economy of $100 million or more, will not result in a major increase in costs or prices to consumers, individual industries, Federal, state, or local government agencies, or geographic regions, nor will it have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises.

The Office has determined that a delayed effective date is unwarranted in that the revisions to the ARM regulation relieve restrictions on the ability of national banks to offer new loan programs of benefit to the public.

Background and Analysis

On October 17, 1983, the Office published a proposed rule that would have revised the periodic disclosure requirements specified in § 29.7 (b) and (c) for ARM loans with open-end credit features (48 FR 47001). The Office proposed that, for open-end ARMs, notice of any interest-rate changes when accompanied by payment changes, and payment changes for reasons other than an interest-rate change, be made at least fifteen days before payment at the new level is due. Through that Notice of Proposed Rulemaking the Office also solicited public comment on the advisability of requiring national banks to make prior disclosures to borrowers of rate and/or payment changes for ARM loans with open-end credit features.

Under 12 CFR 29.7(b) of the ARM regulation, as adopted on March 7, 1983 (48 FR 9506), certain information is required to be disclosed to borrowers not later than one business day after an interest-rate change is implemented and, if such interest-rate change is accompanied by a payment change, at least 25 days before a payment at the new level is due. Section 29.7(c) of the ARM regulation requires that certain items be disclosed to borrowers at least 25 days before a payment change may take effect if, under the bank's adjustable-rate mortgage program, a payment change may occur for reasons other than an interest-rate change.

The periodic disclosure requirements contained in Part 29 were designed for closed-end, long-term ARM loans. For such ARM plans, the Office has received no information indicating that the required disclosures are unduly burdensome for banks. In contrast, the timing requirements of the periodic disclosure notice present severe technical difficulties for banks interested in offering open-end ARMs with standard billing cycles.

ARMs with open-end credit features, unlike closed-end ARMs, are designed to accommodate repeated advances from, and payments to, an established line-of-credit throughout the billing cycle. Typically, borrowers are required to make a minimum periodic payment based upon the interest charged for the billing cycle just ended and the outstanding loan balance. Ordinarily, the bank does not know the outstanding balance until the billing cycle has ended and the payment for the preceding month has been received. This many not allow sufficient time for both processing charges and credits and then notifying the borrower 25 days before the next payment is due as required by Part 29. Where the bank provides a grace period in each billing cycle for the receipt of late payments, the timing of disclosures becomes all the more difficult.

Furthermore, the requirement that banks provide notice of interest-rate changes not accompanied by payment changes within one business day of implementation effectively precludes the use of an interest-rate index that changes more frequently than monthly or on an irregular basis. This raises the interest-rate risk to the bank and may result in a higher interest rate being charged to the borrower than if the bank were able to change the interest rate more frequently.

For ARM plans with open-end credit features, other Federal agencies rely upon the disclosure requirements applicable to open-end credit plans under Federal Reserve Regulation Z (12 CFR part 226). The National Credit Union Administration does not impose periodic disclosure requirements on ARMs made by Federal credit unions (12 CFR 701.21–6B). To facilitate ARMs with open-end credit features for Federal savings and loan associations, the Federal Home Loan Bank Board recently removed its requirement that prior notice of an adjustment to the payment, the balance, or the interest rate be given to adjustable-rate open-end credit borrowers (12 CFR 545.33; 48 FR 23061 May 23, 1983).

General Summary of Comments

The Office received 26 comment letters in response to its proposed revisions to 12 CFR 29.7 (b) and (c) for ARMs with open-end credit features. Letters were received from 21 national and state-chartered banks, two law firms (one commenting on behalf of 45 banks), a trade association, a diversified financial services company, and a private citizen.

All but one of the respondents favored reducing or eliminating the periodic disclosure requirements in the regulation with respect to open-end ARMs in order to improve the ability of banks to offer such loan programs. The remaining respondent advocated retaining the existing periodic disclosure requirements for open-end ARMs.

Nineteen of the respondents, approximately three-quarters of those commenting, recommended that the final rule exempt open-end ARMs from § 29.7 (b) and (c). These respondents felt that the timing of periodic disclosures under Part 29 is not compatible with the ordinary structure of open-end credit plans. Many of them indicated that the disclosures required under Federal Reserve Regulation Z ensure adequate notification to borrowers without reducing desirable flexibility in product design. A number of these respondents contended that retention of any periodic disclosure requirements for open-end ARMs would place national banks at a competitive disadvantage to Federal savings and loan associations because the Federal Home Loan Bank Board regulations do not impose periodic notice requirements on open-end ARMs.

Three respondents proposed variations of the Office's proposal to reduce advance notice of payment changes from 25 to 15 days. One respondent favored the adoption of the revisions as proposed.

Two respondents recommended that the definition of an adjustable-rate mortgage, contained in § 29.1 of the regulation, be expanded to include non-purchase-money loans secured by real estate. They argued that such a revision would be consistent with the stated intent of the Office to facilitate open-end ARMs.

In issuing the proposed rule the Office did not intend to expand the coverage of the ARM regulations. The Office intended only to solicit public comment on revising periodic disclosure requirements applicable to ARM loans with open-end credit features. Accordingly, loans secured by a lien on a one- to four-family dwelling that do not involve the financing or refinancing of the purchase of the dwelling remain outside the scope of Part 29.

Final Rule

The final rule exempts ARMs that satisfy the definition of "open-end credit" under Federal Reserve Regulation Z (12 CFR 226.2(a)(20)) from the periodic disclosure requirements contained in 12 CFR 29.7 (b) and (c). Such loans will continue to be subject to the disclosure requirements specified in § 29.7 (a), (d), and (e) and to the disclosure requirements applicable to open-end credit contained in Regulation Z. The disclosure requirements for closed-end ARMs remain unchanged.

The exemption of open-end ARMs from the periodic disclosure requirements of the ARM regulation will have several benefits. The exemption will facilitate the offering of such plans by banks and will subject banks to the same disclosure requirements as those governing Federal savings and loan associations, credit unions, and most other housing lenders. Borrowers will benefit from the increased number and types of institutions able to offer open-end ARM loans. At the same time, borrowers will continue to receive timely disclosures by way of periodic statements issued by banks in compliance with Regulation Z.

Under the final rule the nature of the disclosure items made to borrowers under Regulation Z will change little from those which would be received were § 29.7 (b) and (c) to continue to be applicable to open-end ARMs. Regulation Z requires a lender to provide periodic disclosures for all open-end credit accounts which show a debit or credit balance of more than $1 at the end of a billing cycle or which have had a finance charge imposed during the billing cycle. The notice must include the following items:

- The previous balance;
- An identification of transactions that occur during the billing cycle;
- Any credits made to the account during the billing cycle;
- The periodic rate(s) used to calculate the finance charge, the corresponding annual percentage rate(s), and (as applicable) the fact that the periodic rate(s) may vary;
- The balance(s) on which the finance charge was computed;
- The amount of the finance charge;
- The annual percentage rate(s);
- Any other charges, other than finance charges, imposed during the billing cycle;
- The closing date of the billing cycle and the outstanding balance on that date; and
- If a free-ride period is provided, the date by which payment must be made to avoid additional finance charges.

The periodic disclosure requirements under § 29.7 (b) and (c) contain four items that are not required to be disclosed under Regulation Z: The past index value, the current index value, the previous interest rate, and foregone interest-rate increases. Interest rate adjustments must be based on the movements of an index that is initially disclosed and is readily verifiable by the borrower, and under Regulation Z, each periodic statement will disclose the current interest rate. Therefore, the Office believes that the burden imposed on banks by adding to the disclosure requirements of Regulation Z is not justified by a correspondingly appreciable benefit to borrowers.

Exemption of open-end ARMs from the 25-day prior notification requirement for payment changes and the one business-day notification requirement for interest-rate changes should have no adverse effect on borrowers. Regulation Z provides for timely notification to open-end credit borrowers. More specifically, § 226.5(b)(2)(ii) of Regulation Z requires the creditor to mail or deliver periodic statements at least 14 days before the date by which, or the time period within which, the new balance or any portion of the new balance must be paid in order to avoid additional finance or other charges. Also, § 226.6(a)(2) requires the creditor to furnish the borrower with variable rate disclosures before the first transaction is made under the open-end credit plan. If such disclosures are not made, a subsequent rate increase is considered a change in terms that, under § 226.9(c), requires the creditor to mail or deliver to the borrower a written notice at least 15 days before the effective date of such change.

Furthermore, the extensive disclosures required under § 29.7(a) of the ARM regulation at the initiation of every ARM loan will continue to provide borrowers with essential information concerning the nature and terms of their open-end ARMs, as well as the impact on their payments of changes in the outstanding loan balance and interest rate.

List of Subjects in 12 CFR Part 29

National banks, Adjustable-rate mortgages.

Accordingly, for the reasons set forth above, Part 29 is amended by amending § 29.7 (b) and (c) as follows:

1. The authority citation for Part 29 reads as follows:

Authority: 12 U.S.C. 1 et seq.; 12 U.S.C. 93a; and 12 U.S.C. 371.

The information collection requirements contained in this Part have been assigned OMB Control No. 1557–0139.

2. By amending 12 CFR 29.7 (b) and (c) by revising the introductory text as follows:

§ 29.7 Disclosure.

* * * * *

(b) Timely notice in writing of interest-rate changes which contains the information set forth in paragraphs (b)(1) through (b)(6) of this section shall be provided to the borrower. For purposes of this subsection, timely notice means notice sent to the borrower not later than one business day after an interest-rate change is implemented, and, if such interest-rate change is accompanied by a payment change, at least 25 days before a payment at the new level is due, *except that* this subsection shall not apply to adjustable-rate mortgage loans qualifying as "open-end credit," as that term is defined under 12 CFR 226.2(a). The bank shall notify the borrower in writing of the following items:

* * * * *

(c) Timely notice in writing of payment changes which contains the information set forth in paragraphs (c)(1) through (c)(4) of this section shall be provided to the borrower. For purposes of this subsection, timely notice means that for payment changes occurring for reasons other than an interest-rate change, including, but not limited to, a limit on negative amortization, notice be sent to the borrower at least 25 days before a payment at the new level is due, *except that* this subsection shall not apply to adjustable-rate mortgage loans qualifying as "open-end credit," as that term is defined under 12 CFR 226.2(a). The bank shall notify the borrower in writing of the following items:

* * * * *

Doyle L. Arnold,

Acting Comptroller of the Currency.

[FR Doc. 84–1503 Filed 1–18–84; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 83-ASW-33; Amdt. 39-4787]

Airworthiness Directives; Societe Nationale Industrielle Aerospatiale (SNIAS) Models SA315, SA316, and SA319 Series Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that establishes a finite service life for certain original and repaired main gearbox support "A" frame assemblies installed on Aerospatiale Models SA315, SA316, and SA319 series helicopters. It is necessary to establish a finite service life after analyzing results of additional fatigue tests of the "A" frames. Failure of an "A" frame due to possible fatigue cracks in the lower end-fitting may result in loss of the main gearbox and rotor head.

DATES: Effective February 21, 1984.

Compliance required as prescribed in the AD. The Director of the Federal Register approved for this AD, the incorporation by reference on February 21, 1984.

ADDRESSES: The applicable service information may be obtained from Aerospatiale Helicopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75051, Attention: Customer Support.

These documents may be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas, or Rules Docket in Room 916, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Chris Christie, Manager, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium, or James H. Major, Helicopter Policy and Procedures Staff, Aircraft Certification Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone number (817) 877-2549.

SUPPLEMENTARY INFORMATION:

A proposal was published to amend Part 39 of the Federal Aviation Regulations (FAR) to include an AD requiring a finite service life for certain original and repaired main gearbox support "A" frame assemblies and requiring replacement of certain affected assemblies within 50 hours' of service for Aerospatiale Models SA315, SA316, and SA319 series helicopters.

The proposal was published in the **Federal Register** on September 29, 1983 (48 FR 44572). Aerospatiale Service Bulletins were issued to inform operators of new limitations on the service life of the main gearbox support "A" frame assemblies installed on Aerospatiale Models SA315, SA316, and SA319 series helicopters. The results of fatigue tests of new "A" frames dictate new service life limits for certain original and repaired "A" frames. Four different part number "A" frames are affected and the service life varies from 1,600 to 11,000 hours' time in service according to the eye end-fitting used and to the model helicopter on which it is installed.

Two "A" frame supports attach the main gearbox to the fuselage of each of these helicopters. Failure of an "A" frame leg eye end-fitting due to possible fatigue cracks may result in loss of the main gearbox and main rotor head.

The two service bulletins are incorporated by reference rather than duplicate or repeat the content of these bulletins in the AD. These bulletins will not be subject to frequent change.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received. The proposal is adopted without change.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, Incorporation by reference.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the FAR (14 CFR 39.13) is amended by adding the following new airworthiness directive:

Societe Nationale Industrielle Aerospatiale (SNIAS): Applies to Models SA315, SA316, and SA319 series helicopters, certificated in all categories, that are equipped with main gearbox "A" frame support assemblies, P/N 315A21.04.000, 315A21.05.000, 3160S22.04.000, and 000.1, or 3160S22.05.000, and 000.1

Compliance required as indicated, unless already accomplished.

To prevent possible in-flight failure of an "A" frame due to fatigue cracks in either lower eye end-fitting, accomplish the following:

(a) For Model SA315 series helicopters, comply with Lama SA315 Service Bulletin No. 01.18, Revision A, within 50 hours' time in service after the effective date of this AD. This bulletin establishes a finite service life for certain identified original and repaired "A" frame assemblies and permits only one-time replacement/repair of an eye end-fitting on each "A" frame assembly. Replacing a repair eye end-fitting with another repair eye end-fitting is prohibited.

Note.—The service bulletin establishes a 3,200-hour service life limit for certain original and repaired "A" frames and a 1,600-hour service life limit for certain other original and repaired "A" frames.

(b) For Models SA316 and SA319 series helicopters, comply with Alouette Service Bulletin No. 01.49, Revision A, within 50 hours' time in service after the effective date of this AD. This bulletin establishes a finite service life for certain identified original and repaired "A" frame assemblies for these helicopters and permits only one-time replacement/repair of an eye end-fitting on each "A" frame assembly. Replacing a repair eye end-fitting with another repair eye end-fitting is prohibited.

Note.—The service bulletin establishes for the Model SA3160, an 11,000-hour service life limit for certain original and repaired "A" frames and a 5,500-hour service life limit for certain other original and repaired "A" frames. For the Models SA316B and C and SA319B helicopters, the service bulletin retains the present 3,200-hour service life limit for certain original and repaired "A" frames and establishes a 1,600-hour service life for certain other original and repaired "A" frames.

(c) Aircraft may be flown in accordance with FAR 21.197 and 21.199, to a base where compliance may be accomplished.

(d) The Director of the Federal Register approved the incorporation by reference of the manufacturer's specifications and procedures identified and described in this directive pursuant to 5 U.S.C. 552(a)(1). Persons may obtain copies of the service bulletins upon request to Aerospatiale Helicopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75051, Attention: Customer Support. The documents may be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Round, Fort Worth, Texas. A file on this AD which includes the incorporated material in full is maintained at the regional office in Forth Worth, Texas. These materials are incorporated as they exist on the date of the approval and a notice of a change to the service life limits stated in these documents will be published in the **Federal Register**.

(e) Equivalent means of complying with this AD must be approved by the Manager, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium.

This amendment become effective February 21, 1984.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) [Revised, Pub. L. 97-449, January 12, 1983]; 14 CFR 11.89)

Note.—One hundred thirty-eight helicopters will be affected for an anticipated and estimated expense of $150,000. These aircraft are owned by large entities. The FAA has determined that this regulation is not considered major under Executive Order

12291, or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). It is certified that this regulation will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final regulatory evaluation prepared for this action is contained in the docket. A copy of it may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Fort Worth, Texas on December 14, 1983.

Roger G. Knight,

Acting Director, Southwest Region.

[FR Doc. 84-1407 Filed 1-18-84; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 83-ANE-32; Amdt. 39-4786]

Airworthiness Directives; Pratt & Whitney Aircraft Models JT9D-7R4D, 7R4D1, 7R4E1, 7R4E3, 7R4G2, and 7R4H1 Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the **Federal Register** and makes effective as to all persons an amendment adopting a new airworthiness directive (AD), which modifies a telegraphic AD previously made effective as to all known U.S. owners and operators of Pratt & Whitney JT9D-7R4 series engines.

Fuel nozzle replacement or cleaning is required on JT9D-7R4D, 7R4D1, 7R4E1, 7R4E3, 7R4G2, and 7R4H1 turbofan engines. This action prevents excess carbon build-up on fuel nozzles causing a deterimental effect on burner efficiency and engine starting characteristics. Lack of response to power lever advancement, and in some events, inability to restart inflight could otherwise result.

DATES: Effective date February 21, 1984.

The Director of the **Federal Register** approved the incorporation by reference of certain publications in 14 CFR 39.13 effective on February 21, 1984.

Compliance schedule—as prescribed in the text of the AD.

ADDRESSES: The applicable service documents may be obtained from Pratt & Whitney Aircraft, Commercial Products Division, 400 Main Street, East Hartford, Connecticut 06108, or The Boeing Company, P.O. Box 3707, Seattle Washington 98124.

A copy of each of the service documents is contained in the Rules Docket, FAA, Office of the Regional Counsel, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and may be examined weekdays, except Federal holidays, between 8:00 a.m. and 4:30 p.m.

FOR FURTHER INFORMATION CONTACT: Gordon Vertescher, Transport Engine Section, ANE-141, Engine Certification Branch, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7347.

SUPPLEMENTARY INFORMATION: A number of incidents occurred where JT9D-7R4 engines failed to respond to power level advancement and in some cases were unable to be restarted following an inflight shutdown. During one B-767 incident in August 1983, a dual engine power loss occurred during descent. This event was followed by three other single engine events, two which resulted in unsuccessful attempts to restart following shutdown. Successful single engine landings were made.

After the initial event interim action was taken. First, a general notice (GENOT) was issued recommending inflight idle operation be maintained above 40 percent N_1 at altitudes above 10,000 feet. Second, AD No. 83-NM-90-AD requiring modifications of idle control electrical circuitry to prevent speed below flight idle and a modification to the hydromechanical fuel control unit was issued.

Further investigation of these incidents concluded fuel nozzle coking as the cause. Build-up of soft carbon on the fuel nozzle primary orifice discharge section can result in a spray angle reduction. This reduction has a significant detrimental effect on burner efficiency and engine starting characteristics.

On October 28, 1983, emergency telegraphic AD No. T83-22-52 was issued requiring fuel nozzle replacement. An equivalent means of compliance for B-747-300 and B-767 aircraft was approved on November 2, 1983. This equivalent means of compliance provided for on-wing nozzle cleaning.

This directive requires replacement or cleaning of all JT9D-7R4 fuel nozzles. It also clarifies the compliance interval presented in the telegraphic message of October 28, 1983, by addressing various engine models.

Approximately 55 U.S. based engines are affected by this AD. The estimated cost to U.S. airlines for a 1 year period is $325,000. This figure includes costs for capital investment, maintenance, and loss due to aircraft out of service. Therefore, the rule is not considered to be major under the criteria of Executive Order 12291. It is certified that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act because the rule will affect only air carriers using B-747-300, B-767, A-320, and A-300-600 aircraft in which JT9D-7R4 series engines are installed, none of which are believed to be small entities.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to public interest, and good cause existed to make the AD effective immediately by telegraphic AD T83-22-52 to all known U.S. owners and operators of certain B-767 aircraft. These conditions still exist and the AD as modified, is hereby published in the **Federal Register** as an amendment to Section 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

List of Subjects in 14 CFR Part 39

Engines, Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13), is amended by adding the following new AD:

Pratt & Whitney Aircraft

Applies to Pratt & Whitney JT9D-7R4 series engines incorporating fuel nozzles, P/N 792842 and P/N 794731, which have accumulated 625 total cycles or more. Unless already accomplished refurbish fuel nozzles as follows:

(1) For fuel nozzles installed in JT9D-7R4D and -7R4E engines refurbish in accordance with Pratt & Whitney Aircraft All Operator Wire JT9/73-13/PSE:DAB:3-10-14-1 or Boeing 767-SL-73-1 with the following schedule:

A. Within the next 75 cycles if neither Pratt & Whitney Service Bulletin JT9D-7R4-73-4 dated May 3, 1983, nor Pratt & Whitney Aircraft Special Instruction No. 77F-83 is incorporated;

B. Within the next 150 cycles if either Pratt & Whitney Service Bulletin JT9D-7R4-73-4 dated May 3, 1983, or Pratt & Whitney Aircraft Special Instruction No. 77F-83 is incorporated;

C. Refurbish nozzles at intervals not to exceed 700 cycles thereafter.

(2) For fuel nozzles installed in JT9D-7R4D1, -7R4E1, -7R4E3, -7R4G2, and -7R4H1 engines refurbish in accordance with Pratt & Whitney Aircraft All Operator Wire JT9/73-13/PSE:DAB:3-10-14-1 or Boeing 747-SL-73-14 or Pratt & Whitney Aircraft Manual P/N 785057 TR72-1 with the following schedule:

A. Within the next 150 cycles.

B. At intervals not to exceed 700 cycles thereafter.

Note.—Cone angle check is not mandatory after sonic cleaning in accordance with Pratt & Whitney Aircraft All Operator Wire JT9/73-13/PSE:DAB:3-10-14-1. Upon request of an operator, an equivalent means of compliance with the requirements of this AD may be approved by the Manager, Engine Certification Branch, Federal Aviation Administration, New England Region.

Pratt & Whitney Aircraft All Operator Wire JT9/73-13/PSE:DAB:3-10-14-1, Pratt & Whitney Aircraft Service Bulletin JT9D-7R4-73-4 dated May 3, 1983, Pratt & Whitney Aircraft Special Instruction No. 77F-83, Boeing Service Letter 747-SL-73-14, Boeing Service Letter 767-SL-73-1, and Pratt & Whitney Aircraft Manual P/N 785057 TR72-1 identified and described in this directive are incorporated herein and made by reference a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received the referenced service documents from the manufacturers may obtain copies upon request to Pratt & Whitney Aircraft, Division of United Technologies Corporation, 400 Main Street, East Hartford, Connecticut 06108 or The Boeing Company, P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at FAA, new England Region, 12 New England Executive Park, Burlington, Massachusetts 01803. A historical file on this AD which includes the material in full is maintained by the FAA at the New England Region Office.

This amendment becomes effective on February 21, 1984.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a) 1421, 1423); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); 14 CFR 11.89.)

Note.—The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It is certified that this action involves an emergency regulation under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, and evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Note.—The incorporation by reference provisions of this document were approved by the Director of the Federal Register on February 21, 1984. The referenced documents are available at the Federal Register.

Issued in Burlington, Massachusetts, on December 14, 1983.

Louis R. Musacchio,

Acting Director, New England Region.

[FR Doc. 84-1406 Filed 1-8-84; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Parts 71 and 75

[Airspace Docket No. 83-AWA-23]

Alteration of VOR Federal Airways and Jet Routes; State of Louisiana; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: The FAA issued a final rule Airspace Docket No. 83-AWA-23 published in the **Federal Register** on November 2, 1983 (48 FR 50510) that realigned VOR Federal Airways V-114, V-212, V-245 and Jet Routes J-50 and J-58 and established new airways V-542 and V-544. Due to equipment malfunctions of the Esler, LA, VOR, this rule is suspended until further notice pending correction of the equipment problems.

EFFECTIVE DATES: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Boyd B. Archer, Airspace and Air Traffic Rules Branch (AAT-230), Airspace-Rules and Aeronautical Information Divsion, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8626.

SUPPLEMENTARY INFORMATION:

History

On November 2, 1983, the FAA published a final rule that realigned VOR Federal Airways V-114, V-212, V-245 and Jet Routes J-50 and J-58 and established new airways V-542 and V-544 (48 FR 50510). Due to equipment malfunctions of the Esler, LA, VOR, this rule is suspended until further notice pending correction of the equipment problems.

List of Subjects in 14 CFR Parts 71 and 75

VOR Federal airways, Jet routes, Aviation Safety.

Adoption of the Correction

Accordingly, pursuant to the authority delegated to me, **Federal Register** Document 83-29669, as published in the **Federal Register** on November 2, 1983 (48 FR 50510) is suspended until further notice.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.69).

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on January 13, 1984.

John W. Baier,

Acting Manager, Airspace-Rules and Aeronautical Informaton Division.

[FR Doc. 84-1408 Filed 1-18-84; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 436, 448, and 449

[Docket No. 83N-0400]

Antibiotic Drugs; Updating and Technical Changes

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the antibiotic regulations by making corrections and minor noncontroversial technical changes in the regulations providing for accepted standards for antibiotic and antibiotic-containing drugs for human use. These changes will result in more accurate and usable regulations.

DATES: Effective January 19, 1984; comments, notice of participation, and request for hearing by February 21, 1984; data, information, and analyses to justify a hearing by March 19, 1984.

ADDRESS: Written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Joan M. Eckert, National Center for

Drugs and Biologics (HFN–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4290.

SUPPLEMENTARY INFORMATION: FDA is amending the antibiotic drug regulations by making corrections and minor noncontroversial technical changes in antibiotic drug regulations that provide for accepted standards for antibiotic and antibiotic-containing drugs intended for human use. In two instances, the need for a change was called to FDA's attention by industry representatives. To aid the reader in understanding the types of amendments in this document, the amendments are grouped into two general classes for discussion in this preamble: monograph corrections and technical changes.

Monograph Corrections

1. In §§ 436.310(d), 436.311(d), 436.313(e), 436.326(e), 436.327(d), 436.330(d), and 436.333(d), the first sentence has been revised to correctly describe the procedure for pouring the developing solvent into the chromatography tank for the thin layer chromatographic identity test.

2. In § 448.513e(a)(1), the words "per gram" in the seventh sentence are corrected to read "per container."

Technical Changes

1. In § 436.33(b), the test dose concentration for the item "Amikacin sulfate" in the third column of the table is changed from 5 milligrams to 1.2 milligrams. The sole manufacturer has submitted adequate data to support this change.

2. In §§ 449.4 and 449.4a, paragraphs (a)(1)(v) and (b)(5) are removed and paragraph (a)(3)(i) is revised to reflect the deletion of the pH specification for the bulk drug, amphotericin B. The sole manufacturer has submitted adequate data to support this revision.

The agency has determined pursuant to 21 CFR 25.24(b)(22) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects

21 CFR Part 436

Antibiotics.

21 CFR Part 448

Antibiotics, Peptide.

21 CFR Part 449

Antibiotics, Antifungal.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 507, 701(f) and (g), 52 Stat. 1055–1056 as amended, 59 Stat. 463 as amended (21 U.S.C. 357, 371(f) and (g))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Parts 436, 448, and 449 are amended as follows:

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

1. Part 436 is amended:

§ 436.33 [Amended]

a. In § 436.33 *Safety test,* paragraph (b) is amended in the table in the third column by changing the concentration "5 mg" to read "1.2 mg" for the item "Amikacin sulfate."

b. In § 436.310(d) by revising the first sentence to read as follows:

§ 436.310 Thin layer chromatography identity test for mitomycin.

* * * * *

(d) *Procedure.* Pour the developing solvent into the solvent trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

c. In § 436.311(d) by revising the first sentence to read as follows:

§ 436.311 Thin layer chromatography identity test for amoxicillin.

* * * * *

(d) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

d. In § 436.313(e) by revising the first sentence to read as follows:

§ 436.313 Thin layer chromatographic identity test for cephacetrile sodium.

* * * * *

(e) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

e. In § 436.326(e) by revising the first sentence to read as follows:

§ 436.326 Thin layer chromatographic identity test for cefoxitin sodium.

* * * * *

(e) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

f. In § 436.327(d) by revising the first sentence to read as follows:

§ 436.327 Thin layer chromatographic identity test for cyclacillin.

* * * * *

(d) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank. * * *

* * * * *

g. in § 436.330(d) by revising the first sentence to read as follows:

§ 436.330 Thinlayer chromatographic identity test for bacampicillin.

* * * * *

(d) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

h. In § 436.333(d) by revising the first sentence to read as follows:

§ 436.333 Thin layer chromatographic identity test for moxalactam.

* * * * *

(d) *Procedure.* Pour the developing solvent into the glass trough on the bottom of the tank and onto the paper lining the walls of the tank. * * *

* * * * *

PART 448—PEPTIDE ANTIBIOTIC DRUGS

2. Part 448 is amended in § 448.513e by revising the seventh sentence in paragraph (a)(1) to read as follows:

§ 448.513e Bacitracin zinc-neomycin sulfate-polymyxin B sulfate topical aerosol.

(a) * * *

(1) * * * It contains not more than an average of 10 microorganisms per container. * * *

* * * * *

PART 449—ANTIFUNGAL ANTIBIOTIC DRUGS

3. Part 449 is amended:

a. In § 449.4 by removing paragraph (a)(1)(v) and redesignating paragraph (a)(1)(vi) and (vii) as paragraph (a)(1)(v) and (vi); by revising paragarph (a)(3)(i) as set forth below; and by removing paragraph (b)(5) and redesignating paragraph (b)(6) and (7) as paragraph (b)(5) and (6):

§ 449.4 Amphotericin B.

(a) * * *

(3) * * *

(i) Results of test and assays on the batch for potency, amphotericin A content, safety, loss on drying, residue on igintion, and identity.

* * * * *

b. In § 449.4a by removing paragraph (a)(1)(v) and redesignating paragraph (a)(1)(vi) and (vii) as paragraph (a)(1)(v)

and (vi); by revising paragarph (a)(3)(i) as set forth below; and by removing paragraph (b)(5) and redesignating paragraph (b)(6) and (7) as paragraph (b)(5) and (6):

§ 449.4a Amphotericin B for use in parenteral products.

(a) * * *

(3) * * *

(i) Results of test and assays on the batch for potency, amphotericin A content, safety, loss on drying, residue on iginition, and identity.

* * * * *

These amendments institute changes that are corrective, editorial, or of a minor substantive nature. Because the amendments are not controversial and because when effective they provide notice of accepted standards, FDA finds that prior notice, public procedure, and delayed effective date are unnecessary and not in the public interest. The amendments, therefore, are effective January 19, 1984. Interested persons may, however, on or before February 21, 1984, submit written comments on this regulation to the Dockets Management Branch (address above). Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch, between 9 a.m. and 4 p.m., Monday through Friday.

Any Person who will be adversely affected by this regulation may file objections to it and request a hearing. Reasonable grounds for the hearing must be shown. Any person who decides to seek a hearing must file (1) on or before February 21, 1984, a written notice of participation and request for hearing, and (2) on or before March 19, 1984, the data, information, and analyses on which the person relies to justify a hearing, as specified in 21 CFR 430.20. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that no genuine and substantial issue of fact precludes the action taken by this order, or if a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who request(s) the hearing, making findings and conclusions and denying a hearing. All submissions must be filed in three copies, identified with the docket number appearing in the heading of this order and filed with the Dockets Management Branch.

The procedures and requirements governing this order, a notice of participation and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and grant or denial of a hearing are contained in 21 CFR 430.20.

All submissions under this order, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the Dockets Management Branch, between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall be effective January 19, 1984.

(Secs. 507, 701(f) and (g), 52 Stat. 1055–1056 as amended, 59 Stat. 463 as amended (21 U.S.C. 357, 371(f) and (g))

Dated: January 13, 1984.

Philip L. Paquin,

Acting Associate Director for Regulatory Affairs.

[FR Doc. 84-1403 Filed 1-18-84; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 640

[Docket No. 83N-0135]

Additional Standards for Human Blood and Blood Products; Normal Serum Albumin (Human) and Plasma Protein Fraction (Human)

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the biologics regulations on the additional standards for Normal Serum Albumin (Human) and Plasma Protein Fraction (Human) by revising a cautionary labeling statement about administering these products. FDA is revising the cautionary labeling statement to clarify the meaning and intent of that statement.

EFFECTIVE DATE: January 19, 1985.

FOR FURTHER INFORMATION CONTACT: Joseph Wilczek, National Center for Drugs and Biologics (HFN-813), Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205, 301–443–1306.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of July 29, 1983 (48 FR 34480), FDA proposed to amend §§ 640.84(a)(2) and 640.94(b) (21 CFR 640.84(a)(2) and 640.94(b)) of the biologics regulations to clarify a cautionary labeling statement for Normal Serum Albumin (Human) and Plasma Protein Fraction (Human). Interested persons were given until September 27, 1983, to submit written comments regarding the proposed rule. The agency received two comments and both comments fully supported the proposed change. Accordingly, the agency is amending the cautionary labeling statement in §§ 640.84(a)(2) and 640.94(b), as proposed.

Normal Serum Albumin (Human) and Plasma Protein Fraction (Human) are injectable biological products derived from fractionation of human blood and are similar in nature. Either product may be used in treating a burn patient to overcome loss of fluid, in treating a shock/trauma patient, or in replacing plasma proteins in a patient with a lower than normal level of protein in the blood.

The current regulations in §§ 640.84(a)(2) and 640.94(b) require that each of the above products be labeled with the statement "Do Not Use if Turbid, or More Than 4 Hours After the Container Has Been Entered." Some users of these products have misinterpreted this warning as advising that the entire contents of the container be infused into a patient within 4 hours after the container is first entered. The agency intended, however, that the required labeling statement caution users to begin administration of these products within 4 hours after the container is first entered. The agency, therefore, proposed to clarify the cautionary labeling statement to read "Do Not Use if Turbid. Do Not Begin Administration More Than 4 Hours After the Container Has Been Entered." To preclude any unnecessary costs to manufacturers, the agency proposed that any final rule based on the proposal be effective 1 year after the date of its publication in the **Federal Register.**

The agency has determined pursuant to 21 CFR 25.24(d)(13) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

In accordance with Executive Order 12291 and the Regulatory Flexibility Act, the agency has considered the impact of the final rule. FDA believes that the labeling change will have a minimal effect on manufacturers of biological products because the final rule only clarifies an existing labeling requirement. There are currently 14 licensed manufacturers of Normal Serum Albumin (Human) and 5 licensed manufacturers of Plasma Protein

Fraction (Human), and the revised labeling statement relieves a burden on certain users of the biological products who have misinterpreted the meaning of the current labeling requirement. The agency concludes that the final rule to amend the labeling of the two products does not warrant designation as a major rule under any of the criteria under section 1(b) of Executive Order 12291. The agency certifies that a regulatory flexibility analysis is not required because the final rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 21 CFR Part 640

Blood.

Therefore, under the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 640 is amended as follows:

PART 640—ADDITIONAL STANDARDS FOR HUMAN BLOOD AND BLOOD PRODUCTS

1. In § 640.84 by revising paragraph (a)(2), to read as follows:

§ 640.84 Labeling.

* * * * *

(a) * * *

(2) The cautionary statement placed in a prominent position on the label, "Do Not Use if Turbid. Do Not Begin Administration More Than 4 Hours After the Container Has Been Entered.";

* * * * *

2. In § 640.94 by revising paragraph (b), to read as follows:

§ 640.94 Labeling.

* * * * *

(b) The cautionary statement placed in a prominent position on the label, "Do Not Use if Turbid. Do Not Begin Administration More than 4 Hours After the Container Has Been Entered."

Effective date. This regulation is effective January 19, 1985.

(Sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262))

Dated: December 27, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 84-1402 Filed 1-18-84; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD 84-005]

Safety and Security Zones

AGENCY: Coast Guard, DOT.

ACTION: Notice of Temporary Rules Issued.

SUMMARY: This document gives notice of temporary safety zones, security zones and special local regulations. Periodically the Coast Guard must issue safety zones, security zones and special local regulations for limited periods of time in limited areas. Safety zones are established around areas where there has been a marine casualty or when a vessel carrying a particularly hazardous cargo is transiting a restricted or congested area. Security zones are temporarily established in response to a risk to national security present in a particular area. Special local regulations are issued to assure the safety of participants and spectators of regattas and other marine events.

DATES: The following list includes zones that were established between October 17, 1982 and December 10, 1983 and have since been terminated.

ADDRESS: The complete text of any of these temporary regulations may be examined at, and is available on request from Executive Secretary, Marine Safety Council (G-CMC), U.S. Coast Guard Headquarters, 2100 Second St. SW., Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. Bruce Novak, Deputy Executive Secretary, Marine Safety Council at (202) 426-1477.

SUPPLEMENTARY INFORMATION: The local Captain of the Port must be immediately responsive to the safety needs of the waters within his jurisdiction; therefore, he has been delegated the authority to issue these regulations. Since Marine events and emergencies usually take place without advance notice or warning, timely publication of notice in the **Federal Register** is often precluded. However, the affected public is informed through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is frequently provided by Coast Guard patrol vessels enforcing the restrictions imposed in the zone to keep the public informed of the regulatory activity. Because most mariners are notified by Coast Guard officials on scene prior to enforcement action, Federal Register notice is not required to place the special local regulations, security zone or safety zone in effect. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To discharge this legal obligation without imposing undue expense on the public, the Coast Guard publishes a periodic list of these temporary Special Local Regulations, security zones and safety zones. Permanent safety zones are not included in this list. Permanent zones are published in their entirety in the **Federal Register** just as any other rulemaking. Temporary zones are also published in their entirety if sufficient time is available to do so before they are placed in effect or terminated.

Non-major safety zones, special local regulations and security zones, have been exempted from review under E.O. 12291 because of their emergency nature and temporary effectiveness.

The following regulations were placed in effect temporarily during the period 17 October 1982 through 10 December 1983:

Docket No.	Location	Type	Date
1. COTP Boston, MA, Reg. 83-01	Boston Harbor, Boston, MA	Safety Zone	Oct. 28, 1983.
2. CGD02-83-01	Ohio River, Louisville, KY	Special Local Regulations	May 1, 1983.
3. CGD03-83-34	Sea Girt Fishing Reef, NJ	Safety Zone	Nov. 19, 1982.
4. CGD03-83-10	N.Y. Harbor, Hudson River NY	Security Zone	Apr. 19, 1983.
5. CGD03-83-11	Lower Hudson River, Manhattan, NY	Safety Zone	Apr. 29, 1983.
6. CGD03-83-12	Lower Hudson River, NY	Security Zone	Apr. 27, 1983.
7. CGD03-83-13	Ocean City, NJ	Special Local Regulations	May 26, 1983.
8. CGD03-83-15	New London Harbor, CT	Security Zone	May 21, 1983.
9. CGD03-83-17	Lower Hudson River, NY&NJ	Safety Zone	Do.
10. CGD03-83-18	Thames River, New London, CT	Special Local Regulations	June 5, 1983.
11. CGD03-83-19	Barnegat Bay, NY	Special Local Regulations	Do.
12. CGD03-83-12	East River, New York NY	Safety Zone	July 1, 1983.
13. CGD03-83-23	Lake Champlain, VT	Safety Zone	July 4, 1983.
14. CGD03-83-27	Coney Island, NY	Special Local Regulations	July 1, 1983.
15. CGD03-83-31	Manasquan Inlet, NJ	Special Local Regulations	July 13, 1983.
16. CGD03-83-32	New York Harbor, NY, Newark Bay, NJ	Safety Zone	July 19, 1983.
17. CGD03-83-33	Connecticut River, CT	Special Local Regulations	July 6, 1983.
18. CGD03-83-35	Navesink River, Redbank, NJ	Special Local Regulations	Aug. 13, 1983.

Docket No.	Location	Type	Date
19. CGD03-83-43	Sandy Hook Channel, Raritan Bay, Arthurkill, NY&NJ	Safety Zone	Aug. 8, 1983.
20. CGD03-83-47	New York Harbor, NY and Newark Bay, NJ	Safety Zone	Aug. 23, 1983.
21. CGD03-83-52	New York Harbor, NY and Newark Bay, NJ	Safety Zone	Sept. 15, 1983.
22. CGD03-83-53	Upper East River, NY	Safety Zone	Sept. 23, 1983.
23. CGD03-83-54	Lower Hudson River, NY	Security Zone	Sept. 25, 1983.
24. CGD03-83-55	Lower Hudson River, NY	Security Zone	Sept. 26, 1983.
25. CGD03-83-56	New York Harbor, NY Newark Bay, NJ	Safety Zone	Oct. 2, 1983.
26. CGD03-83-57	Long Island Sound, Little Neck Bay, Kings Point, NY	Safety Zone	Oct. 15, 1983.
27. CGD03-83-61	Upper NY Bay, New York, NJ	Safety Zone	Do.
28. CGD03-83-62	Long Island Sound, Little Neck Bay, NY	Safety Zone	Do.
29. CGD03-83-63	Sanday Hook Channel, Raritan Bay, Arthurkill, NY&NJ	Safety Zone	Nov. 6, 1983.
30. CGD03-83-64	Sandy Hook Channel, Raritan Bay, Arthurkill, NY&NJ	Safety Zone	Nov. 7, 1983.
31. CGD03-83-65	Sandy Hook Channel, Raritan Bay, Arthurkill, NY&NJ	Safety Zone	Nov. 9, 1983.
32. COTP New Haven, CT, Reg. 83-01	New Haven Harbor, CT	Safety Zone	July 4, 1983.
33. COTP New London, CT, Reg. 83-02	New London Harbor, CT	Safety Zone	June 19, 1983.
34. COTP New London, CT, Reg. 83-03	New London Harbor, CT	Security Zone	May 18, 1983.
35. COTP New London, CT, Reg. 83-08	New London Harbor, CT	Security Zone	May 19, 1983.
36. CGD05-83-02	Elizabeth River, Norfolk, VA	Special Local Regulations	June 10, 1983.
37. CGD05-83-03	Elizabeth River, Norfolk, VA	Special Local Regulations	June 1, 1983.
38. COTP Wilmington, NC, Reg. 83-03	Upper Cape Fear River, Wilmington, NC	Safety Zone	Oct. 2, 1983.
39. COTP Wilmington, NC, Reg. 83-04	Port of Morehead City, NC	Safety Zone	Apr. 24, 1983.
40. COTP Wilmington, NC, Reg. 83-05	Port of Morehead City, NC	Safety Zone	June 3, 1983.
41. COTP Wilmington, NC, Reg. 83-06	Port Wilmington, NC	Safety Zone	June 7, 1983.
42. COTP Wilmington, NC, Reg. 83-07	Port Wilmington, NC	Safety Zone	June 8, 1983.
43. COTP Wilmington, NC, Reg. 83-08	Cape Fear River, Wilmington, NC	Safety Zone	Aug. 24, 1983.
44. COTP Wilmington, NC, Reg. 83-09	Cape Fear River, Southport, NC	Safety Zone	Oct. 3, 1983.
45. COTP Baltimore, MD, Reg. 83-04	Baltimore Harbor, Baltimore, MD	Safety Zone	July 4, 1983.
46. COTP Baltimore, MD, Reg. 83-06	Baltimore Harbor, Baltimore, MD	Safety Zone	June 12, 1983.
47. COTP Baltimore, MD, Reg. 83-07	Long Point, Patuxent River, MD	Safety Zone	July 2, 1983.
48. COTP Baltimore, MD, Reg. 83-13	Baltimore Harbor, Baltimore, MD	Safety Zone	Sept. 23, 1983.
49. COTP Baltimore, MD, Reg. 83-14	Baltimore Harbor, Baltimore, MD	Safety Zone	Sept. 25, 1983.
50. COTP Baltimore, MD, Reg. 83-15	Baltimore Harbor, Baltimore, MD	Safety Zone	Nov. 19, 1983.
51. COTP Hampton Roads, VA, Reg. 83-09	Elizabeth River, Norfolk, VA	Safety Zone	May 23, 1983.
52. COTP Hampton Roads, VA, Reg. 83-10	Back River, Hampton, VA	Safety Zone	May 27, 1983.
53. COTP Hampton Roads, VA, Reg. 83-11	James River, Hog Point, VA	Security Zone	May 28, 1983.
54. COTP Hampton Roads, VA, Reg. 83-12	James River, Neport News, VA	Safety Zone	June 30, 1983.
55. COTP Hampton Roads, VA, Reg. 83-13	Elizabeth River, Norfolk, VA	Safety Zone	July 3, 1983.
56. COTP Hampton Roads, VA, Reg. 83-14	James River, VA	Safety Zone	July 12, 1983.
57. COTP Hampton Roads, VA, Reg. 83-17	Pamlico Sound, NC	Safety Zone	Aug. 24, 1983.
58. COTP Hampton Roads, VA, Reg. 83-18	James River, Newport News, VA	Safety Zone	Sept. 7, 1983.
59. COTP Hampton Roads, VA, Reg. 83-19	James River, Newport News, VA	Safety Zone	Sept. 9, 1983.
60. COTP Hampton Roads, VA, Reg. 83-20	Elizabeth River, NC, Chesapeake, VA	Safety Zone	Sept. 25, 1983.
61. COTP Hampton Roads, VA, Reg. 83-21	James River, Newport News VA	Safety Zone	Sept. 26, 1983.
62. COTP Hampton Roads, VA, Reg. 83-23	Chesapeake Bay, Hampton, VA	Safety Zone	Oct. 25, 1983.
63. CGD07-83-12	Atlantic Ocean, Florida	Special Local Regulation	Oct. 9, 1983.
64. CGD07-83-13	Savannah River, Savannah, GA	Security Zone	Oct. 27, 1983.
65. CGD07-83-18	North Fork New River, Ft. Lauderdale, FL	Safety Zone	Dec. 5, 1983.
66. CGD07-83-19	Arroyo Sereno Canal, Coral Gables, FL	Safety Zone	Do.
67. COTP Savannah, GA, Reg. 83-01	East River, Brunswick, GA	Security Zone	May 2, 1983.
68. COTP Savannah GA, Reg. 83-07	Port of Savannah, GA	Security Zone	July 23, 1983.
69. COTP Miami, FL, Reg. 83-02	Miami River, Miami, FL	Safety Zone	Mar. 25, 1983.
70. COTP Miami, FL, Reg. 83-03	Highland Beach, FL	Security Zone	May 8, 1983.
71. COTP Miami, FL, Reg. 83-04	Miami River, Miami, FL	Safety Zone	May 11, 1983.
72. COTP Jacksonville, FL, Reg. 83-06	St. Johns River, Jacksonville, FL	Security Zone	Aug. 5, 1983.
73. CGD08-83-01	USS City of Corpus Christi, TX	Safety Zone	Mar. 16, 1983.
74. COTP Corpus Christi, TX, Reg. 82-01	Corpus Christi Ship Channel, TX	Safety Zone	Dec. 1, 1983.
75. COTP New Orleans, LA, Reg. 83-01	Barataria Bay	Safety Zone	Jan. 2, 1983.
76. COTP New Orleans, LA, Reg. 83-02	Mississippi Canyon	Safety Zone	June 14, 1983.
77. COTP New Orleans, LA, Reg. 83-03	Belmont Crossing, Lower Mississippi River	Safety Zone	Aug. 4, 1983.
78. COTP New Orleans, LA, Reg. 83-04	Mississippi River Mile 189.4	Safety Zone	Sept. 14, 1983.
79. COTP New Orleans, LA, Reg. 83-05	Mississippi River, Gulf Outlet	Safety Zone	Sept. 23, 1983.
80. COTP New Orleans, LA, Reg. 83-24	Lower Mississippi River	Safety Zone	Oct. 19, 1983.
81. CGD09-83-15	Grand Traverse Bay, MI	Special Local Regulation	Sept. 3, 1983.
82. CGD09-83-18	Lake Michigan, Chicago, IL	Special Local Regulation	July 15, 1983.
83. CGD11-83-05	Queensway Bay, Long Beach, CA	Cancel Safety Zone	Nov. 22, 1983.
84. CGD11-83-17	Colorado River, AZ	Special Local Regulation	Apr. 16, 1983.
85. CGD11-83-34	Colorado River, AZ	Special Local Regulation	May 28, 1983.
86. CGD11-83-45	Colorado River, AZ	Special Local Regulation	June 25, 1983.
87. CGD11-83-51	San Pedro Channel, CA	Special Local Regulation	July 2, 1983.
88. CGD11-83-54	Gloriette Bay, Coronada, CA	Special Local Regulation	June 30, 1983.
89. CGD11-83-102	Colorado River, AZ	Safety Zone	Nov. 5, 1983.
90. COTP Los Angeles/Long Beach, CA, Reg. 83-02	Long Beach Harbor, CA	Safety Zone	Feb. 27, 1983.
91. COTP Los Angeles/Long Beach, CA, Reg. 83-03	Long Beach Harbor, CA	Safety Zone	Do.
92. COTP Los Angeles/Long Beach, CA, Reg. 83-05	San Pedro Bay, CA	Safety Zone	Apr. 5, 1983.
93. COTP Los Angeles/Long Beach, CA, Reg. 83-06	Marina Del Ray Harbor, CA	Safety Zone	Apr. 29, 1983.
94. COTP Los Angeles/Long Beach, CA, Reg. 83-07	San Pedro Bay, CA	Safety Zone	May 20, 1983.
95. COTP Los Angeles/Long Beach, CA, Reg. 83-10	San Pedro Bay, CA	Safety Zone	Aug. 6, 1983.
96. COTP Los Angeles/Long Beach, CA, Reg. 83-11	Los Angeles Harbor, CA	Safety Zone	Sept. 2, 1983.
97. COTP Los Angeles/Long Beach, CA, Reg. 83-80	San Pedro Bay, CA	Safety Zone	June 9, 1983.
98. COTP MSO San Diego, CA, Reg. 83-02	M/V LAURA	Safety Zone	Oct. 2, 1983.
99. COTP MSO San Diego, CA, Reg. 83-04	Point Loma, Pacific Ocean	Safety Zone	July 1, 1983.
100. COTP MSO San Diego, CA, Reg. 83-05	Point Loma, Pacific Ocean	Safety Zone	Aug. 5, 1983.
101. CGD13-83-09	Shilshole Bay, Seattle, WA	Special Local Regulation	Apr. 30, 1983.
102. CGD13-83-10	Columbia River Kennewick, WA	Special Local Regulation	July 26, 1983.
103. CGD13-83-11	Columbia River, Portland, OR	Special Local Regulation	May 15, 1983.
104. COTP Honolulu, HA, REG 83-01	Lahaina, Maui	Safety Zone	Nov. 10, 1983.

Dated: January 11, 1984.

C. M. Holland,

Captain, U.S. Coast Guard, Executive Secretary, Marine Safety Council.

[FR Doc. 84-1459 Filed 1-18-84; 8:45 am]

BILLING CODE 4910-14-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. E-79, Supp. 2]

Temporary Regulations; Processing Adjustments

AGENCY: Office of Federal Supply and Services, GSA.

ACTION: Temporary regulation.

SUMMARY: This supplement to the Federal Property Management Regulations (FPMR), Temporary Regulation, lowers the minimum line item dodllar value from $100 to $50 for processing adjustments (credit/debit billings to customers) by GSA on validated shipping-type (item) and packaging discrepancy reports cited in FPMR Temporary Regulations E-79. This change was made to standardize reporting and adjustment levels at $50. The effect will be an improvement in service to customers.

DATES: Effective date: November 1, 1983. Expiration date: April 30, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. James W. Jeremiah, Director, Requisition Management Division (703-557-8570).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; or major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Subchapter E—[Amended]

In 41 CFR Chapter 101, a reference to FPMR Temp. Reg. E-79, Supplement 2, is added to the list in the appendix to Subchapter E, and the following note is added to the text:

[FPMR Temp. Reg. E-79, Supp. 2]

Note.—Supplement 2 to FPMR Temporary Regulation E-79 is filed with the original document, and its text does not appear in this volume.

(Sec. 205(c), 63 Stat. 390; 40 486(c))

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 84-1314 Filed 1-18-84; 8:45 am]

BILLING CODE 6820-AM-M

41 CFR Part 101-29

[FPMR Amdt. E-255]

Procurement and Requisitioning of Items and Services

AGENCY: Office of Federal Supply and Services, GSA.

ACTION: Final rule.

SUMMARY: This regulation amends the policy regarding the use of commercial item description (CID's) by removing the restriction on agency use of a CID as the procurement document when the contract is with a mandatory source of supply.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. Walter L. Eckbreth, Director, Policy and Procedures Division (703-557-0536).

SUPPLENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a Regulatory Impact Analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 4 CFR Part 101-29

Government property management.

PART 101-29—FEDERAL PRODUCT DESCRIPTIONS

1. The authority citation for Part 101-29 reads as follows:

Authority: Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)).

2. The table of contents for Part 101-29 is amended by removing the entry for 101-29.504, Use of Federal Product descriptions by mandatory sources of supply.

Subpart 101-29.5—Use of and optional use of Federal Product Descriptions and Agency Product Descriptions

§ 101-29.504 [Removed]

3. Section 101-29.504 is removed.

Dated: December 23, 1983.

Ray Kline,

Acting Administrator of General Services.

FR Doc. 84-1315 Filed 1-18-84; 8:45 am]

BILLING CODE 6820-24-M

41 CFR Part 101-42

[FPMR Amdt. H-147]

Recovery of Precious Metals

AGENCY: Office of Federal Supply and Services, GSA.

ACTION: Final rule.

SUMMARY: The current requirement for each agency to consider the feasibility of recovering precious metals, particularly silver from used hypo solution and scrap film, is contained in 41 CFR 101-42.3. This revision clarifies agency responsibilities in the Government-wide precious metals recovery program, provides further guidelines on the recovery of silver by agencies regardless of the amount of precious metals bearing materials generated, and expands the options for civil agency participation in the Department of Defense (DOD) Precious Metals Recovery Program. This revision also clarifies reporting requirements and information to be provided to the General Services Administration (GSA) on Standard Form (SF) 291, Report of Activities Generating Precious Metals. These changes result from recommendations made by the General Accounting Office and the GSA Inspector General.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: John Hansley, Sales Division, (703-557-0814).

SUPPLEMENTARY INFORMATION: GSA determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more, a major increase in costs to consumers or others, or significant adverse effects. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule, has determined that the potential benefits to society from this rule outweigh the potential costs and has

maximized the net benefits, and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101–42

Government property management, Surplus Government property.

For the reasons set out in the preamble, 41 CFR Part 101–42 is amended as set forth below.

PART 101–42—PROPERTY REHABILITATION SERVICES AND FACILITIES

Subpart 101–42.3 is revised as follows:

* * * * *

Subpart 101–42.3—Recovery of Precious Metals

Sec.

101–300 Scope of subpart.
101–301 General.
101–302 Agency responsibilities.
101–302–1 Precious metals recovery surveys.
101–302–2 Agency reporting requirements.
101–302–3 Precious metals recovery program monitor.
101–302–4 Internal audits.
101–303 Recovery of silver from precious metals bearing materials.
101–303–1 Guidelines for the recovery of silver from used hypo solution and scrap film.
101–303–2 Recovery of silver from used hypo solution.
101–303–3 Recovery of silver from scrap film.
101–304 Recovery and use of precious metals through the DOD Precious Metals Recovery Program.
101–304–1 Civil agency participation in the DOD Precious Metals Recovery Program.
101–304–2 Use of DOD-recovered fine precious metals.

* * * * *

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–42.3—Recovery of Precious Metals

§ 101–42.300 Scope of subpart.

This subpart prescribes the policy and procedures for recovery of precious metals from articles of excess and surplus personal property.

§ 101–42.301 General

GSA is responsible for the initiation and development of Government-wide precious metals recovery programs, and for the issuance and administration of applicable contracts, except those issued and administered by DOD for precious metals recovery and refinement operations. Situations will occur where, in terms of economy, efficiency, and environmental quality, it is in the best interest of the Government to recover precious metals from articles of excess and surplus personal property instead of using other methods of disposal. GSA will determine when Government-wide recovery is appropriate on the basis of an evaluation of the supply-demand factor, the price of the commodity, the cost of recovering the precious metal, and applicable guidelines or regulations on pollution control.

§ 101–42.302 Agency responsibilities.

Heads of executive agencies are responsible for establishing, maintaining, and pursuing a program for recovery of precious metals. The provisions of §§ 101–42.302–1 through 101–42.302–4 provide guidance with respect to surveys, reporting requirements, assignment of program monitors, and internal audits. Precious metals that may be designated for recovery include gold, silver, and metals in the platinum family. Examples of silver bearing scrap and waste include used photographic fixing (hypo) solution, photographic and X-ray film, silver alloys, and dental scrap. Other examples of precious metals bearing materials include electronic scrap, ADPE, welding and brazing wire, annodes, and batteries. Certain strategic and critical materials, lists of which are issued from time to time as provided in § 101–14.106, may also be designated for recovery.

§ 101–42.302–1 Precious metals recovery surveys.

Each agency shall identify those activities that generate silver or other precious metals (including used hypo solution, scrap film, and other precious metals bearing materials). Activities identified as generating precious metals bearing materials shall be surveyed to obtain information regarding actual or potential precious metals recovery. Estimates of potential recovery may be obtained through use of testing papers for hypo solution; various charts, tables, and scales for scrap film, assays of samples of precious metals bearing materials; or other acceptable methods of estimating potential precious metals content.

§ 101–42.302–2 Agency reporting requirements.

(a) Each agency shall submit a consolidated annual report (based on fiscal year) containing information regarding precious metals recovery to the Manager, Federal Precious Metals Recovery Programs, General Services Administration (FMS), Washington, D.C. 20406. The consolidated report, Standard Form 291, Report of Activities Generating Precious Metals (interagency report control number 1529–GSA–SA), shall be submitted within 45 calendar days after the end of the fiscal year. Agency requests for a waiver to the annual reporting requirement shall be submitted to the above GSA program manager for approval.

(b) Section 101–42.4901–291 illustrates Standard Form 291, Report of Activities Generating Precious Metals. The report provides for specific information regarding the types of silver and other precious metals bearing materials processed or generated. The report requires information to be submitted as to the potential amount of precious metals to be recovered from the precious metals bearing material as well as the actual amount of precious metals recovered. Significant differences between the potential and actual amount of precious metals recovered shall be explained on Standard Form 291. When reporting estimated savings use either: (1) The market value on the date of the transaction for material delivered to the DOD system; or (2) the amount of proceeds when material is sold under contract. All sales should be identified by contract number. Market value determination should be identified by source and date.

§ 101–42.302–3 Precious metals recovery program monitor.

Each agency should designate an individual to monitor its precious metals recovery program. Responsibilities of the precious metals monitor should include conducting and coordinating surveys, implementing and improving recovery procedures; monitoring the agency's recovery program; and submitting the consolidated annual report to GSA.

§ 101–42.302–4 Internal audits.

Each agency should require periodic internal audits of its precious metals recovery program. The internal audits should be of such frequency and scope as to provide for proper control over the recovery, storage, and disposition of precious metals bearing materials. Primary elements for review should include document control and record maintanance; storage facilities and security controls; methods of recovery and equipment operation; and procedures for recovering precious metals through service contracts or disposal through sales contracts.

§ 101–42.303 Recovery of silver from precious metals bearing materials.

(a) Each agency should recover silver regardless of the quantity of used hypo solution or scrap film generated. Installation of a silver recovery unit

consistent with the quantity of used hypo solution generated or storage of used hypo solution or scrap film until a processible quantity is obtained are two alternatives. If an activity generates small quantities of hypo solution and tests show that there is a minimal amount of silver per gallon of solution, arrangements should be made, to the extent feasible, with another activity in the area which is using a recovery unit to receive and process the hypo solution. When the actual amount of silver recovered is substantially less than the estimated amount potentially recoverable, agencies should fully document the reason for the substantial difference.

(b) When recovery by an agency is not economically feasible and consolidation with other activities is not practical, the GSA regional Customer Service Bureau serving the area or DLA (in accordance with § 101–42.304) should be contacted for assistance. If it is determined that silver recovery cannot be recovered economically by Government-owned equipment or by a commercial recovery contractor, the hypo solution, scrap, film, or other silver bearing materials should be disposed of in accordance with Part 101–45 and in an environmentally acceptable manner.

§ 101–42.303–1 Guidelines for the recovery of silver from used hypo solution and scrap film.

The basic factors that determine the potential quantity of recoverable silver are: The amount of used hypo solution or scrap film generated, the amount and type of film processed, and the physical layout and available recovery equipment of the photographic facility. Since these factors may vary for each facility, a single method of recovery cannot be prescribed.

§ 101–42.303–2 Recovery of silver from used hypo solution.

Used hypo solution should be processed to recover the maximum amount of silver from the solution, consistent with overall economic feasibility and environmental considerations. Recovery can be effected either by Government-owned equipment or through use of commercial recovery contracts. Various types and sizes of equipment using metallic replacement or electrolytic methods of recovery are available which permit economic silver recovery from both large and small quantities of used hypo solution.

§ 101–42.303–3 Recovery of silver from scrap film.

Scrap film, the silver content of which varies according to the type of film and the degree of exposure, is a major source of recovered silver. One method of recovering silver from scrap film is by burning the film in specially designed and approved incinerators. The burning reduces the film to high content silver bearing ash which can be econonically processed to produce fine silver. Recovery onsite by controlled burning should only be accomplished at those activities or installations where approved facilities exist and the local code on burning permits it. A common alternative method of recovery is through periodic disposal of accumulated scrap film by sale in accordance with Part 101–45.

§ 101–42.304 Recovery and use of precious metals through the DOD Precious Metals Recovery Program.

Civil agencies may use the DOD Precious Metals Recovery Program as prescribed in §§ 101–42.304–1 and 101–42.304–2.

§ 101–42.304–1 Civil agency participation in the DOD Precious Metals Recovery Program.

(a) Civil agencies wishing to participate in the DOD precious metals recovery system should contact the Manager, DOD Precious Metals, Recovery Program, Attention: DLA–SIP, Cameron Station, Alexandria, VA 22314, for further information regarding the following plans:

(1) *Plan I.* An appraisal or survey of the agency's precious metals recovery potential and a recommendation as to appropriate recovery techniques and equipment.

(2) *Plan II.* DLA acceptance of photographic wastes, excess, and other precious metals bearing materials at Defense Property Disposal Offices (DPDO) or other disposition sites.

(3) *Plan III.* Disposition and shipping instructions for recovered precious metals bearing materials not authorized for acceptance at local DPDO's.

(4) *Plan IV.* Assistance and recommendations as needed in the administration and operation of the agency's precious metals recovery program including, an appraisal or survey of recovery potential; the furnishing of recovery and other supporting equipment; the training of personnel in the operation of recovery equipment; and the prescribing of procedures for the security and disposition of precious metals bearing materials. This plan will, in most cases, require a formal Memorandum of Understanding between DLA and the participating agency.

(b) DLA will provide recovered fine precious metals to participating agencies for use as Government Furnished Materials (GFM) or other authorized internal uses in accordance with § 101–42.304–2.

§ 101–42.304–2 Use of DOD-recovered fine precious metals.

To determine the need for recovered fine precious metals as GFM to reduce new procurement costs, each agency shall review procurements for which fine precious metals will be required by a contractor. Each agency having requirements for recovered fine precious metals as GFM or for other authorized internal uses should submit a request to the Commander, Defense Industrial Supply Center (DISC), Attention: DISC–ODBA/YC, 700 Robbins Avenue, Philadelphia, Pennsylvania 19111. Recovered fine precious metals will be provided to agencies for use as GFM or for other authorized internal uses on an "as-needed-when-available" basis. There is a nominal charge for the recovered fine precious metals to cover the administrative and processing costs. However, such costs are substantially lower than the market price of precious metals. Normally, the amount of recovered fine precious metals authorized for sale to individual civil agencies will not be restricted, except in those instances when the precious metal involved is not available in sufficient quantities to satisfy all requirements. No minimum ordering quantity is prescribed. Requiring activities should contact DISC to assure asset availability prior to the requisitioning of any quantity of precious metal other than silver. Advance inquiry for silver should be made only when requirements exceed 5,000 troy ounces.

Dated: December 23, 1983.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 84–1309 Filed 1–18–84; 8:45 am]

BILLING CODE 6820–24–M

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41 CFR Part 105–60

Freedom of Information

AGENCY: Office of Policy and Management Systems, GSA.

ACTION: Final rule.

SUMMARY: The General Administration (GSA) has amended its regulations to reflect the transfer of responsibility within GSA for administering the Freedom of Information Act. Also included is the current fee schedule, and the Administrator has been added to the list of persons authorized to accept subpoenas.

EFFECTIVE DATE: January 19, 1984.

ADDRESS: General Services Administration (ORAR), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Mr. William W. Hiebert, GSA Freedom of Information Act (FOIA) Officer (202–535–7647).

SUPPLEMENTARY INFORMATION: GSA's regulations implementing the Freedom of Information Act are being amended to:

a. Correct the telephone number for the GSA Headquarters reading room;

b. Change the search fees from $5 per hour to $6 per hour and if a professional staff member performs the search from $10 per hour to $15 per hour;

c. Reflect the transfer of responsibility from the Director of Public Information or Assistant Regional Administrator for External Affairs to the GSA FOIA Officer or the Regional FOIA Officer;

d. Clarify the extension of time limits;

e. Add the Administrator to the list of persons authorized to accept subpoena duces tecum; and

f. Inform the requester that if prepayment is not received within 20 workdays from the date of our letter, additional charges may be incurred.

This regulation was published as a proposed rule in the **Federal Register** on July 12, 1983 (48 FR 31890). GSA received no comments.

List of Subjects in 41 CFR Part 105–60

Freedom of Information.

PART 105–60—[AMENDED]

Accordingly 41 CFR Part 105–60 is amended as follows:

Subpart 105–60.3—Availability of Opinions, Orders, Policies, Interpretations, Manuals, and Instructions

1. The authority citation for Part 105–60 reads as follows:

Authority: Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)).

2. Section 105–60.303 is amended by revising the introductory test and the telephone number for GSA Headquarters in the Central Office in paragraph (a) and by revising paragraph (c) to read as follows:

§ 105–60.303 Rules for public inspection and copying.

(a) *Locations.* Reading rooms or selected areas containing the materials available for public inspection and copying, described in § 105–60.302, are located in the following places:

Central Office

(GSA Headquarters), Washington, DC, Telephone: 202–535–7788 * * *

* * * * *

(c) *Copying.* GSA will furnish reasonable copying services at fees specified in § 105–60.305. The fees will be posted in each reading room or selected area. In suitable circumstances, a member of the public may receive authorization to copy materials personally under the procedures determined by the authorizing official (the GSA FOIA Officer in the Central Office or the Regional FOIA Officer in the regional offices).

* * * * *

3. Section 105–60.305–6 is revised to read as follows:

§ 105–60.305–6 Prepayment of fees over $10.

GSA will require prepayment of fees for search and reproduction which are likely to exceed $10. When the anticipated total fee exceeds $10, the requester will receive notice to prepay and will be advised if prepayment is not received within 20 workdays from the date of our letter, he may incur additional charges for time spent searching an additional time for the records.

4. Section 105–60.305–8(b) is amended by revising paragraph (b) to read as follows:

§ 105–60.305–8 Fee schedule.

* * * * *

(b) *Search fees.* (1) The standard search fee is $6 per hour or fraction thereof beyond the initial half hour used to locate the requested records.

(2) When GSA must use professional staff to search for the requested records because clerical staff would be unable to locate them, the search fee is $15 per hour or fraction thereof beyond the initial half hour used to locate the requested records.

(3) When the search includes nonpersonnel expenditures to locate and extract requested records, such as computer time or transportation expenses, the applicable fee is the direct cost to GSA.

Subpart 105–60.4—Described Records

5. Section 105–60.402–1 is revised to read as follows:

§ 105–60.402–1 Submission of requests for described records.

For records located in the GSA Central Office, the requester should submit a request in writing to the GSA FOIA Officer, General Services Administration (ATRAR), Washington, DC 20405. For records located in the GSA regional offices, the requester should submit a request to the FOIA Officer in the Office of Project Control and Oversight for the relevant region, at the address listed in § 105–60.303(a). Requests should include the words "Freedom of Information Request" prominently marked on both the face of the request letter and the envelope. The 10-workday time limit for agency decisions set forth in § 105–60.402–2 begins with receipt of a request in the office of the appropriate official identified in this section. A requester who has questions concerning an FOIA request may consult the GSA FOIA Officer, 18th and F Streets, NW, Washington, DC 20405, (202) 535–7647.

6. Section 105–60.403 is amended by revising paragraphs (a), (b), and (c) to read as follows:

§ 105–60.403 Appeal within GSA.

(a) A requester who receives a denial in whole or in part of a request may appeal that decision within GSA. The requester shall direct the appeal to the GSA FOIA Officer, General Services Administration (ATRAR), Washington, DC 20405, regardless of whether the denial being appealed was made in the Central Office or in a regional office.

(b) The GSA FOIA Officer must receive an appeal no later than 30 calendar days after receipt by the requester of the initial denial of access.

(c) The requester must appeal in writing and include a brief statement of the reasons he or she thinks GSA should release the records and enclose copies of the initial request and denial. The appeal letter should include the words "Freedom of Information Appeal" on both the face of the appeal letter and on the envelope. GSA has 20 workdays after receipt of an appeal to make a determination with respect to the appeal. The 20-workday time limit shall not begin until the GSA FOIA Officer receives the appeal.

* * * * *

7. Section 105–60.404 is revised to read as follows:

§ 105–60.404 Extension of time limits.

In unusual circumstances the Associate Administrator for Policy and Management Systems, the Director of Administrative Services, the GSA FOIA Officer, or the regional Director of Project Control and Oversight may extend the time limits prescribed in §§ 105–60.402 and 105–60.403. If necessary, more than one extension of time may be taken. However, the total extension of time shall not exceed 10 workdays with respect to a particular

request. The extension may be divided between the initial and appeal stages or within a single stage. GSA will provide a written notice to the requester of any extension of time limits.

Subpart 105–60.6—Subpoenas or Other Legal Demands for Records

8. Section 105–60.601–1 is amended by revising paragraph (b) to read as follows:

§ 105–60.601–1 GSA administrative records.

* * * * *

(b) The Administrator, the General Counsel, Deputy General Counsel, Assistant General Counsels, Inspector General, and, with respect to records in a GSA regional office, the Regional Administrator and Regional Counsel are the only GSA employees authorized to accept service of a subpoena duces tecum or other legal demands on behalf of GSA.

Dated: October 27, 1983.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 84–1308 Filed 1–18–84; 8:45 am]

BILLING CODE 6820–24–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 172, 173, and 179

[Docket HM–139F; Amdt. Nos. 172–88, 173–171, 179–33]

Conversion of Individual Exemptions Into Regulations of General Applicability

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Final rule.

SUMMARY: This action is being taken to incorporate into the Department's Hazardous Materials Regulations (HMR), a number of changes based on the data and analyses supplied in selected exemption applications or from existing exemptions. The need for this action has been created by the public demand to make available new packagings and shipping alternatives that have proven themselves safe under the Department's exemptions program. The intended effect of these amendments is to provide wider access to the benefits of transporation innovations recognized and shown to be effective and safe.

EFFECTIVE DATE: These amendments are effective Feburary 15, 1984. However, compliance with the regulations as amended herein, is authorized immediately.

FOR FURTHER INFORMATION CONTACT: Darrell L. Raines, Chief, Exemptions and Regulations Termination Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Washington, D.C. 20590, (202)–472–2726.

SUPPLEMENTARY INFORMATION: On August 8, 1983, the MTB published Notice No. 83–5 (48 FR 35970) under Docket HM–139F which proposed to amend the Hazardous Materials Regulations by incorporating the provisions of certain DOT exemptions into the general regulations. The public comment period ended October 12, 1983.

The MTB received three comments requesting changes to Docket HM–139F.

The proposed addition of "Film developer" to the § 172.101 Table has been withdrawn from this rulemaking because "Film developer" is not presently recognized by ICAO as a proper shipping name. Shipments may continue to be made under the terms and conditions specified in DOT–E 7032 and DOT–E 7040.

The proposed addition of footnote (L) (lower case) in § 173.31(c) has been changed to footnote (t) because of the confusion between the letter (l) and the number (1). The notice proposed to amend § 173.245(a)(38) by adding diethanolamine as an additional commodity to be shipped in DOT Specification 57 steel portable tanks. The Texaco Chemical Company, a producer of diethanolamine, stated that to their knowledge, there is no literature to indicate that diethanolamine is corrosive. A further review of our files indicates that the commenter is correct and diethanolamine has not been added to § 173.245(a)(38) as proposed. In § 173.272 the proposed amendment of paragraph (i)(22) to include DOT Specification 115A60W6 stainless steel tank cars for the transportation of Oleum has been added as a new paragraph (i)(23) for easier reading and compliance.

The proposed change regarding scrap paper is no longer necessary because Docket No. HM–166–0 (48 FR 52306), November 17, 1983, removed the entry from the § 172.101 Table but inadvertenly omitted the removal of § 173.1075. Section 173.1075 has been removed by this rulemaking.

Included in this rulemaking but not included in the notice is a correction in the § 172.101 Table for the entry "Di-(2-ethylhexyl) peroxydicarbonate, *not more than 67% in solution. See* Organic peroxide, liquid or solution, n.o.s." The "67%" has been corrected to read "77%".

Except for the above changes, these amendments are essentially the same as proposed in the notice.

The Material Transportation Bureau has determined that this document is not a "major rule" under the terms of Executive Order 12291 or significant under DOT's regulatory policies and procedures (44 FR 11034). A final regulatory evaluation was not prepared as the economic impact of these amendments has been found to be minimal.

For the reasons, I certify that this amendment will not have a significant economic impact on a substantial number of small entities.

List of Subjects

49 CFR Part 172

Hazardous materials transportation, Labeling, Packaging and containers.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers.

49 CFR Part 179

Hazardous materials transportation, Railroad safety.

In consideration of the foregoing, 49 CFR Parts 172, 173, and 179 are amended as follows:

PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

1. In § 172.101, the Hazardous Materials Table is amended by revising two entries to read as follows:

§ 172.101 Hazardous Materials Table.

+EAW	Hazardous materials descriptions and proper shipping names	Hazard class	Identification number	Label(s) required (if not excepted)	Packaging		Maximum net quantity in one package		Water shipments		
					Exceptions	Specific requirements	Passenger carrying aircraft or railcar	Cargo only aircraft	Cargo vessel	Passenger vessel	Other requirements
(1)	(2)	(3)	3(A)	(4)	5(a)	5(b)	6(a)	6(b)	7(a)	7(b)	7(c)
	(Revise)										
E	Acetic acid, glacial (*RQ-1000/454*).	Corrosive material.	UN2789	Corrosive	173.244	173.245	1 quart	10 gallons	1,2	1,2	Stow separate from nitric acid or oxidizing materials.
	Di-(2-ethylhexyl) peroxydicarbonate, *not more than 77% in solution. See* Organic peroxide, liquid *or* solution, n.o.s.		UN2123								

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

2. In § 173.31(c), Retest Table 1 is amended by adding a footnote reference "t" for the DOT–105A300W entry and adding a footnote "t" at the end of the table to read as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

* * * * *

(c) * * *

RETEST TABLE 1

Specification	Retest interval years [1]			Retest pressure—p.s.i.			
	Tank and interior heater systems			Safety relief valve	Safety relief valve		
	Up to 10 years	Over 10 to 22 years	Over 22 years		Tank	Start to discharge	Vapor tight
.	.	.	.	.	.	.	.
Revise							
DOT–105A300W	c,f,i,t_{10}	a,f,i,t_{10}	a,f,i,t_{10}	a,i,k_5	see	g,n_{225}	n_{140}
.	.	.	.	.	.	.	.

[1] Tanks in sodium metal service may be visually inspected at least once every 10 years instead of being retested hydrostatically. Date of the visual inspection must be stenciled on the tank near the other required markings.

. . . . . .

3. In § 173.33, paragraph (d)(1)(i) is amended by adding the following sentence at the end to read as follows:

§ 173.33 Qualification, maintenance, and use of cargo tanks.

* * * * *

(d) * * *

(1) * * *

(i) * * * Tanks used only in sodium metal service may have a complete internal visual inspection at least once every 5 years instead of a hydrostatic or pneumatic test.

* * * * *

4. In § 173.154, paragraphs (a)(4) and (a)(20) are revised, paragraphs (a)(22) and (a)(23) are added to read as folows:

§173.154 Flammable solids, organic peroxide solids and oxidizers not specifically provided for.

(a) * * *

(4) Specification MC 303, MC 304, MC 306, MC 307, MC 311 or MC 312 (§§ 178.341, 178.342, 178.343 of this subchapter). Tank motor vehicles. Tanks must conform with § 178.340–8. Discharge valves must be located inside the tank or at a point outside the tank where the line enters or leaves the tank. The valve seat must be located inside the tank or within the welded flange, its companion flange, nozzle, or coupling. Each product discharge opening shall have a secondary closing means, remote from tank filling or discharge openings, for operation in event of fire or other accident. Tanks may have heating coils if an inorganic heating medium is used. Authorized only for sodium perchlorate or magnesium perchlorate, wet, with 10 percent or more of water, equally distributed within the cargo tank. Specification MC 311 and MC 312 also authorized for potassium nitrite solution. Only Specification MC 304 and MC 307 are authorized for transportation by vessel.

(20) As prescribed in § 173.163(a)(7). Authorized only for ammonium persulfate, hydrated calcium hypochlorite, potassium persulfate, sodium carbonate peroxide, sodium chlorate, dry, sodium perborate monohydrate and sodium persulfate.

* * * * *

(22) Specification 44P (§ 178.241 of this subchapter). All plastic bags. Authorized only for ammonium persulfate, potassium persulfate, sodium carbonate peroxide, sodium perborate monohydrate and sodium persulfate. Net weight may not exceed 81 pounds.

(23) Specification 44B or 44C (§§ 178.236, 178.237 of this subchapter). Multiwall paper bags. Authorized only for ammonium persulfate, dibasic lead phosphite, potassium persulfate, sodium carbonate peroxide, sodium perborate monohydrate and sodium persulfate.

5. In § 173.188, paragraph (a)(4) is added to read as follows:

§ 173.188 Phosphoric anhydride.

(a) * * *

(4) Specification 56 (§ 178.252 of this subchapter). Stainless steel portable tanks.

* * * * *

6. In § 173.245, the last sentence in paragraphs (a)(29), and (a)(31) are revised, paragraph (a)(32) is revised and the third sentence in paragraph (a)(38) is revised to read as follows:

§ 173.245 Corrosive liquids not specifically provided for.

(a) * * *

(29) * * * MC 303 is authorized only for monoethanolamine; *primary amyl alcohol;* and phosphoric acid and solutions thereof; MC 306 constructed aluminum is authorized only for monoethanolamine *primary amyl alcohol.*

* * * * *

(31) * * * MC 306 is authorized only for monoethanolamine, primary amyl alcohol, phosphoric acid and solutions thereof.

(32) Specification 103AW, 103A–ALW, 103ANW, 103BW, 103CW, 103EW, 105A100W, 105A200ALW,

109A200ALW, 111A100F2, 111A60ALW2, 111A60W2, 111A60W5, or AAR–201A80W (§§ 179.100, 179.101, 179.200, 179.201 of this subchapter). Tank cars. Specification 105A200ALW tank cars authorized only for acetic anhydride and ammonium hydroxide. Specification 105A100W tank cars authorized only for ammonium hydroxide and dimethyl chlorothiophosphate. AAR–201A80W and 109A200ALW tank cars authorized only for ammonium hydroxide.

* * * * *

(38) * * * Authorized only for acetic acid, glacial; acetic acid solutions; compound, cleaning liquid; compound, rust preventing *or* compound, rust removing; monoethanolamine; *orthochlorophenol;* paint *or* paint related material; *primary amyl alcohol;* and phosphoric acid not exceeding 85 percent strength. * * *.

* * * * *

7. In § 173.247, paragraph (a)(18) is revised to read as follows:

§ 173.247 Acetyl bromide; acetyl chloride; acetyl iodide; antimony pentachloride; benzoyl chloride; boron trifluoride-acetic acid complex; chromyl chloride; dichloroacetyl chloride; diphenyl methyl bromide solutions; pyrosulfuryl chloride; silicon chloride; sulfur chloride (mono and di); sulfuryl chloride, thionyl chloride; tin tetrachloride (anhydrous); titanium tetrachloride; trimethyl acetyl chloride.

(a) * * *

(18) Specification 3E1800 (§ 178.42 of this subchapter). Cylinder authorized only for thionyl chloride, anhydrous and titanium tetrachloride, anhydrous.

* * * * *

8. In § 173.252, paragraphs (g)(4) and (g)(5) are added to read as follows:

§ 173.252 Bromine.

* * * * *

(g) * * *

(4) Specification 33A (§ 178.150 of this subchapter). Polystyrene case (nonreusable container) having not more than four inside glass jugs of not over 80 fluid ounces (2.5 liters) each. The polystyrene case must be further overpacked in a strong fiberboard box of at least 275-pound test and adequately cushioned. Not authorized for transportation by aircraft.

(5) Specification 15A (§ 178.168 of this subchapter). Wooden boxes (having an authorized gross weight of not less than 100 pounds) having not more than four inside glass jugs of not over 80 fluid ounces (2.5 liters) each. Jugs must be cushioned with an appropriate absorbent material. Not authorized for transportation by aircraft.

9. In § 173.272, paragraph (h) is revised and paragraph (i)(23) is added to read as follows:

§ 173.272 Sulfuric acid.

* * * * *

(h) *Sulfuric acid concentration of over 100.5 percent:* Authorized packaging is described in paragraphs (i)(1)-(4), (17), and (19)-(23) of this section.

(i) * * *

(23) Specification 115A60W6 (§ 179.220 of this subchapter). Tank cars. Tanks must be constructed of Type 304 or 316 stainless steel. Bottom outlets must be rendered inoperative and blanked off.

* * * * *

10. In § 173.277, paragraph (a)(1) is revised to read as follows:

§ 173.277 Hypochlorite solutions.

(a) * * *

(1) Specification 15A, 15B, 15C, 19A or 19B (§§ 178.168, 178.169, 178.170, 178.190, 178.191 of this subchapter) wooden boxes or Spec. 12A or 12B (§§ 178.210, 178.205 of this subchapter) fiberboard boxes with inside glass, earthenware or polyethylene packagings of not more than 1 gallon capacity each. Gross weight must not exceed 65 pounds nor contain more than 4 glass or earthenware inside packagings if their capacity is greater than 5 pints each, or more than six such polyethylene packagings.

* * * * *

11. In § 173.315, the table following paragraph (a)(1) is amended by adding an entry to read as follows:

§ 173.315 compressed gases in cargo tanks and portable tanks.

(a) * * *

(1) * * *

Kind of gas	Maximum permitted filling density		Specification container required	
	Percent by weight (see Note 1)	Percent by volume (see par. (f) of this section)	Type (see Note 2)	Minimum design pressure (psig)
(ADD) Vinyl methyl ether.	68	See Notes 7 and 13.	MC 330, MC 331.	100
*	*	*	*	*

12. In § 173.346, paragraph (a)(10) is revised to read as follows:

§ 173.346 Poison B liquids not specifically provided for.

(a) * * *

(10) Specification 103,[1] 103W, 103A[1] 103ALW, 103AW, 103BW, 104,[1] 104W, 105A100,[1] 105A1100W, 109A300ALW, 111A60ALW1, 111A60F1, 111A60W1, 111A60W2, 111A100F2, 111A100W4, 112A400W, 114A400W, or 115A60W6 (§§ 179.100, 179.101, 179.200, 179.201, 179.220, 179.221 of this subchapter). Tanks cars. Specification 103BW tank cars must be rubber-lined and are authorized only for arsenic acid as prescribed in § 173.348 of this subchapter.

* * * * *

13. In § 173.347, paragraph (a)(2) is revised to read as follows:

§ 173.347 Aniline oil.

(a) * * *

(2) Specification 103,[1] 103W, 103A,[1] 103AW, 104W, 105A100W, 111A60F1, 111A60W1, 111A60W2, 111A100F2, 112A200W, 112A400F, or 114A340W, (§§ 179.100, 179.101, 179.200, 179.201, of this subchapter). Tank cars.

* * * * *

14. In § 173.352, paragraph (a)(4) is revised ro read as follows:

§ 173.352 Sodium and potassium cyanide solutions, and cyanide solution, n.o.s.

(a) * * *

(4) Specification 103,[1] 103W, 103A[1] 103AW, 105A400W, 111A60F1, 111A60W1, 111A60W2, 111A100F2, 112A400W, or 114A400W (§§ 179.100, 179.101, 179.200, 179.201, of this subchapter). Tank cars.

* * * * *

15. In § 173.353, paragraph (a)(8) is added to read as follows:

§ 173.353 Methyl bromide and methyl bromide mixtures.

(a) * * *

(8) Specification 51 (§ 178.245 of this subchapter). Steel portable tanks having a design pressure of not less than 250 pounds per square inch and equipped with a spring-load safety relief device.

* * * * *

16. In § 173.353a, paragraph (a) is revised to read as follows:

§ 173.353a Methyl bromide, liquid, and nonflammable, nonliquefied compressed gas mixtures.

(a) Methyl bromide, liquid, and nonflammable, nonliquefied compressed gas mixtures must be packed in specification containers as noted in §173.353a(a)(2), (3), (4), (5), (6), (8)and (c).

* * * * *

17. In § 173.365, paragraph (a)(3) is added to read as follows:

§173.365. Poison B solids not specifically provided for.

(a) * * *

(3) Specification 44D (§ 178.238 of this subchapter). Multiwall paper bags. Where extensible Kraft is used, the

minimum total basis weight must be 260 pounds and the outer wall may be no less than 60 pounds basis weight. Bag must have a metal foil inner liner. Net weight not over 50 pounds each. For transportation by vess., bags must be unitized or containerized. Not authorized for transportation by aircraft. Authorized only for carbamate pesticide mixtures containing not more than 15 percent active ingredient.

* * * * *

18. In §173.374, paragraph (a)(5) is added to read as follows:

§173.374 Nitrochlorobenzene, meta or para.

(a) * * *

(5) Specification 105A400W, 112A400W or 114A400W (§§ 179.100, 179.101 of this subchapter). Tank cars.

PART 179—SPECIFICATION FOR TANK CARS

19. In §179.102–11, the heading and the introductory text of paragraph (a) are revised to read as follows:

§179.102–11 Liquefied petroleum gas, butadiene, anhydrous ammonia, methylacetylene-propadiene, stablized, chlorodifluoromethane, or vinyl chloride.

(a) Tank cars used to transport liquefied petroleum gas, butadiene, anhydrous ammonia, methylacetylene-propadiene, stabilized, chlorodifluoromethane, or vinyl chloride may, as an alternate, coform with the following special requirements: * * *.

* * * * *

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, App. A to Part 1)

Issued in Washington, D.C. on January 10, 1983.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 84–1303 Filed 1–18–84; 8:45 am]

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INTERSTATE COMMERCE COMMISSION

49 CFR Part 1201

[Docket No. 36988]

Alternative Methods of Accounting for Railroad Track Structures

AGENCY: Interstate Commerce Commission.

ACTION: Amendment to final rule.

SUMMARY: The Interstate Commerce Commission is amending the Final Rule on Alternative Methods of Accounting for Railroad Track Structures served February 17, 1983, to include certain revised operating expense accounts, specific instructions for engineering costs and other capitalized general expenditures, and certain other minor changes. This action is necessary to accommodate the ratable depreciation accounting adopted in the final rule and to align certain operating expense accounts with the changes that were made in the property accounts.

DATES: Effective for the reporting year beginning January 1, 1983.

FOR FURTHER INFORMATION CONTACT: Bryan Brown, Jr., (202) 275–7448.

SUPPLEMENTARY INFORMATION: By Final Rule served February 17, 1983 (48 FR 7182, February 18, 1983), the Commission changed the method of accounting for railroad track structure from retirement-replacement-betterment (RRB) to ratable depreciation (DA)[1]. This final rule addressed certain changes to the Uniform System of Accounts for Railroads (49 CFR 1201, Subpart A) involving definitions, instructions and property accounts.

One of the basic differences between RRB and DA is that certain accounting entries that are treated as expenses under RRB are treated as assets under DA. Our earlier decision required changes in the railroad property (asset) associated expense accounts.

We are aligning these operating expense accounts with the changes that were made in the property accounts. We are eliminating the expense function of track laying and surfacing (function 17) and assigning these expenses to the repair and maintenance functions of Ties (13), Rail and Other Track Material (14), and Ballast (16). We have also eliminated the separate accounting for other track material expenses (because these items will already be captured in the asset accounts), and opened all natural expense categories (salaries and wages, materials, purchased services, and other expenses) for track repair and maintenance accounts (which should not be reflected in the asset accounts).

The capitalization or expense of a particular amount of track work rests on each Class I railroad's establishment of a standard unit of property. However, the account segmentation for expensing a repair or capitalizing an improvement should be similar to avoid different systems of data capture by the different railroads. This change eliminates different account aggregation.

We are replacing property accounts 1, Engineering, and 77 Other Expenditures; General with instructions. Presently, Instruction 2–7(c) provides for the removal of engineering costs from Account 1 when property is retired. Since ratable depreciation has been adopted, it follows that engineering costs should be assigned to the applicable property accounts. If such costs cannot be directly assigned, the accounting should be based on some equitable method determined by the railroad. New Instruction 2–23 addresses the accounting for engineering costs.

Account 77 also provides for an equitable portion of other general expenditures to be cleared with the retirement of applicable property. These costs should now be assigned directly to individual property accounts based on an equitable allocation. We have introduced Instruction 2–24 to address these expenditures.

Further, we are revising property accounts 3, Grading, and 11, Ballast, to eliminate references to RRB accounting for the cost of old ballast. Since we have adopted ratable depreciation, this accounting is no longer permitted.

We are also removing the item "loading scrap track material" from the list of maintenance expenses in Note B, Account 9, Ballast. The adoption of net salvage value precludes the charging of such costs to maintenance expense.

Finally, we will add Schedule 205(c) to the 1983 Annual Report Form R–1 restatement schedules. This schedule will present five years of data required to process regressions of track structure running and switching expense. Schedule 205(c) will be deleted from the Form R–1 after 1983.

We are making these rule changes effective without seeking public comment. We believe that the usual notice and comment procedures of 5 U.S.C. 553(b) are unnecessary, because the rule changes are simply technical modifications that were inadvertently not adopted in our earlier decision prescribing a new accounting system. These rule changes do not affect the financial results that will obtain under the prescribed DA procedures, but simply permit the carriers to accommodate all of their accounts to the new system. Any party desiring reconsideration of these technical changes (as opposed to our policy determination to convert to DA) should file a petition within 20 days of the date of service of this decision.

We are also making these changes effective immediately rather than on 30 days' notice because the DA procedures prescribed in our earlier decision were made effective for the reporting year beginning January 1, 1983. Under those circumstances, publication of these rule

[1] Although we are no longer requiring the railroads to report data under RRB, we have required them temporarily to maintain such data in their own records so that it can be used in regulatory proceedings when appropriate.

changes on 30 days' notice would be impracticable.

Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities. This action directly affects Class I railroads having annual operating revenues of $50 million or more. It revises the Uniform System of Accounts for Class I railroads without requiring substantive accounting system modifications, and without substantially changing the financial results reported by individual railroads.

This action does not significantly affect the quality of the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1201

Railroads, Uniform System of Accounts.

This action is taken under authority of 5 U.S.C. 553 and 49 U.S.C. 11166.

We are adopting the changes in Appendix A to 49 CFR Part 1201, Subpart A.

Decided: January 10, 1984.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

James H. Bayne,

Acting Secretary.

PART 1201—[AMENDED]

Appendix A

For reasons set out in the preamble, Part 1201, Subpart A, of Chapter X, Title 49 of the Code of Federal Regulations is amended as shown.

1. Definition 29 is amended by revising the first paragraph of paragraph (a)(1) and the second paragraph of paragraph (a)(2) as follows:

* * * * *

(29) (a) "Activities" are as follows:

(1) "Way and Structures" activity refers to repairing, maintaining, leasing, renting, depreciating, and retiring right-of-way and trackage, structures, buildings, and facilities. It includes all natural expense object subclassifications such as salaries and wages, fringe benefits, material and supplies, lease rentals, purchased services, casualties, depreciation and retirements, where such objects are in the performance or support of the functions, as defined above, in the Way and Structures activity. Specifically included are all natural expense objects in the performance of the above described functions on property of the type included in property accounts 2 through 45 excluding 44, whether such property is owned or leased. The costs of operating work trains in support of the Way and Structures activity are to be included herein.

* * * * *

(2) * * *

This activity excludes all expenses related to road property as described in property accounts 2 through 45 excluding 44, all of which should be charged to the Way and Structures activity. It also excludes expenses in performance of, or support for Transportation, General and Administrative activities, property used for noncarrier operations, nonoperating property and interest or other fixed charges.

* * * * *

2. Definition 29 is further amended by revising paragraphs (c)(13), (14) and (16) and by removing and reserving paragraphs (15) and (17) as follows:

(29) * * *

(c) "Functions are as follows:

* * * * *

(13) Repair and Maintenance, Ties—Cross, switch, bridge, and other track ties. This function includes expenses associated with unloading, distributing and placing ties in tracks.

(14) Repair and Maintenance, Rails and Other Track Material—All track material used in repair of tracks except ballast and ties. This function includes expenses associated with unloading and installing rail and other track material.

(15) [Reserved.]

(16) Repair and Maintenance, Ballast—Gravel, stone, slag, cinders, sand and like material. This function includes expenses associated with worktrain service and labor expended in placing ballast.

(17) [Reserved.]

* * * * *

3. In Instructions for Property Accounts:

a. Instruction 2-7, *Additions to and retirements of property—General*, is amended by revising paragraph (c) to read as follows:

2-7 Additions to and retirements of property—General

* * * * *

(c) An equitable proportion of a balance in property accounts 76, "Interest During Construction," and 80, "Other elements of investment," applicable to retired property shall be cleared from these accounts concurrently with the retirement accounting. Unless provided for otherwise, interest costs shall be capitalized in accordance with generally accepted accounting principles.

* * * * *

b. Instructions 2-23 and 2-24 are added to read as follows:

2-23 Accounting for engineering costs

(a) The pay and expenses of engineers, assistants and clerks engaged in the survey and construction of new lines and extensions shall be included in the cost of the particular property involved. This accounting treatment also applies in making additions to and improvements of the carriers road, including wharves and docks.

List of Officers and Employees

Chief engineer.
Assistant engineers.
Bridge and signal engineer.
Architects and draftsmen.
Chief clerk and other clerks.
Transitmen and levelmen.
Rodmen and chainmen.
Cooks and porters on business cars.

Items of Expense and Supplies

Atlases and maps.
Barometers.
Books for office use.
Business car service.
Cameras; compasses.
Camp equipage.
Chains for surveyors.
Drawing boards.
Drawing instruments.
Field glasses.
Furniture repairs and renewals.
Heating and lighting.
Magnets and magnifiers.
Official train service.
Paper, blue-print.
Periodicals and newspapers.
Photographic supplies.
Printing and stationery.
Provisions for business cars.
Rent and repairs of offices.
Rods for surveyors.
Sextants and slide rules.
Telegraph and telephone service.
Traveling expenses.
Triangles and tripods.

(b) When employees listed in (a) above are engaged in the repair and maintenance of the roadway, their pay and expenses shall be charged to the appropriate operating expense accounts.

(c) Expenditures for tentative or preliminary surveys shall be carried in account 743, "Other deferred debits," until it is determined whether or not to continue the work. If the project is continued, expenditures for all surveys shall be transferred to the appropriate property account and, if abandoned, to appropriate income accounts.

(d) The cost of designing, making plans and specificaitons, and supervising the construction of equipment shall be included in the cost of the particular equipment.

(e) Fees and expenses of architects specially employed for designing or supervising the construction of buildings

shall be included in the accounts appropriate for the cost of the buildings constructed.

2–24 Accounting for other general expenditures

Expenditures of a general nature that are attributable but not directly assignable to original construction or important expansion of road shall be equitably assigned to the cost of specific units or segments of property. These expenditures include the pay and expenses of executive and general officers and their assistants engaged exclusively with such construction, law expenses (other than organization expenses), stationery and printing, and taxes before property is used in transportation operations.

4. In Property Accounts, accounts 1, Engineering, and 77, Other Expenditures: General, are removed.

5. Property Account 3, Grading, is amended by removing paragraph (d). "DETAILS OF ROADBED AND ITEMS OF EXPENSE" which follows paragraph (d) is retained.

6. Property Account 9, Rails and Other Track Material, is amended by removing the item "Loading scrap track materials" from Note B.

7. Property Account 11, Ballast, is amended by removing Note D and redesignating Note E as Note D.

8. In the table entitled, "Function Code Use—Way and Structures", which follows Joint Facility Revenue Account 122:

a. Function codes "15, Other track material," and "17, Track Laying and surfacing," are removed.

b. Function code 14, rails, is revised to read "14, Rails and other track material."

9. In the Operating Expense Account Explanations,

a. Under *Salaries and Wages—Control—11–00–00:*

1. "Salaries and Wages—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and Maintenance—	
Roadway	11–XX–10
Tunnels and subways	11–XX–11
Bridges and culverts	11–XX–12
Ties	11–XX–13
Rails and other track material	11–XX–14
Ballast	11–XX–16
Signals and interlockers	11–XX–19
Highway grade crossings	11–XX–22
Dismantling retired property	11–XX–39
Road property and equipment damaged	11–XX–48
Other—Other	11–XX–99

2. "Salaries and Wages—Way and Structures—Switching—" is amended by revising the list of functions to read as follows:

Repair and Maintenance—	
Roadway	11–XX–10
Tunnels and subways	11–XX–11
Bridges and culverts	11–XX–12
Ties	11–XX–13
Rails and other track material	11–XX–14
Ballast	11–XX–16
Signals and interlockers	11–XX–19
Highway grade crossings	11–XX–22
Dismantling retired property	11–XX–39
Road property and equipment damaged	11–XX–48
Other—Other	11–XX–99

b. Under *Materials, tools, supplies, fuels, lubraicants— Control —21–00–00:*

1. "Materials, Tools, Supplies, Fuels, Lubricants—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and Maintenance—	
Roadway	21–XX–10
Tunnels and subways	21–XX–11
Bridges and culverts	21–XX–12
Ties	21–XX–13
Rails and other track material	21–XX–14
Ballast	21–XX–16
Signals and interlockers	21–XX–19
Highway grade crossings	21–XX–22
Dismantling retired property	21–XX–39
Road property and equipment damaged	21–XX–48
Other—Other	21–XX–99

2. "Materials, Tools, Supplies, Fuels, Lubricants—Way and Structures—switching—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	21–XX–10
Tunnels and subways	21–XX–11
Bridges and culverts	21–XX–12
Ties	21–XX–13
Rails and other track material	21–XX–14
Ballast	21–XX–16
Signals and interlockers	21–XX–19
Highway grade crossings	21–XX–22
Dismantling retired property	21–XX–39
Road property and equipment damaged	21–XX–48
Other—Other	21–XX–99

c. Under *Repairs billed by others—Debit—Control—39–00–00:*

1. "Repairs Billed by Others—Debit—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	39–XX–10
Tunnels and subways	39–XX–11
Bridges and culverts	39–XX–12
Ties	39–XX–13
Rails and other track material	39–XX–14
Ballast	39–XX–16
Signals and interlockers	39–XX–19
Highway grade crossings	39–XX–22
Road property and equipment damaged	39–XX–48

2. "Repairs Billed by Others—Debit—Way and Structures—Switching—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	39–XX–10
Tunnels and subways	39–XX–11
Bridges and culverts	39–XX–12
Ties	39–XX–13
Rails and other track material	39–XX–14
Ballast	39–XX–16
Signals and interlockers	39–XX–19
Highway grade crossings	39–XX–22
Road property and equipment damaged	39–XX–48

d. Under *Repairs billed to Others—Credit—Control—40–00–00:*

1. "Repairs Billed to Others—Debit—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	40–XX–10
Tunnels and subways	40–XX–11
Bridges and culverts	40–XX–12
Ties	40–XX–13
Rails and other track material	40–XX–14
Ballast	40–XX–16
Signals and interlockers	40–XX–19
Highway grade crossings	40–XX–22
Road property and equipment damaged	40–XX–48

2. "Repairs Billed to Others—Debit—Way and Structures—Switching—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	40–XX–10
Tunnels and subways	40–XX–11
Bridges and culverts	40–XX–12
Ties	40–XX–13
Rails and other track material	40–XX–14
Ballast	40–XX–16
Signals and interlockers	40–XX–19
Highway grade crossings	40–XX–22
Road property and equipment damaged	40–XX–48

e. Under *Other purchased services—Control—40–00–00:*

1. "Other Purchased Services—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	41–XX–10
Tunnels and subways	41–XX–11
Bridges and culverts	41–XX–12
Ties	41–XX–13
Rails and other track material	41–XX–14
Ballast	41–XX–16
Signals and interlockers	41–XX–19
Highway grade crossings	41–XX–22
Dismantling retired property	41–XX–39
Road property and equipment damaged	41–XX–48
Other—Other	41–XX–99

2. "Other Purchased Services—Way and Structures—Switching—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	41–XX–10
Tunnels and subways	41–XX–11

Bridges and culverts	41-XX-12
Ties	41-XX-13
Rails and other track material	41-XX-14
Ballast	41-XX-16
Signals and interlockers	41-XX-19
Highway grade crossings	41-XX-22
Dismantling retired property	41-XX-39
Road property and equipment damaged	41-XX-48
Other—Other	41-XX-99

f. Under *Other expenses—Control—61-00-00:*

1. "Other Expenses—Way and Structures—Running—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	61-XX-10
Tunnels and subways	61-XX-11
Bridges and culverts	61-XX-12
Ties	61-XX-13
Rails and other track material	61-XX-14
Ballast	61-XX-16
Signals and interlockers	61-XX-19
Highway grade crossings	61-XX-22
Dismantling retired property	61-XX-39
Road property and equipment damaged	61-XX-48
Other—Other	61-XX-99

2. "Other Expenses—Way and Structures—Switching—" is amended by revising the list of functions to read as follows:

Repair and maintenance—	
Roadway	61-XX-10
Tunnels and subways	61-XX-11
Bridges and culverts	61-XX-12
Ties	61-XX-13
Rails and other track material	61-XX-14
Ballast	61-XX-16
Signals and interlockers	61-XX-19
Highway grade crossings	61-XX-22
Dismantling retired property	61-XX-39
Road property and equipment damaged	61-XX-48
Other—Other	61-XX-99

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Proposed Rules

Federal Register
Vol. 49, No. 13
Thursday, January 19, 1984

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 125

Procurement Assistance

AGENCY: Small Business Administration.

ACTION: Proposed rule.

SUMMARY: The Small Business Administration today proposes rules governing the debarment and suspension of business concerns and individuals from participating in direct SBA procurement or acquisitions contracts. These rules have no application to SBA's financing or guarantee assistance programs. These rules do not apply to SBA's section 8(a) program, nor do they apply to SBA's set-aside programs in conjunction with other agencies or other SBA assistance programs. The purpose of these rules is to ensure that SBA, in its own direct contracting, deals only with responsible business concerns and individuals. These rules would implement Federal Procurement Regulations (FPR) Temporary Regulations 65 (47 FR 43692, October 4, 1982) which established a system for making agency procurement debarments and suspensions effective throughout the Executive branch of the Government. Chapter 1 of title 13 of the Code of Federal Regulations (CFR) would be amended, by adding a new § 125.11, to take into account these rules.

DATE: Comments must be received by March 19, 1984.

ADDRESS: Written comments should be addressed to Mr. Donald R. Templeman, Acting Associate Administrator for Procurement and Technical Assistance, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Mr. Donald R. Templeman, (202) 653–6635.

SUPPLEMENTARY INFORMATION: Proposed § 125.11–1 states that the scope of these regulations is to prescribe the policies, procedures, and causes governing the debarment and suspension of contractors by SBA. In addition, this section states that these regulations provide for the listing of debarred and suspended contractors, and of contractors declared ineligible, and for the consequences of such listing.

Proposed § 125.11–2 states that these regulations do not apply to recipients of SBA financial or guarantee assistance, and that they do not apply to SBA's "section 8(a) program," "set-aside" programs, or other SBA assistance programs. The purpose of this section is to clarify the fact that these rules apply only to suspension and debarment actions of procurement contractors dealing directly with SBA.

Proposed § 125.11–3 sets forth the general policies SBA would follow in making debarment and suspension decisions. These policies are essentially the same as those prescribed in FPR Temporary Regulation 65. This section states that SBA shall solicit offers from, award contracts to, and consent to subcontracts only with responsible business concerns and individuals.

Proposed § 125.11–4 contains definitions of various terms used in these regulations. The definitions of "adequate evidence," "affiliates," "agency," "consolidated list of debarred, suspended, and ineligible contractors," "contractor," "conviction," "debarment," "debarring official," "indictment," "ineligible," "legal proceedings," "preponderance of the evidence," "suspending official," and "suspension," are derived essentially verbatim from FPR Temporary Regulation 65.

Proposed § 125.11–5 states the consequences of listing a contractor as debarred, suspended or declared ineligible. Proposed § 125.11–5(a) states that debarred or suspended contractors are excluded from receiving contracts unless SBA determines that there is a compelling reason for such action. In addition, this subsection provides that SBA shall not solicit offers from, award contracts to, or consent to subcontracts with these contractors. Again, these actions can be taken if SBA determines there to be a compelling reason for such action.

Proposed § 125.11–5(c) states that contractors listed as having been declared ineligible on the basis of statutory or other regulatory procedures are excluded from receiving contracts and subcontracts under the conditions and for the period prescribed in the statute or regulations. SBA cannot solicit offers from, award contracts to, or consent to subcontracts with these contractors. However, unlike debarred or suspended contractors in § 125.11–5(a), these actions cannot be taken with declared ineligible contractors even if SBA determines there to be a compelling reason for such action.

Proposed § 125.11–5(b)(1) provides that SBA may continue contracts or subcontracts in existence at the time the contractor was debarred or suspended unless SBA's Administrator directs otherwise. Proposed § 125.11–5(d)(2) states that SBA shall not renew or extend the duration of current contracts or subcontracts of debarred or suspended contractors unless SBA's Administrator gives compelling reasons for renewal or extension. In addition, proposed § 125.11–5(e) disallows approval by SBA when a debarred or suspended contractor is proposed as a subcontractor unless the SBA Administrator or the Associate Administrator for Procurement and Technical Assistance gives compelling reasons for the approval.

Proposed § 125.11–6 describes the cause, procedures, period and scope of debarment.

Proposed § 125.11–6(a)(1) states that although one of the specified causes for debarment exists, the regulations do not *require* that the contractor be debarred. This section provides that the seriousness of the contractor's acts and any mitigating factors will be taken into account in making any debarment decision. Proposed § 125.11–6(a)(2) states that the debarment applies to all divisions or other organizational elements of the debarred contractor, unless the debarment is expressly limited to specific divisions, organizational elements, or commodities. This section further states that the debarring official can extend the debarment to include affiliates of the debarred contractor in appropriate situations. Proposed § 125.11–6(a)(3) make the debarment effective throughout the Executive Branch of the Government, unless an acquiring agency's head states compelling reasons justifying continued business dealings between that agency and the contractor.

Proposed § 125.11–6(b) specifies three causes for which a contractor may be

debarred. These causes are identical to those prescribed in FPR Temporary Regulation 65. They are (1) the convinction of, or civil judgment against, the contractor for any one of the several stated offenses, (2) the serious violation of the terms of a government contract or subcontract, or (3) any other compelling or serious cause that affects the present responsibility of a government contractor or subcontractor.

Proposed § 125.11–6(c) sets forth the procedures of the debarment process. These procedures are essentially the same as those provided for in FPR Temporary Regulation 65. SBA's Associate Administrator for Procurement and Technical Assistance will be the debarring and suspending official at SBA. Such official should, pursuant to proposed § 125.11–6(c)(1), seek the assistance of SBA's Office of Inspector General for any appropriate or necessary factfinding.

Proposed § 125.11–6(c)(2) states that SBA's established procedures governing the debarment decisionmaking process are to be as informal as practicable, in accord with principles of fundamental fairness and due process of law. These procedures allow the contractor to submit information in opposition to the proposed debarment, and to appear before SBA's Office of Hearings and Appeals where the debarring official determines that a dispute concerning material facts exists and the contractor requests a hearing.

Proposed § 125.11–6(c)(3) states that debarment shall be initiated by giving the contractor notice of the proposal to debar. This section prescribed seven items of which the contractor is to be advised in such notice, including that within 30 days after receipt of such notice, the contractor may submit information and argument in opposition to the proposed debarment.

Proposed § 125.11–6(c)(4) sets forth the decisionmaking procedures the debarring officcial would follow in making a final decision whether or not to impose debarment. In actions based upon a conviction or judgment, or in which there is no genuine dispute over material facts, proposed § 125.11–6(c)(4)(i) provides that the debarring official shall render a decision based on all the information in the administrative record, including any submission made by the contractor. If no suspension is in effect, the decision must be made within 30 working days after receipt of any information and argument submitted by the contractor, unless the period is extended for good cause. Where additional proceedings are necessary to determine the answer to disputed material facts, proposed § 125.11–6(c)(4)(ii) provides that there be written findings of fact; the decision of the debarring official is then to be based on the facts as found, together with any information and argument submitted by the contractor and any other information in the administrative record. Where it has been determined that there is a dispute as to material facts, the regulations require the debarring official to refer such matters to SBA's Office of Hearings and Appeals for findings of fact. The debarring official would be authorized to set aside the facts so found only if he specifically determines the findings to be clearly erroneous.

In any action where the proposed debarment is not based upon a conviction or civil judgment, proposed § 125.11–6(c)(4)(iii) provides that the cause for debarment be established by a preponderance of the evidence.

Proposed § 125.11–6(c)(5)(i) states that if the debarring official descides to impose debarment, prompt notice of this decision must be given to the contractor and any affiliates involved. This section specifies what must be included in the notice given to the contractor. Proposed § 125.11–6(c)(5)(ii) states that the contractor and any affiliates involved must also be promptly notified where debarment is not imposed.

Proposed § 125.11–6(d) sets forth the requirements governing the period of debarments. These requirements are essentially the same as those set forth in FPR Temporary Regulation 65. The period for a debarment will be commensurate with the seriousness of the cause(s); however, it will generally not be longer than three years.

Proposed § 125.11–6(e) prescribes the provisions governing the scope of debarment. These provisions are essentially identical with those set forth in FPR Temporary Regulation 65. Included is the provision which states that the conduct of any officer, director, shareholder, partner, employee, or other individual associated with a contractor may be imputed to the contractor if the conduct occurred in connection with the duties done for the contractor, or with the contractor's knowledge, approval, or acquiescence. The purpose of this provision is to ensure that a contractor cannot hide behind the actions of others.

Proposed § 125.11–7 describes the causes, procedures, period and scope of suspension. These provisions are similar in nature to those of the debarment process.

Proposed § 125.11–7(a)(2) states that suspension is a serious action to be imposed on the basis of adequate evidence, pending the completion of investigation or legal proceedings, when immediate action is necessary to protect the government's interest. This section states that in determining the adequacy of the evidence, SBA will consider how much information is available, how credible it is given the circumstances, whether or not important allegations are corroborated, and what references can reasonably be drawn as a result. An examination of any basic documents or physical evidence will be included in an assessment of adequate evidence. The circumstances are important in determining if there is "adequate evidence."

Consistent with debarment, proposed § 125.11–7(a)(3) states that a suspension applies to all divisions or other organizational elements of the contractor, unless it is expressly limited to specific divisions, organizational elements, or commodities. The suspension may also be applied to affiliates in appropriate instances. Proposed § 125.11–7(a)(4) makes the suspension effective throughout the Executive Branch of the Government in the same manner as with debarments.

Proposed § 125.11–7(b) specifies the causes for suspension. These are the identical causes, with one additional cause, as those set forth in FPR Temporary Regulation 65. There must be adequate evidene of one of the causes for there to be a suspension. The offenses that are stated to be a cause for debarment in proposed § 125.11–6(b)(1) are also stated in proposed § 125.11–7(b) to be a cause for suspension. In addition, an indictment for any one of these offenses constitutes adequate evidence for suspension under proposed § 125.11–7(b)(2). Adequate evidence of any other serious or compelling matter that affects the responsibility of a contractor is also a cause for suspension under proposed § 125.11–7(b)(4). In addition, these proposed rules add another cause under proposed § 125.11–7(b)(3). Under the terms of that section, a serious violation of the terms of a Government contract or subcontract would be sufficient justification for a suspension, just as this would be a valid cause for debarment under proposed § 125.11–6(b)(2).

Proposed § 125.11–7(c) sets forth the procedures of the suspension process. These procedures are essentially the same as those provided for in FPR Temporary Regulation 65. The same referral and investigation procedures which apply for debarments under proposed § 125.11–6(c)(1) also apply to suspensions under proposed § 125.11–7(c)(1). Proposed § 125.11–7(c)(2) calls for an informal decisionmaking process which affords the contractor an opportunity to submit information and

argument in opposition to the suspension. Where SBA's debarring official determines that a dispute regarding material facts exists, the contractor may, upon request, appear before SBA's Office of Hearings and Appeals.

Proposed § 125.11–7(c)(3) states that a contractor and any named affiliates must immediately be given notice of any suspension. This section prescribes what is to be included in such notice. For example, the contractor must be advised that within 30 days after receipt of the notice he may submit information and argument in opposition to the suspension; and that additional proceedings to determine disputed facts material to the suspension will be conducted unless the action is based on an indictment or a determination is made, on the basis of Department of Justice advice, that substantial interests of government in pending or contemplated legal proceedings based on the same facts as the suspension would be prejudiced.

Proposed § 125.11–7(c)(4)(i) states that in actions based on an indictment in which no dispute over material facts is raised, or in which additional proceedings to determine disputed material facts have been denied based on Department of Justice advice, the suspending official's decision must be based on all the information in the administrative record, including submissions made by the contractor. In actions in which additional proceedings are necessary because of disputed facts, the suspending official must base his decision under proposed § 125.11–7(c)(4)(ii) on the written findings of fact, any information and argument submitted by the contractor, and any other information in the administrative record. The same rules which apply to debarments under proposed § 125.11–6(c)(4)(ii)(B) concerning referral of matters involving disputed material facts and rejection of such findings apply to suspensions under proposed § 125.11–7(c)(4)(ii)(B). The contractor is to be given prompt notice of the suspending official's decision under proposed § 125.11–7(c)(4)(iv).

Proposed § 125.11–7(d) sets forth the requirements governing the period of suspensions. These requirements are essentially the same as those set forth in FPR Temporary Regulation 65. Suspensions are intended to be only temporary in nature, generally lasting no longer than 12 months (but in no case longer than 18 months), and these regulations indicate that point.

Proposed § 125.11–7(e) states that the scope of suspension shall be the same as that for debarment, except that the procedures governing suspensions are imposed.

SBA has determined that these rules do not constitute major rules for the purpose of Executive Order 12291. They are procedural in nature and in and of themselves do not impose costs upon the businesses which might be affected by them. In addition, since these rules are procedural in nature, they do not constitute rules which are covered by the Regulatory Flexibility Act, 5 U.S.C. 501, *et seq.*

List of Subjects in 13 CFR Part 125

Government contracts, Government procurement, Small businesses.

Therefore, pursuant to the authority contained in section 5(b)(6) of the Small Business Act, 15 U.S.C. 634(b)(6), Part 125 of 13 CFR is proposed to be amended by adding the following new § 125.11 consisting of §§ 125.11–1 through 125.11–7.

Dated: December 6, 1983.

James C. Sanders,

Administrator.

PART 125—PROCUREMENT ASSISTANCE

* * * * *

Debarment and Suspension

Sec.

125.11 Debarment and suspension.
125.11–1 Scope.
125.11–2 Applicability.
125.11–3 Policy.
125.11–4 Definitions.
125.11–5 Effect of listing.
125.11–6 Debarment.
125.11–7 Suspension.

Authority: Sec. 5(b)(6), Small Business Act, 15 U.S.C. 634(b)(6).

Debarment and Suspension

§ 125.11 Debarment and Suspension.

§ 125.11–1 Scope.

(a) These regulations:

(1) Prescribe policies and procedures governing the debarment and suspension of contractors by SBA for the causes given in §§ 125.11–6(b) and 125.11–7(b);

(2) Provide for the listing of these debarred and suspended contractors, and of contractors declared ineligible (see the definition of "ineligible" in § 125.11–4); and

(3) Set forth the consequences of this listing.

(b) These regulations do not prescribe policies and procedures governing declarations of ineligibility. However, they do cover the listing of ineligible contractors and the effect of this listing.

§ 125.11–2 Applicability.

These regulations apply to contractors doing business directly with SBA. They do not apply to recipients of SBA financial or guarantee assistance.

§ 125.11–3 Policy.

(a) SBA shall solicit offers from, award contracts to, and consent to subcontracts with responsible business concerns and individuals only. Debarment and suspension by SBA are discretionary actions that, taken in accordance with these regulations, are appropriate means to effectuate this policy.

(b) The serious nature of debarment and suspension requires that these sanctions be imposed only in the public interest, for the Government's protection and not for purposes of punishment. SBA shall impose debarment or suspension to protect the Government's interest and only for the causes and in accordance with the procedures set forth in these regulations.

§ 125.11–4 Definitions.

"Adequate evidence" means information sufficient to support the reasonable belief that a particular act or omission has occurred.

"Affiliates." Business concerns or individuals are affiliates if, directly or indirectly, (a) either one controls or can control the other or (b) a third party controls or can control both.

"Agency," as used in these regulations means, SBA, or any other agency of the Executive Branch consistent with the context in which the term is used.

"Consolidated list of debarred, suspended, and ineligible contractors" means a list compiled, maintained, and distributed by the General Services Administration containing the names of contractors debarred or suspended by agencies under the procedures of OMB Policy Letter 82–1 (June 24, 1982), as well as contractors declared ineligible under other statutory or regulatory authority.

"Contractor," as used in these regulations, means any individual or other legal entity that: (a) submits offers for or is awarded, or reasonably may be expected to submit offers for or be awarded, a contract by SBA or a subcontract under a contract with SBA, or (b) conducts business with SBA as an agent or representative of another contractor.

"Conviction" means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

"Debarment," as used in these regulations, means action taken by a debarring official under § 125.11–6 to exclude a contractor from Government contracting for a reasonable, specified period; a contractor so excluded is "debarred."

"Debarring official" means (a) the SBA Administrator or (b) a designee authorized by the SBA Administrator to impose debarment. That designated official is the SBA's Associate Administrator for Procurement and Technical Assistance.

"Indictment" means indictment for a criminal offense. An information or other filing by competent authority charging a criminal offense shall be given the same effect as an indictment.

"Ineligible," as used in these regulations, means excluded from Government contracting (and subcontracting, if appropriate) pursuant to statutory, Executive order, or regulatory authority other than these regulations; for example, the Davis-Bacon Act and its related statutes and implementing regulations, the Service Contract Act, the Equal Employment Opportunity Acts and Executive orders, the Walsh-Healey Public Contracts Act, the Buy American Act, and the Environmental Protection Acts and Executive orders.

"Legal Proceedings" means any civil judicial proceeding to which the Government is a party or any criminal proceeding. The term includes appeals from such proceedings.

"Preponderance of the evidence" means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

"Suspending official" means (a) the SBA Administrator or (b) a designee authorized by the SBA Administrator to impose suspension. That designated official is SBA's Associate Administrator for Procurement and Technical Assistance.

"Suspension," as used in these regulations, means action taken by a suspending official under § 125.11–7 to disqualify a contractor temporarily from Government contracting; a contractor so disqualified is "suspended."

§ 125.11–5 Effect of listing.

(a) Contactors debarred or suspended under § 125.11–6 or 125.11–7, as well as those debarred or suspended pursuant to the appropriate procedures of any other agency, are excluded from receiving contracts, and SBA shall not solicit offers from, award contracts to, or consent to subcontracts with these contractors, unless SBA determines that there is a compelling reason for such action (see § 125.11–5 (e) and 125.11–6(a)(3) and 125.11–7(a)(4)).

(b) SBA will establish a list of its debarred or suspended contractors, and the Associate Administrator for Procurement and Technical Assistance will distribute this list to the General Services Administration within five working days after the action becomes effective.

(c) Contractors listed as having been declared ineligible on the basis of statutory or other regulatory procedures are excluded from receiving contracts and, if applicable; subcontracts, under the conditions and for the period set forth in the statute or regulation. SBA shall not solicit offers from, award contracts to, or consent to subcontracts with these contractors under those conditions and for that period.

(d) *Continuation of current contracts.* (1) Notwithstanding the listing of a contractor for the causes set forth in these regulations, SBA may continue contracts or subcontracts in existence at the time the contractor was debarred or suspended, unless SBA's Administrator directs otherwise. A decision as to the type of termination action, if any, to be taken will be made only after review by agency contracting and technical personnel and by counsel to ensure the propriety of the proposed action.

(2) SBA shall not renew current contracts or subcontracts of debarred or suspended contractors, or otherwise extend their duration, unless SBA's Administrator or the Associate Administrator for Procurement and Technical Assistance states in writing the compelling reasons for renewal or extension.

(e) *Restrictions on subcontracting.* When a debarred or suspended contractor is proposed as a subcontractor for any subcontract subject to SBA's consent, approval shall not be given unless the SBA Administrator or the Associate Administrator for Procurement and Technical Assistance states in writing the compelling reasons for this approval.

§ 125.11–6 Debarment.

(a) *General.* (1) The debarring official may, in the public interest, debar a contractor for any of the causes in paragraph (b), of this section using the procedures in paragraph (c) of this section. The existence of a cause for debarment under paragraph (b) of this section, however, does not necessarily *require* that the contractor be debarred; the seriousness of the contractor's acts or omissions and any mitigating factors will be considered in making any debarment decision.

(2) Debarment constitutes debarment of all divisions or other organizational elements of the contractor, unless the debarment decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarring official may extend the debarment decision to include any affiliates of the contractor if they are (i) specifically named and (ii) given written notice of the proposed debarment and an opportunity to respond (see paragraph § 125.11–7(c)(3)).

(3) A contractor's debarment shall be effective throughout the Executive Branch of the Government, unless an acquiring agency's head or a designee states in writing the compelling reasons justifying continued business dealings between that agency and the contractor.

(b) *Causes for debarment.* The debarring official may debar a contractor for any of the causes listed in paragraphs (b)(1) through (3) of this section:

(1) Conviction of or civil judgment for—

(i) Commission of fraud or a criminal offense in connection with (A) obtaining, (B) attempting to obtain, or (C) performing a public contract or subcontract;

(ii) Violation of Federal or State antitrust statutes relating to the submission of offers;

(iii) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or

(iv) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a Government contractor or subcontractor.

(2) Violation of the terms of a Government contract or subcontract so serious as to justify debarment, such as—

(i) Willful failure to perform in accordance with the terms of one or more contracts; or

(ii) A prolonged history of failure to perform, or of extremely unsatisfactory performance of, one or more contracts.

(3) Any other cause so serious or compelling that it affects the present responsibility of a Government contractor or subcontractor.

(c) *Procedures*—(1) *Investigation and referral.* Whenever cause for debarment becomes known to a contracting officer, the matter shall be referred through the Assistant Administrator for Administration to the Associate Administrator for Procurement and Technical Assistance. Information

concerning actual or suspected fraudulent or criminal conduct and other irregularities which might serve as the basis for debarment of a concern or an individual should be forwarded by the Associate Administrator for Procurement and Technical Assistance to SBA's Office of Inspector General. Upon receipt of such reports, or upon otherwise becoming aware of such actual or suspected conduct and irregularities, the Office of Inspector General will conduct, supervise, or coordinate such investigation as that Office deems necessary and, pursuant to any such investigation, will forward a report or findings to the Associate Administrator for Procurement and Technical Assistance.

(2) *Decisionmaking process.* (i) SBA has established procedures governing the debarment decisionmaking process that are as informal as practicable, consistent with principles of fundamental fairness and due process of law. These procedures afford the contractor (and any specifically named affiliates) an opportunity to submit, in person, in writing, or through a representative, information and argument in opposition to the proposed debarment.

(ii) In actions not based upon a conviction or judgment, if it is found that the contractor's submission in opposition raises a genuine dispute over facts material to the proposed debarment, SBA shall also—

(A) Afford the contractor an opportunity to appear with counsel before SBA's Office of Hearings, and Appeals, submit documentary evidence, present witnesses, and confront any person the agency presents; and

(B) Make a transcribed record of the proceedings and make it available at cost to the contractor upon request, unless the contractor and the agency, by mutual agreement, waive the requirement for a transcript.

(3) *Notice of proposal to debar.* Debarment shall be initiated by advising the contractor and any specifically named affiliates, by certified mail, return receipt requested—

(i) That debarment is being proposed;

(ii) Of the reasons for the proposed debarment in terms sufficient to put the contractor on notice of the conduct or transaction(s) upon which it is based;

(iii) Of the cause(s) relied upon under § 125.11–6(b) for proposing debarment;

(iv) That, within 30 days after receipt of the notice, the contractor may submit, in person, in writing, or through a representative, information and argument in opposition to the proposed debarment, including any additional specific information that raises a genuine dispute over the material facts;

(v) Of SBA's procedures governing debarment decisionmaking;

(vi) Of the potential effect of the proposed debarment; and

(vii) If no suspension is in effect under § 125.11–7, that no contracts will be awarded to the contractor pending a debarment decision.

(4) *Debarring official's decision.* (i) In actions based upon a conviction or judgment, or in which there is no genuine dispute over material facts, the debarring official shall make a decision on the basis of all the information in the administrative record, including any submission made by the contractor. If no suspension is in effect under § 125.11–7, the decision shall be made within 30 working days after receipt of any information and argument submitted by the contractor, unless the debarring official extends this period for good cause.

(ii)(A) In actions in which additional proceedings are necessary as to disputed material facts, written findings of fact shall be prepared. The debarring official shall base the decision on the facts as found, together with any information and argument submitted by the contractor and any other information in the administrative record.

(B) The debarring official shall refer matters involving disputed material facts to SBA's Office of Hearings and Appeals for findings of fact. The debarring official may reject any such findings, in whole or in part, only after specifically determining them to be clearly erroneous.

(C) The debarring official's decision shall be made after the conclusion of the proceedings with respect to disputed facts.

(iii) In any action in which the proposed debarment is not based upon a conviction or civil judgment, the cause for debarment must be established by a preponderance of the evidence.

(5) *Notice of debarring official's decision.* (i) If the debarring official decides to impose debarment, the contractor and any affiliates involved shall be given prompt notice by certified mail, return receipt requested—

(A) Referring to the notice of proposed debarment;

(B) Specifying the reasons for debarment;

(C) Stating the period of debarment, including effective dates (see § 125.11–6(d) of this section); and

(D) Advising that the debarment is effective throughout the Executive Branch of the Government unless the head of an acquiring agency or a designee makes the statement called for by paragraph (a)(3) of this section.

(ii) If debarment is not imposed, the debarring official shall promptly notify the contractor and any affiliates involved, by certified mail, return receipt requested.

(d) *Period of debarment.* (1) Debarment shall be for a period commensurate with the seriousness of the cause(s). Generally, a debarment should not exceed 3 years. If suspension precedes a debarment, the suspension period shall be considered in determining the debarment period.

(2) The debarring official may extend the debarment for an additional period, if that official determines that an extension is necessary to protect the Government's interest. However, a debarment may not be extended solely on the basis of the facts and circumstances upon which the initial debarment action was based. If debarment for an additional period is determined necessary, the procedures of paragraph (c) of this section shall be followed to extend the debarment.

(3) The debarring official may reduce the period or extent of debarment, upon the contractor's request, supported by documentation, for reasons such as—

(i) Newly discovered material evidence;

(ii) Reversal of the conviction or judgment upon which the debarment was based;

(iii) Bona fide change in ownership or management;

(iv) Elimination of other causes for which the debarment was imposed; or

(v) Other reasons the debarring official deems appropriate.

(e) *Scope of debarment.* (1) The fraudulent, criminal, or other seriously improper conduct of any officer, director, shareholder, partner, employee, or other individual associated with a contractor may be imputed to the contractor when the conduct occurred in connection with the individual's performance of duties for or on behalf of the contractor, or with the contractor's knowledge, approval, or acquiescence. The contractor's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval, or acquiescence.

(2) The fraudulent, criminal, or other seriously improper conduct of a contractor may be inputed to any officer, director, shareholder, partner, employee, or other individual associated with the contractor who participated in, knew of, or had reason to know of the contractor's conduct.

(3) The fradulent, criminal, or other seriously improper conduct of one

contractor participating in a joint venture or similar arrangement may be imputed to other participating contractors if the conduct occurred for or on behalf of the joint venture or similar arrangement or with the knowledge, approval, or acquiescence of these contractors. Acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval, or acquiescence.

§ 125.11-7 Suspension.

(a) *General.* (1) The suspending official may, in the public interest, suspend a contractor for any of the causes in paragraph (b) of this section using the procedures in paragraph (c) of this section.

(2) Suspension is a serious action to be imposed on the basis of adequate evidence, pending the completion of investigation or legal proceedings, when it has been determined that immediate action is necessary to protect the Government's interest. In assessing the adequacy of the evidence, SBA will consider how much information is available, how credible it is given the circumstances, whether or not important allegations are corroborated, and what references can reasonably be drawn as a result. This assessment will include an examination of basic documents such as contracts, inspection reports, and correspondence.

(3) Suspension constitutes suspension of all divisions or other organizational elements of the contractor, unless the suspension decision is limited by its terms to specific divisions, organizational elements, or commodities. The suspending official may extend the suspension decision to include any affiliates of the contractor if they are (i) specifically named and (ii) given written notice of the suspension and an opportunity to respond (see paragraph (c)(3) of this section).

(4) A contractor's suspension shall be effective throughout the Executive Branch of the Government, unless an acquiring agency's head or a designee states in writing the compelling reasons justifying continued business dealings between that agency and the contractor.

(b) *Causes for suspension.* (1) The suspending official may suspend a contractor suspected, upon adequate evidence, of—

(i) Commission of fraud or a criminal offense in connection with (A) obtaining (B) attempting to obtain, or (C) performing a public contract or subcontract;

(ii) Violation of Federal or State antitrust statutes relating to the submission of offers;

(iii) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or

(iv) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a Government contractor or subcontractor.

(2) Indictment for any of the causes in paragraph (1) above constitutes adequate evidence for suspension.

(3) Violation of the terms of a Government contract or subcontract so serious as to justify suspension, such as—

(i) Willful failure to perform in accordance with the terms of one or more contracts; or

(ii) A prolonged history of failure to perform or of extremely unsatisfactory performance of, one or more contracts.

(4) The suspending official may upon adequate evidence also suspend a contractor for any other cause so serious or compelling that it affects the present responsibility of a Government contractor or subcontractor.

(c) *Procedures.*—(1) *Investigation and referral.* Whenever cause for suspension becomes known to a contracting officer, the matter shall be referred through the Assistant Administrator for Administration to the Associate Administrator for Procurement and Technical Assistance. Information concerning actual or suspected fraudulent or criminal conduct and other irregularities which might serve as the basis for suspension of a concern or an individual should be forwarded by the Associate Administrator for Procurement and Technical Assistance to SBA's Office of Inspector General. Upon receipt of such reports, or upon otherwise becoming aware of such actual or suspected conduct and irregularities, the Office of Inspector General will conduct, supervise, or coordinate such investigation as that Office deems necessary and, pursuant to any such investigation, will forward a report or findings to the Associate Administrator for Procurement and Technical Assistance.

(2) *Decisionmaking process.* (i) SBA has established procedures governing the suspension decisionmaking process that are as informal as is practicable, consistent with principles of fundamental fairness and due process. These procedures afford the contractor (and any specifically named affiliates) an opportunity, following the imposition of suspension, to submit, in person, in writing or through a representative, information and argument in opposition to the suspension.

(ii) In actions not based on an indictment, if it is found that the contractor's submission in opposition raises a genuine dispute over facts material to the suspension and if no determination has been made, on the basis of the Department of Justice advice, that substantial interests of the Government in pending or contemplated legal proceedings based on the same facts as the suspension would be prejudiced, SBA will also—

(A) Afford the contractor an opportunity to appear with counsel before SBA's Office of Hearings and Appeals, submit documentary evidence, present witnesses and confront any person SBA presents; and

(B) Make a transcribed record of the proceedings and make it available at cost to the contractor upon request, unless the contractor and the agency, by mutual agreement, waive the requirement for a transcript.

(3) *Notice of suspension.* When a contractor and any specifically named affiliates are suspended, they shall be immediately advised by certified mail, return receipt requested—

(i) That they have been suspended and that the suspension is based on an indictment or other adequate evidence that the contractor has committed irregularities (A) of a serious nature in business dealings with the Government or (B) seriously reflecting on the propriety of further Government dealings with the contractor; any such irregularities shall be described in terms sufficient to place the contractor on notice without disclosing the Government's evidence;

(ii) That the suspension is for a temporary period pending the completion of an investigation and such legal proceeding as may ensue;

(iii) Of the cause(s) relied upon under subsection 125.11-7(b) for imposing suspension;

(iv) Of the effect of the suspension;

(v) That, within 30 days after receipt of the notice, the contractor may submit, in person, in writing or through a representative, information and argument in opposition to the suspension, including any additional specific information that raises a genuine dispute over material facts; and

(vi) That additional proceedings to determine disputed material facts will be conducted unless (A) the action is based on an indictment or (B) a determination is made, on the basis of Department of Justice advice, that the substantial interests of the Government in pending or contemplated legal

proceedings based on the same facts as the suspension would be prejudiced.

(4) *Suspending official's decision.* (i) In actions (A) based on an indictment, (B) in which the contractor's submission does not raise a genuine dispute over material facts; or (C) in which additional proceedings to determine dispute material facts have been denied on the basis of Department of Justice advice, the suspending official's decision shall be based on all the information in the administrative record, including any submission made by the contractor.

(ii)(A) In actions in which additional proceedings are necessary as to disputed material facts, written findings of fact shall be prepared. The suspending official shall base the decision on the facts as found, together with any information and argument submitted by the contractor and any other information in the administrative record.

(B) The suspending official shall refer matters involving disputed material facts to SBA's Office of Hearings and Appeals for findings of fact. The suspending official may reject any such findings, in whole or in part, only after specifically determining them to be clearly erroneous.

(C) The suspending official's decision shall be made after the conclusion of the proceedings with respect to disputed facts.

(iii) The suspending official may modify or terminate the suspension or leave it in force (for example, see paragraph (d)(3) of this section for the reasons for reducing the period or extent of debarment). However, a decision to modify or terminate the suspension shall be without prejudice to the subsequent imposition of suspension by any agency or the imposition of debarment by any agency.

(iv) Prompt written notice of the suspending official's decision shall be sent to the contractor by certified mail, return receipt requested.

(d) *Period of suspension.* (1) Suspension shall be for a temporary period pending the completion of investigation and any ensuing legal proceedings, unless sooner termination by the suspending official or as provided in this paragraph.

(2) If legal proceedings are not initiated within 12 months after the date of the suspension notice, the suspension shall be terminated unless an Assistant Attorney General requests its extension, in which case it may be extended for an additional 6 months. In no event may a suspension extend beyond 18 months, unless legal proceedings have been initiated within that period.

(3) The suspending official shall notify the Department of Justice of the proposed termination of the suspension, at least 30 days before the suspension period is to expire, to give that Department an opportunity to request an extension.

(e) *Scope of suspension.* The scope of suspension shall be the same as that for debarment (see § 125.11–6(e)), except that the procedures of paragraph (c), of this section shall be used in imposing suspension.

[FR Doc. 84–1368 Filed 1–18–84; 8:45 am]
BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 84–ASW–2]

Proposed Designation of Transition Area; Carlisle, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to designate a transition area at Carlisle, AR. The intended effect of the proposed action is to provide controlled airspace for aircraft executing a new standard instrument approach procedure (SIAP) to the Carlisle Municipal Airport. This action is necessary since a new SIAP utilizing the Little Rock VORTAC is being developed and the proposed 700-foot transition area will provide protection for aircraft arriving/departing the airport under instrument flight rules (IFR). Coincident with this proposed action, the airport will change from visual flight rules (VFR) to IFR.

DATES: Comments must be received on February 21, 1984.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW–535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 877–2630.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in Advisory Circular AC 70–3A dated January 3, 1983, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Designation of the transition area at Carlisle, AR, will necessitate an amendment to this subpart. This amendment will be required at Carlisle, AR, since there is a proposed SIAP to the Carlisle Municipal Airport utilizing the Little Rock VORTAC.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 84–ASW–2." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O.

Box 1689, Fort Worth, TX 76101, or by calling (817) 877-2630. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Carlisle, AR New

That airspace extending upwards from 700 feet above the surface within a 6.5-mile radius of the Carlisle Municipal Airport (latitute 34°48'30"N., longitude 91°42'45"W.)

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c).)

Note.—The FAA has determined that this regulation only involve an established body of technical regulations for which frequent and routine amendments are necesary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, TX, on January 10, 1984.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 84-1405 Filed 1-18-84; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Parts 373 and 376

[Docket No. 40110-04]

Amendments to Distribution License Procedure

AGENCY: Office of Export Administration, International Trade Administration, Commerce.

ACTION: Proposed rule with request for comments.

SUMMARY: The Office of Export Administration (OEA) proposes to amend the "Distribution License" procedure, an authorization to export certain commodities under an international marketing program to consignees that have been approved in advance as foreign distributors or users. OEA has determined that these regulatory changes, as well as the institution of an extensive program of audits of Distribution License holders and consignees, will better assure this licensing procedure does not result in illegal diversion contrary to U.S. national security. This rule would require submission of a more complete description of the commodities to be exported under a Distribution License. This rule also would ensure that exporters applying for a Distribution License has sufficient experience with basic licensing procedures and sufficient oveseas business to comply fully with the Distribution License procedure. Before these proposed changes are published in final form, OEA will determine which will apply to existing Distribution Licenses and which will apply only to new applications or license renewals.

OEA is reviewing some items on the Commodity Control List (Supplement No. 1 to § 399.1 of the Regulations) for possible exclusion from the Distribution License procedure. This rule proposes to exclude some such items for all destinations except those included in Supplement No. 2 to Part 373 of the Regulations.

The proposed rule modifies the provisions dealing with direct shipments to customers of approved consignees by limiting such shipments to the country in which the consignee is located. This rule also proposes to eliminate the provision that allows approved distributors to make shipments under the permissive reexport provisions of § 374.2 of the Regulations.

The public is invited to make specific comments on each proposed change, and to specify and substantiate anticipated workload impact and economic impact for each proposed change. Comments should specify no only the impact if the proposed changes are applied retroactively to all existing Distribution Licenses, but also the impact if the proposed changes are applied only to new license applications and to license extensions and renewals.

DATE: Comments must be received by February 21, 1984.

ADDRESS: Written comments (six copies when possible) should be sent to: Procedures Branch, Office of Export Administration, U.S. Department of Commerce, P.O. Box 273, Washington, D.C. 20044. Mark "COMMENTS" on the face of the envelope.

FOR FURTHER INFORMATION CONTACT: Vincent Greenwald, Office of Export Administration (Telephone: (202) 377-3856).

SUPPLEMENTARY INFORMATION: The period for submission of comments will close Febraury 21, 1984. All comments received before the close of the comment period will be considered by the Department in the Development of final regulations. While comments received after the end of the comment period will be considered if possible, their consideration cannot be assured. Public comments will become a matter of public record. Comments that are accompanied by a request that the information be treated confidentially because of its business proprietary nature or for any other reason will be accepted on the conditions described below.

Public comments on these regulations will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, comments in written form are preferred. If oral comments are received, they must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying. Communications from agencies of the United States Government or foreign governments will not be made available for public inspection.

The public record concerning these regulations will be maintained in the International Trade Administration Freedom of Information Records Inspection Facility, Room 4001-B, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in Part 4 of Title 15 of the Code of Federal Regulations. Information about the inspection and copying of records at the facility may be obtained from Patricia L. Mann, the International Trade Administration Freedom of Information Officer, at the above address or by calling (201) 377-3031.

The Office of Export Administration (OEA) is especially interested in receiving comments on the business and economic effects of the proposed regulations. Because providing such comments may involve the disclosure of proprietary business information, OEA

will accept comments on a confidential basis.

Persons may request confidential treatment for their comments involving proprietary information on paperwork burden, lost sales, or any other aspects of the business or economic impact of the proposed regulations. The request must include a full statement of the reasons why confidential treatment should be granted. The business or financial information for which confidential treatment is requested should be submitted to OEA on sheets of paper separate from any nonconfidential information submitted. The top of each page should be marked with the term "Confidential Business Information." OEA will either accept the submission in confidence or, if the submission fails to meet the standards for confidential treatment, will return it.

A nonconfidential summary must accompany each submission of confidential information. The summary will be made available for public inspection.

Information accepted by OEA as privileged under section 12(c) of the Export Administration Act and subsections (b) (3) or (4) of the Freedom of Information Act (5 U.S.C. 552(b) (3) and (4)) will be kept confidential and will not be available for public inspection, except according to law.

This rule proposes to establish a requirement that a foreign consignee submit a listing of countries in which U.S.-origin commodities received under the Distribution License will be sold (including names and addresses of customers); the listing will be updated quarterly. The Office of Export Administration has submitted this proposal to the Office of Management and Budget (OMB) for review under Section 3504(h) of the Paperwork Reduction Act of 1980. The public is invited to submit comments on this proposed reporting requirement to the Office of Information and Regulatory Affairs of OMB, New Executive Office Building, Washington, D.C. 20503, Attention: Desk Officer of International Trade Administration.

List of Subjects in 15 CFR Parts 373 and 376

Exports.

Accordingly, the Office of Export Administration proposes to amend the Export Administration Regulations (15 CFR Parts 368–399) as follows:

PART 373—[AMENDED]

§ 373.1 [Amended]

1. Section 373.1 is amended by adding the following sentence to the end of the first (undesignated) paragraph—

"* * * Improper use or failure to comply with the conditions of any special licensing procedure described in this Part 373 may, in addition to any enforcement action, result in the loss of export privileges under that licensing procedure."

2. In § 373.3, that part of paragraph (c)(1)(ii) that appears before (*a*), paragraphs (c)(1)(iii), (c)(2), and (d)(3)(ii) (D) and (G) are revised; and pargraphs (c) (4) and (5), and (d)(3)(iii) (A) and (B) are added, reading as follows:

§ 373.3 Distribution license.

* * * * *

(c) *Eligible exporters and consignees.*

(1) * * *

(ii) An agent, representative, or any other person or firm distributing the commodities to be exported under this license pursuant to a written agreement, either with the U.S. exporter or its wholly-owned subsidiary, that has been in effect for at least one year and that—

* * * * *

(iii) An end-user importing the commodities for his own use or for use in the production or manufacture of commodities, who has been importing from the U.S. exporter for at least one year.

* * * * *

(2) Prerequisite experience and volume of business. In order to be considered for a Distribution License, a new applicant must have received approval from OEA for at least fifty individual validated export licenses during the 12 months before applying for a Distribution License. These fifty individual validated licenses must have covered exports to countries that will be receiving U.S. exports under the Distribution License (see § 373.3(a)(1)).

* * * * *

(4) Unless a distributor meets the qualifications for reexports contained in § 373.3(i), no commodities received by an approved consignee under a Distribution License may be reexported without specific prior written approval from OEA. The written approval may be included on the validated Distribution License, a validated form ITA–6052, or a validated form ITA–699P. In addition, no commodity received by an approved consignee under this License may be resold or reexported to any person located in any country *not* listed in Supplement No. 2 to Part 373, until the consignee has obtained the following certification from the purchaser:

We (*purchasers*) understand that the commodities obtained from (*name of distributor*) were authorized for export by the U.S. Government under a special Distribution Licensing procedure on the condition that such commodities would not be reexported without specific prior written approval of the U.S. Government. Accordingly, we acknowledge that the commodities obtained under (*order No., contract No., etc.*) will not be reexported from (*name of country*) without such approval.

Such certifications must be retained by the approved consignee for a period of two years after the sales transaction. Consignee may be required to submit such certifications for inspection or audit by OEA. When a continual business relationship is anticipated, the certification may be modified to apply to all transactions, may be valid through the normal validity and extension period of the license, and shall be retained for two years beyond that period.

(5) Notification of special restricitons. It is the responsibility of the exporter to notify all consignees of any special conditions or restricitons applicable to goods received under a Distribution License.

* * * * *

(d) * * *

(3) * * *

(ii) * * *

* * * * *

(D) List separately on the application, or on an attachment, a general description of each type of commodity to be exported, the appropriate Export Control Commodity Number from the Commodity Control List (CCL) (Supplement No. 1 to § 399.1) for each, and the appropriate paragraph designation—(a), (a)(1), (a)(1)(i), etc.—, under the Export Control Commodity Number. Only commodities included in a CCL entry specifically listed on the application and approved by OEA may be exported under a Distribution License. (The listing of the CCL entries by Export Control Commodity Number and aragraph designation will generally constitute a sufficient description of the commodities being shipped. However, the exporter is encouraged to include as specific a description as possible in order to speed up the processing of the application.) OEA may impose more specific limits on the commodities covered by the license.

* * * * *

(G) Leave blank item 9(a), "Quantity," the processing code under item 9(c), and item 9(d), "Unit Price" and "Total Price."

* * * * *

(iii) * * *

(A) Listing of customers. With each form ITA–6052, attach a listing of the countries in which the foreign consignee wishes to sell U.S.-origin commodities received under the Distribution License. This listing shall include the country in which the foreign consignee is located *and* the countries in the consignee's authorized sales territory, giving for each such country the names and addresses of every customer to which the distributor expects to sell. (Changes to this listing shall be submitted quarterly.) This listing is *not* required for customers located in countries listed in Supplement No. 2 to Part 373, nor is it required of end-users as described in § 373.3(c)(1)(iii).

(B) Certification of sales territory. The ultimate consignee(s) listed in item 7 of the license application (or on the attached sheet) must submit written certification on the Form ITA–6052, or on a separate attachment, of (*1*) at least 6 sales during the previous year within each country in the assigned sales territory, or (*2*) an average of 6 sales per year over the preceding 3 years within each country in that territory. Each time that a particular Distribution License is extended, the consignee must submit a written statement certifying the continued authenticity of the assigned sales territory and evidence that sufficient sales are anticipated in that territory to justify the extension of a Distribution License authorization.

* * * * *

3. Paragraph (e) of § 373.3 is amended by redesignating paragraphs (1), (2) and (3) as (2), (3) and (4) respectively, and by adding a new (e)(1); paragraph (f) is amended by adding a sentence to the end of (f)(1), changing the final period in (f)(2)(ii) to a semicolon and adding the word "and", and adding paragraphs (f)(2) (iii) and (iv), reading as follows:

§ 373.3 Distribution license.

* * * * *

(e) *Action on license applications.* (1) Pre-approval review. The Distribution License procedure authorizes multiple export transactions without a review and approval of each individual transaction by OEA. Thus, before approving such a License, OEA must be fully satisfied that the persons benefiting from this special licensing procedure can be relied upon to adhere to the conditions of the license and the Regulations, and that the approval of the application will not be detrimental to U.S. interests. To permit OEA to make such judgments, each application will be reviewed by OEA and OEE to establish the reliability of the parties to the license. Such review may entail an audit of past export transactions, inspection of documents, and interviews in the United States and abroad. If OEA cannot verify the appropriateness of this special licensing procedure or establish the reliability of the proposed parties to the license, it may deny the application or modify it by eliminating persons from the application or by removing certain commodities or countries included in the application. However, failure to obtain approval to participate in this special licensing procedure does not preclude the filing of an application for an individual validated license or reexport authorization.

* * * * *

(f) *Action on Form ITA–6052.* (1) Validation. * * * OEA will advise the exporter if any customers on the attached list (see § 373.3(d)(3)(iii)(A)) are not acceptable recipients of U.S.-origin commodities.

(2) * * *

(iii) Advise the consignee that he may not resell or reexport any commodities received under the Distribution License in countries *not* listed in Supplement No. 2 to Part 373 until the purchaser has furnished the certification required by § 373.3(c)(4); and

(iv) Advise the consignee of any customers listed on the attachment to Form ITA–6052 that have been found unacceptable by OEA. This notification should advise the consignee to submit to OEA quarterly lists of any changes in customers, and also make clear that the consignee does not need to report and await OEA approval *before* making sales to new customers. Customers may be added at any time, as long as they are listed in the next quarterly submission, and sales to listed customers may continue unless the distributor is specifically notified that a customer is unacceptable.

* * * * *

4. Paragraph (i)(4) of § 373.3 is removed, and paragraph (j) is amended by removing the phrase "or to a customer in another country who has been authorized to receive reexports under the provisions of § 373.3(i)" in the first sentence, and by adding a last sentence reading as follows: "in addition, if the shipment is to a country of destination *not* listed in Supplement No. 2 to Part 373, the certification described in § 373.3.(c)(4) must be obtained by the consignee before the shipment of the commodities."

5. Paragraph (k)(1) of § 373.3 is amended by inserting the following sentence at the beginning of the undesignated flush paragraph following the indented certification:

"In addition, the exporter shall submit a certification of sales territory (see paragraph (d)(3)(iii)(B) of this section)."

6. Paragraph (k)(1) of § 373.3 is amended by inserting a new next-to-last sentence to paragraph (iii), reading as follows:

"* * * In addition, before an extension can be granted, the ultimate consignee must submit the certification required by paragraph (d)(3)(iii)(B) of this section. * * *"

7. Paragraph (l) of § 373.3 is amended by adding a paragraph (4)(i), reading as follows:

§ 373.3 Distribution license.

* * * * *

(l) *Records*

* * * * *

(4) *Inspection of records.*

* * * * *

(i) The records of both U.S. exporters and approved consignees will be audited by OEA at regular intervals. As part of the audit procedure, a consignee may be required on occasion to submit to OEA a listing of all sales under this License during the previous month.

* * * * *

8. The following entries are added/revised in Supplement No. 1 to Part 373, "Commodities Excluded from Certain Special License Procedures," *each with a footnote* reading "Distribution License is available for shipment to countries listed in Supplement No. 2 to Part 373." : Entry 1355 is added between 3336 and 1357; entry 1522 is revised, and an entry 1529 is added immediately following it; entry 1564 is added (following 1555), and an additional entry 1565 is added following the present two entries numbered 1565; and entries 1572 and 1584 are added between 1570 and 1585, reading as follows:

§ 373.3 Distribution license.

* * * * *

Supplement No. 1—Commodities Excluded from Certain Special License Procedures

* * * * *

1355 sub-entries (b)(1)(ii), (iii), (v) and (x), (b)(2), and (b)(6)(ii) only.

Semiconductor material processing equipment; crystal pullers that are rechargeable without opening, or that are magnetic, or that are computer controlled; molecular beam epitaxial growth equipment; electron beam systems; all masks and mask-making equipment, *except*:

Hard surface coated substrates defined in paragraph (b)(2)(ii);

Photo-optical mask fabrication equipment defined in paragraph (b)(2)(v) that does not exceed the performance capabilities of U.S.-designed photolithographic step and repeat cameras and pattern generator systems

introduced in volume into the market before December 31, 1976;

Manual types of mask inspection equipment defined in paragraph (b)(2)(vi);

Photo-optical Contact and Proximity mask align and expose equipment defined in paragraph (b)(2)(vii), and projection aligners that can produce useful pattern sizes no finer than 3 micrometers; and

Contact image transfer equipment defined in paragraph (b)(2)(x).

Microcircuit and microcircuit assemblies test equipment defined in paragraph (b)(6)(ii), *except*:

Analog test equipment for TV, OP amps and voltage regulators; A/D and D/A circuit test equipment; and

Digital test equipment with test data rates of 10 MHz or less defined in paragraph (b)(6)(ii).

* * * * *

1522 Lasers and laser systems and specially designed components and parts therefor, as follows: machine tools containing or which are designed to contain lasers described on the Commodity Control List under entry 1522A, single aperture lasers with an output greater than one thousand joules per nanosecond, and tunable diode lasers.

1529 Cesium frequency standards.

Instruments designed for use at frequencies greater than 26 GHz, and capable of being controlled by an external signal.

FFT signal analyzers with "zoom" capabilities having a resolution better than .02 Hz.

* * * * *

1564 Semiconductor devices that have a high-speed processing capability with a functional throughout rate of greater than 5×10^{11} gate-Hz/cm^2.

1565 * * *

1565 * * *

1565 Home personal and small business computers having an XPDR greater than 30 Mbps; specialized processing units that have an "equivalent multiply rate" in excess of 2 million (product) operations per second. (*See § 376.10(a)(4)(xxiv) for the definition of "equivalent multiply rate."*)

1572 All electron beam recorders.

Analog recorders with the following characteristics:

Bandwidth greater than 2 MHz for longitudinal machines and video machines modified for transient free recording,

Specifically desinged for underwater use,

Tape speed greater than 120 ips, consistent with limits imposed on bandwidth,

Having 28 recording channels,

A time basis error better than ± .2 microseconds, consistent with limits imposed on bandwidth.

High density digital recorders having a density of 16K flux reversals per inch or greater (one flux reversal = 1 bit).

1584 Cathode ray oscilloscopes having amplifier bandwidths greater than 350 MHz.

Oscilloscopes hving cathode-ray tubes incorporating microchannel plate electron multipliers capable of operating at frequencies greater than 1000 MHz.

Digital oscilloscopes with sequential sampling of the input signal at an interval of less than 2 nanoseconds.

PART 376—[AMENDED]

9. Section 376.10 is amended by adding paragraphs (a)(4) (xxv) and (xxvi), reading as follows:

§ 376.10 Electronic computers and related equipment.

(a) *Digital computers.*

* * * * *

(4) *Definitions of terms.*

* * * * *

(xxv) "Equivalent multiply rate" is defined as the greater number of multiplication operations that can be performed per second, neglecting setup or pipeline filling operations. This rate is based on the maximum rate achievable fully utilizing all hardware architectural features (including multiple or staged (pipelined) arithmetic units); assuming optimal operand lengths of 16 bits or greater and optimal operand locations in the "most immediate memory"; and ignoring initialization, interrupts, and data reordering times:

(*a*) If the basic multiplication operation includes multiple simultaneous multiplications either because of complicated computational arithmetic operations (complex multiplication, convolution, recursive filtering) or parallel pipelining, the "equivalent multiply rate" is the basic multiply rate times the number of multiplies that can be performed simultaneously;

(*b*) If multiple arithmetic units are used within a single processing unit, the "equivalent multiply rate" is the "equivalent multiply rate" of one unit multiplied by the number of units;

(*c*) If multiple processing units of the same or different types (*e.g.*, array processor, image enhancement processor) are contained in a system, the "equivalent multiply rate" is the sum of the "equivalent multiply rates" of each of the processing units.

(xxvi) "Most immediate memory" is defined as the portion of "main memory" most directly accessible by the central processing unit:

(*a*) For single level "main memories," the "most immediate memory" is the internal memory;

(*b*) For hierarchical "main memories," the "most immediate memory" is

(*1*) The cache memory,

(*2*) The instruction stack, or

(*3*) The data stack.

* * * * *

(Secs. 4, 5, 13 and 15, Pub. L. 96–72, 93 Stat. 503 as amended, 50 U.S.C. app. 2401 *et seq.*; Executive Order No. 12214 (45 FR 29783, May 6, 1980); Executive Order No. 12451 of December 20, 1983 (48 FR 56563, December 22, 1983)

Dated: January 16, 1984.

John K. Boidock,

Director, Office of Export Administration, International Trade Administration.

[FR Doc. 84–1537 Filed 1–18–84; 8:45 am]

BILLING CODE 3510-DT-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 20

Financial Assistance and Social Services Program

January 13, 1984.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule, correction and extension of comment period.

SUMMARY: The Bureau of Indian Affairs is correcting an inadvertent error in a proposed rule which was published on Wednesday, January 11, 1984 (FR Doc. 84–647) on page 49 FR 1381 relating to the financial assistance and social services program. Because of the correction the comment period is extended.

DATES: Comments must be received on or before February 21, 1984.

ADDRESS: Written comments should be addressed to: Chief, Division of Social Services, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

SUPPLEMENTARY INFORMATION: The Bureau of Indian Affairs is correcting a proposed rule which was published in the **Federal Register** on Wednesday, January 11, 1984 (FR Doc. 84–647) on page 1381 by removing the following language under the third paragraph of the Supplementary Information portion of the Preamble: "However, since the general assistance program is federally funded, the Bureau, to avoid placing excessive hardship on recipients, is proposing a 'floor' or minimum payment level of not less than one-third of the national poverty levels as established annually by the Department of Commerce. Also," The following phrase is also removed from § 20.1(s): "except that no payment level shall be less than one-third of the national annual poverty level as published by the U.S. Department of Commerce."

John W. Fritz,

Deputy Assistant Secretary, Indian Affairs (Operations).

[FR Doc. 84–1233 Filed 1–18–84; 8:45 am]

BILLING CODE 4310-02-M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 901

Reopening and Extension of Public Comment Period on Proposed Amendment to the Alabama Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Reopening and Extension of Public Comment Period.

SUMMARY: On August 29, 1983, the Alabama Surface Mining Commission (ASMC) submitted to OSM a set of statutory and regulatory amendments intended, in part, to meet most of the Secretary of the Interior's conditions of approval on the Alabama State program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). On September 28, 1983, OSM published a notice in the **Federal Register** announcing receipt and invited public comment on the adequacy of the proposed amendment (48 FR 44233–44236). The public comment period ended on October 28, 1983.

A review of Alabama's proposed amendment by OSM identified several concerns relating to records of blasting operations and Alabama's small operator assistance program. OSM notified the ASMC about its concerns and on December 22, 1983, ASMC responded by submitting modifications to its proposed amendment.

Accordingly, OSM is hereby reopening and extending the comment period on Alabama's August 29, 1983 proposed amendment as modified on December 22, 1983. This action is being taken in order to provide the public an opportunity to reconsider the adequacy of Alabama's proposed amendment as modified by the State.

DATE: Written comments, data or other relevant information relating to this rulemaking not received on or before 4:00 p.m. February 3, 1984 will not necessarily be considered.

ADDRESSES: Written comments should be mailed or hand delivered to: John T. Davis, Director, Birmingham Field Office, Office of Surface Mining Reclamation and Enforcement, 228 West Valley Avenue, 3rd Floor, Homewood, Alabama 35209.

Copies of the Alabama program, a listing of any scheduled public meetings, and all written comments received in response to this notice will be available for review at the OSM and State regulatory authority offices listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays.

Office of Surface Mining Reclamation and Enforcement, Room 5315, 1100 L Street, N.W., Washington, D.C. 20240

Office of Surface Mining Reclamation and Enforcement, 228 West Valley Avenue, 3rd Floor, Homewood, Alabama 3520

Alabama Surface Mining Commission, Central Bank Building, 2nd Floor, 811 Second Avenue, Jasper, Alabama 35501

FOR FURTHER INFORMATION CONTACT: John T. Davis, Director, Birmingham Field Office, Office of Surface Mining Reclamation and Enforcement, 228 West Valley Avenue, 3rd Floor, Homewood, Alabama 35209; Telephone: (205) 254–0890.

SUPPLEMENTARY INFORMATION: Information regarding the general background on the Alabama State program, including the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Alabama program can be found at 47 FR 22020–22038 (May 20, 1982) and 48 FR 34026 (July 27, 1983).

At the time of the Secretary's conditional approval, Alabama agreed to meet 13 conditions. On August 29, 1983, the ASMC submitted a proposed amendment which was intended, in part, to meet all but three of the Secretary's conditions of approval.

OSM announced receipt of the amendment and initiated a public comment period on September 28, 1983 (48 FR 44233–44236). The public comment period ended on October 28, 1983. A public hearing scheduled for October 24, 1983, was not held because no one expressed a desire to present testimony.

During a concurrent review of Alabama's proposed amendment by OSM, the following concerns were identified:

1. Alabama rule 880–X–10D–32 does not require that blasting records be maintained by the operator of underground mining operations at the mine site and that such records be made available to the public and regualtory authority upon request. Such requirements are specified under 30 CFR 817.68.

2. Alabama rule 880–X–8N–.09(1)(a) concerning the State's small operator assistance program (SOAP) does not require that all coal produced by operations owned by members of the applicant's family and the applicant's relatives be attributed to the applicant unless it is established that there is no direct or indirect business relationship between or among them. Such requirements are set forth under 30 CFR 795.6(a)(2)(iv).

3. Alabama's rules do not contain a requirement prohibiting an applicant for SOAP assistance from organizing or reorganizing his or her company solely for the purpose of obtaining SOAP assistance. Such a requiremment is prescribed by 30 CFR 795.6(a)(4).

4. Alabama's rules omit liability requirements for reimbursing the regulatory authority for the costs of laboratory services in situations where the permit is sold, transferred or assigned to another person and the transferee's total actual and attributed production exceeds the 100,000 ton annual production limit during any consecutive 12 month period of the remaining term of the permit.

After discussions between OSM and ASMC about these four concerns, ASMC submitted a modification to its August 29, 1983 amendment. The modification was received on December 22, 1983, and consists of a set of emergency rules intended to correct each of the four deficiencies.

The Secretary of the Interior, through OSM, hereby requests public comments on the adequacy of Alabama's August 29, 1983, amendments in light of the State's December 22, 1983 modifications. The public comment period is hereby extended to February 3, 1984. All public comments should be submitted to the location shown above under "**ADDRESSES**" by that date in order to be considered by the Secretary in this rulemaking.

Dated: January 13, 1984.

Carl C. Close,

Assistant Director, Program Operations and Inspection, Office of Surface Mining.

Authority: Pub. L. 95–87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*).

[FR Doc. 84–1458 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–05–M

30 CFR Part 925

Missouri Permanent Regulatory Program; Review of State Program amendment

AGENCY: Office of Surface Mining reclamation and Enforcement (OSM), Interior.

ACTION: Reopening and extension of public comment period.

SUMMARY: OSM is reopening the period for review and comment on a program amendment submitted by the State of Missouri to amend the Missouri

permanent regulatory program (hereinafter referred to as the Missouri program) which was conditionally approved by the Secretary of the Interior under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment includes statutory and regulatory changes to the performance bond requirements of the Missouri program. Specifically, OSM is reopening the comment period to allow the public sufficient time to consider and comment on the minutes of a meeting and discussions held between OSM and the State on November 17 and 18, 1983, and a subsequent letter from the State. The meeting concerned preliminary findings made by OSM as a result of review of the State's amendment.

DATE: Written comments not received on or before 4:00 p.m., February 3, 1984 will not necessarily be considered in the decision on whether to approve or disapprove the proposed program amendment.

ADDRESSES: Written comments should be sent to: Mr. Richard Rieke, Field Office Director, Kansas City Field Office, Office of Surface Mining, Scarritt Building, 818 Grand Avenue, Kansas City, Missouri 64106; Telephone: (816) 374–3920.

Copies of the Missouri program, the proposed modifications to the program, a listing of any scheduled public meetings and all written comments received in response to the notice will be available for public review at the OSM Field Office listed above and at the OSM Headquarters Office and the Office of State regulatory authority listed below, during normal business hours Monday through Friday, excluding holidays.

Office of Surface Mining, Room 5315, 1100 L Street NW., Washington, D.C. 20240

Missouri Department of Natural Resources, Land Reclamation Commission, 1026 D Northeast Drive, Jefferson City, Missouri 65102

FOR FURTHER INFORMATION CONTACT: Mr. Richard Rieke, Field Office Director, Kansas City Field Office, Office of Surface Mining, Scarritt Building, 818 Grand Avenue, Kansas City, Missouri 64106; Telephone: (816) 374–3920.

SUPPLEMENTARY INFORMATION: The Missouri program was approved on November 21, 1980 (45 FR 77017–77028). The approval was conditioned on the correction of 23 minor deficiencies, which were included in three conditions, (a), (b), and (c). Condition (a) consisted of (a)(1) through (a)(21). The Secretary removed the first six elements of condition (a)(1), conditions (a)(2) through (a)(21), and conditions (b) and (c) on May 11, 1982 (47 FR 20116–20119). The Secretary removed the last element of condition (a)(1) on January 17, 1983 (48 FR 1956).

Information pertinent to the general background, revisions, modifications, and amendments to the permanent program submission, as well as the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Missouri program can be found in the November 21, 1980 **Federal Register.**

On April 13, 1983, Missouri submitted a proposed program amendment (Administrative Record No. MO–253), consisting of enacted legislation (Senate Bill 737) and promulgated regulations to amend the performance bond provisions of the Missouri program.

The proposed amendment creates and implements a coal mine land reclamation fund to be used to complete reclamation after the proceeds from any applicable performance bond have been exhausted. All permittees are required to pay an assessment to the fund based on the tonnage of coal sold or otherwise disposed of.

On May 9, 1983, OSM published a notice in the **Federal Register** announcing receipt of the amendment, a public comment period and opportunity to request a public hearing (48 FR 20764). The public comment period closed on June 8, 1983. No public hearing was held because none was requested. On November 17, 1983, OSM met with the State to discuss the amendment. Those discussions were continued during a conference call on November 18, 1983. Minutes of the discussions held during the meeting and conference call have been placed in the Administrative Record (Admin. Record No. MO–258), as has a December 22, 1983 letter from the State commenting on the minutes of the meeting (Admin. Record No. MO–259).

In accordance with the provisions of 30 CFR 732.15, OSM is reopening the comment period and is seeking comments on the substantive adequacy of the proposed amendment in light of the meeting notes and the State's response.

List of Subjects in 30 CFR Part 925

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

(Pub. L. 95–87 (30 U.S.C. 1201 *et seq.*))

Dated: January 11, 1984.

Carl C. Close,

Acting Assistant Director, Program Operations and Inspection.

[FR Doc. 84–1457 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A–9–FRL–2503]

Federal Assistance Limitations; State of California

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to limit certain federal funding assistance for Fresno County, California. These limitations apply to funds provided under the Clean Air Act and the Surface Transportation Assistance Act. The Environmental Protection Agency (EPA) is taking this action pursuant to Section 176(a) of the Clean Air Act (Act), because the State of California has failed to make reasonable efforts to submit a State Implementation Plan (SIP) for Fresno County that considers each of the elements in Section 172 of the Act.

Section 172(b)(11)(B) of the Act, as amended, requires the implementation of an inspection and maintenance (I/M) program in areas which have obtained extensions of the December 31, 1982 deadline for attaining the National Ambient Air Quality Standards for ozone (03) and/or carbon monoxide (CO). The Fresno County portion of the 1979 SIP revision (47 FR 28617; July 1, 1982) makes this demonstration for O_3 and CO in Fresno County. Fresno County is therefore required to implement I/M. Further, pursuant to Section 172(b)(10) of the Act, the SIP is required to include written evidence that Fresno County has adopted, by legally enforceable document, the necessary requirements and schedules and timetables for compliance, and is committed to implement and enforce the appropriate elements of the plan.

Fresno County has apparently not requested the State to implement an I/M program at the earliest technically feasible date. As a result, EPA is today proposing to find that the State of California has failed to submit, and is not making reasonable efforts to submit, a SIP for Fresno County that considers each of the elements of Section 172 of the Act. If EPA takes final action

affirming these findings, the funding limitations will apply in Fresno County, California.

DATES: Written comments must be submitted to EPA on or before February 21, 1984. EPA will schedule a public hearing on this proposed action and will announce the date and location in the Federal Register.

ADDRESSES: Send any comments to: Regional Administrator, Attn: Air Management Division, Air Programs Branch (A–2), Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, CA 94105.

Copies of all materials related to EPA's proposed action may be inspected during normal business hours at the above address or at the following locations:

California Air Resources Board, 1102 "Q" Street, Sacramento, CA 95812
Fresno County Air Pollution Control District, 1221 Fulton Mall, Fresno, CA 93721.

FOR FURTHER INFORMATION CONTACT: Jerry Clifford, Air Programs Branch (A–2), Air Management Division, Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, CA 94105, Telephone (415) 974–8067 (FTS) 454–8067.

SUPPLEMENTARY INFORMATION:

A. Background

Congress amended the Clean Air Act, 42 U.S.C. 7401 et. seq., in 1977 to address the major health problem posed by the state's failure to attain the National Ambient Air Quality Standards. Congress required states to revise their State Implementation Plans (SIPs) to provide for attainment of the standards by December 31, 1982, and to submit the revised plans to EPA by January 1, 1979. For areas with serious ozone (O_3) or carbon monoxide (CO) problems that could demonstrate they could not attain these standards by the end of 1982 even with the implementation of all reasonably available measures, Congress allowed an extension of the attainment date beyond 1982 and up to December 31, 1987. (Section 172(a)(2)).

In return for this extension, Congress required states to submit additional air pollution control measures in their 1979 SIP revisions. (Section 172(b)(11)). One such additional measure was a schedule for implementation of an inspection and maintenance (I/M) program along with certification that the State and local governments had the legal authority to implement and enforce that program. (Sections 172(b)(10) and 172(11)(B)). Six major urban areas of California, including Fresno County, requested extensions of the attainment deadlines for O_3 for and/or CO to 1987 and were required to implement I/M.

To ensure that federal funds do not further contribute to the already serious air pollution problem, and to encourage state cooperation, Congress adopted Section 176(a). Section 176(a) of the Act requires withholding of certain federal assistance funds for highway construction and air quality planning grants if the EPA Administrator finds that a state has failed to submit, or is not making reasonable efforts to submit, a SIP which considers each of the elements of Section 172 of the Act, including the requirement for I/M. On April 10, 1980, after prior notice and public comment, EPA and the Department of Transportation (DOT) published their final policies and procedures for imposing funding restrictions under Section 176(a). (45 FR 24692). This notice should be used as reference in reviewing today's notice.

On December 12, 1980, EPA previously imposed federal funding restrictions on highway construction and sewage treatment project grants in all six urban areas of California required to implement I/M. (45 FR 81756). These restrictions under Section 176(a) and 316(b) of the Act were imposed at that time because the Administrator determined that the State Legislature was not making reasonable efforts to adopt authorizing I/M legislation as required for all 1979 plans for extension areas.

On September 10, 1982, the Governor of California signed legislation authorizing the State Department of Consumer Affairs to implement a biennial I/M program in these six urban areas upon the request of the local air pollution control districts. EPA subsequently removed those funding limitations on October 12, 1982 after determining that the State was now making reasonable efforts to satisfy the Act's requirements.

Although the enabling legislation established the foundation for State development and operation of an I/M program in the six areas required to have an I/M program, the legislation authorized implementation only upon the request of the local air pollution control districts. Eight air pollution control districts have responsibilities in the six areas required to implement I/M. By May, 1983, seven of the eight districts requested I/M implementation, and the State Bureau of Automotive Repair, within the Department of Consumer Affairs, is developing a program to begin in these areas in March, 1984. These areas include the South Coast, the San Francisco Bay Area and the San Diego Air Basins, Ventura County and the Sacramento Metropolitan area. Fresno County is the only area which failed to make a request at that time.

The Fresno County Air Pollution Control Board is the local government entity with responsibility for making the request to implement. On March 15, 1983, the matter of I/M was discussed before the Board with a staff recommendation to request implementation of the I/M program within the entire County. At that time, the Board deferred action on the request to have the I/M program implemented in Fresno County.

On September 15, 1983, one year after enabling I/M legislation was signed by the Governor, EPA notified affected Federal, State and local agencies and officials that we were initiating the EPA/DOT procedures for imposing the funding limitations under Section 176(a). This notification started a 30-day consultation period in accordance with these procedures. Between September 15, 1983, and the date of this notice, EPA officials have consulted with several Federal, State an local officials in an effort to resolve this issue. The following is a summary of the events which have occurred since EPA initiated this consultation period:

September 15, 1983

- The EPA Acting Regional Administrator, John Wise, notified the Federal Highway Administration (FHWA) Regional Administrator, by letter and by telephone, that the 30-day consultation period was being initiated.
- The EPA Acting Regional Administrator also notified U.S. Senators Alan Cranston and Pete Wilson, U.S. Congressmen Charles Pashayan, Jr. and Tony Coelho, the Chairman of the California Air Resources Board and the Director of the California Department of Transportation.
- EPA Region 9 staff notified the Chairman of the Fresno County Air Pollution Control Board, the Fresno County Air Pollution Control Officer, the Council of Fresno County Governments, the County Administrative Officer, the Mayor of Fresno, the Acting Director of the Fresno County Health Department, the Director of the City Public Works Department and the Chief of the State Bureau of Automotive Repair.

September 22, 1983

- EPA transmitted a listing of highway projects which may be affected by the funding restrictions to Fresno County Supervisor Sharon Levy.

September 26, 1983

• The EPA Acting Regional Administrator met with Fresno County Supervisors Sharon Levy and Deran Koligian, and County Administrative Officer Allan Colman.

September 27, 1983

• EPA Region 9 Air Programs Branch Chief, David L. Calkins, testified before the Fresno City Council.

October 7, 1983

EPA Regional staff met with FHWA Regional staff to discuss the Section 176(a) schedule and procedures for Fresno County.

October 14, 1983

• The EPA Administrator, William D. Ruckelshaus, Assistant Administrator for Air and Radiation, Joseph A. Cannon, and the Director of the Office of Mobile Sources, Richard Wilson, met with U.S. Congressman Charles Pashayan, Jr., Fresno County Supervisors Sharon Levy and Deran Koligian, and Assistant County Administrative Officer Jim Edmonds.

October 31, 1983

• The EPA, Acting Regional Administrator and representative Air Management Division staff met with Fresno County Supervisors Sharon Levy and Deran Koligian, and representative Fresno County staff, as well as a representative from the State Air Resources Board to discuss the Fresno County air quality situation as it relates to the entire San Joaquin Valley Air Basin. At that time, EPA discussed the Clean Air Act requirements for I/M as well as the impact of I/M on expeditious attainment of the 03 and CO standards in Fresno County. Supervisor Levy requested that EPA consider a proposal that would require I/M to begin in Fresno County on October 31, 1984.

November 4, 1983

• Acting Assistant Administrator for Air and Radiation, Joseph A. Cannon, sent a letter to Jeff Reich, Chairman of the Fresno County Board of Supervisors, reiterating the legal matter for I/M as it relates to sanctions. The letter also indicates the possibility of a short extension of the startup date beyond March, 1984, if technically justified by the State Bureau of Automotive Repair. Further, Mr. Cannon specifically required Board action by November 30, 1983 to forestall formal **Federal Register** notice proposing 176(a) sanctions for Fresno County.

November 29, 1983

• The Fresno County Board of Supervisors adopted a resolution declaring their intent to implement the I/M program by October 31, 1984.

• David P. Howekamp, Region 9 Director of the Air Management Division, sent a letter to John Grow, chief of the Bureau of Automotive Repair, requesting a formal determination of the earliest technically and logistically feasible date at which I/M could be implemented in Fresno County, provided the Board made such a request no later then November 30, 1983.

November 30, 1983

• The Chairman of the Fresno County Board of Supervisors, Jeff Reich, sent a letter to Joseph Cannon, Acting Administrator for Air and Radiation, explaining the action taken by the Board on November 29. Mr. Reich attached the Board's resolution to his letter to Mr. Cannon.

December 1, 1983

• John Grow, Chief of the Bureau of Automotive Repair, responded to David Howekamp's letter of November 29, 1983, and indicated that had the Board voted for immediate implementation on November 29, the first inspection notices would have reached Fresno County residents on or about April 15, 1984.

December 14, 1983

• Joseph A. Cannon, Assistant Administrator for Air and Radiation, responded to Mr. Reich's letter of November 30, 1983. The Assistant Administrator requested the Board of Supervisors to identify the date that the Board intends vehicle testing to begin and to submit a copy of the Board's formal request to the BAR within one week of receipt of this letter.

December 20, 1983

• Jeff Reich, Chairman of the Fresno County Board of Supervisors, responded to Mr. Cannon's letter dated December 14, 1983. Mr. Reich stated, "* * * it is the Board's desire to permit the BAR to take its 5½ month start up period beginning mid-June and to formally begin the inspection program October 31, 1984." Mr. Reich also indicated that the Board had not formally requested the BAR to implement the I/M program.

The formal 30-day consultation period expired on October 15, 1983, and the extended deadline of November 30, 1983 has also passed. Although Fresno County declared their intent to implement the I/M program by October 31, 1984, it appears that there are no technical reasons for postponing the startup of actual vehicle testing beyond May 15, 1984. EPA policy required all I/M programs for urbanized areas with attainment date extensions to start testing vehicles no later than December 31, 1982. EPA, therefore, cannot find that additional delay beyond May 15, 1984 represents "reasonable efforts" to comply with the I/M requirement.

B. Proposed Findings and Actions

Based on the failure of the Fresno County Air Pollution Control Board to request the State to implement an I/M program at the earliest technically feasible date, and thus preventing the State from submitting an approvable 1979 SIP which considers each of the elements of Section 172, EPA proposes the following actions:

1. EPA proposes to find that the State of California has failed to submit, and is not making reasonable efforts to submit, an approvable 1979 SIP for Fresno County which considers each of the elements required by Section 172 of the Act; and

2. EPA proposes to impose federal funding restrictions on Fresno County, California, under Section 176(a) of the Act.

During the public comment period, EPA will consider any comments on this issue. If the Fresno County Air Pollution Control Board appropriately amends their request for State implementation of the I/M program prior to final EPA action on this matter, EPA will withdraw this proposal. If the Board fails to remedy this situation before EPA takes final action, the funding limitations would become effective on the date final rulemaking is published in the **Federal Register**. Upon final rulemaking, the Secretary of Transportation shall not approve any projects or award any grants in Fresno County under the Surface Transportation Assistance Act except for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance. Further, the Administrator of EPA shall not approve any projects or award any grants in Fresno County authorized by the Clean Air Act unless they qualify for the exemptions noted in the April 10, 1980 policy notice. Although, pursuant to Section 316 of the Act EPA has the discretion to withhold certain grants for the construction of sewage treatment works available under Section 201(g) of the Clean Water Act (33 U.S.C. 1251 et. seq.), we are not proposing to impose these restrictions on Fresno County at this time. EPA would publish a separate notice of proposed rulemaking and provide an opportunity for comment before

imposing these additional funding restrictions on sewage treatment works. For more information on the scope and procedures for these restrictions, see 45 FR 24692 (April 10, 1980) and 45 FR 53382 (August 11, 1980).

C. Request for Comment

Interested parties are invited to comment on all aspects of these proposed actions regarding the California SIP. EPA is specifically soliciting comment on its proposed finding that the State is not making reasonable efforts to submit a SIP for Fresno County that satisfies the requirements of Section 172 of the Act, and on when the funding limitations, if imposed, should be removed.

If EPA imposes the funding limitations, EPA is interested in removing the funding limitations as soon as possible after the State demonstrates that reasonable efforts are being made to comply with the requirements of Section 172 of the Act. Fresno County has had reasonable opportunity since September, 1982 to request State implementation of the I/M program. Further, Fresno County has failed to act in good faith within the additional time EPA provided, to November 30, 1983, to request implementation as soon as is technically feasible. Accordingly the Agency is proposing to require actual vehicle testing under the I/M program in Fresno County as a basis for finding these proposed actions regarding the California SIP. EPA is specifically soliciting comment on its proposed finding that the State is not making reasonable efforts to submit a SIP for Fresno County that satisfies the requirements of Section 172 of the Act, and on when the funding limitations, if imposed, should be removed.

EPA will consider all comments received within 30-days of the publication of this notice. The comment deadline is February 21, 1984.

D. Regulatory Impact

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et.seq., the Agency must prepare a regulatory flexibility analysis assessing the impact of any proposal or final rule on small entities. Under 5 U.S.C. 605(b), this requirement may be waived if the Agency certifies that the rule will not have a significant economic effect on a substantial number of small entities. Small entities include small business, small not-for-profit enterprises, and governmental entities with jurisdiction over populations of less than 50,000.

If EPA takes final action to find that the State has failed to submit, and is not making reasonable efforts to submit, a SIP for Fresno County that considers each of the elements required by Section 172, certain highway construction funds under the Surface Transportation Assistance Act and air quality planning funds under the Clean Air Act will be withheld from Fresno County. Thus, some small entities will be affected by final EPA action.

EPA has in the past made efforts to quantify the impacts of the Clean Air Act restrictions under Section 176(a) but has been unable to do so with any degree of reliability. EPA's lack of success is due in large part to the exemptions authorized for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance. Careful review and evaluation of each highway project is necessary to determine whether or not a project is exempt. Consequently, EPA is making no quantified assessment of the potential economic impact on small entities from today's proposal.

Final action on today's proposals also could result in withholding of Section 105 funds from Fresno County. However, EPA funds the Fresno County Air Pollution Control District which has responsibility for the entire county. Since the Fresno County 1980 population estimate from the U.S. Bureau of Census is greater than 500,000, the governmental entities affected by any funding limitations do not fall within the definition of "small entities."

Additionally, although EPA believes that a final action might have some impact on small entities, this impact cannot affect the Agency's actions. Under the Clean Air Act, the imposition of the funding restrictions in Section 176(a) are automatic and mandatory whenever the Agency determines that a state has not submitted, or is not making reasonable efforts to submit, a SIP which considers each of the elements of Section 172.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore, subject to the requirement of a "Regulatory Impact Analysis." The fiscal 1983–84 Section 105 grant to the Fresno County Air Pollution Control District is $182,000. This amount approximates the amount of future Clean Air Act funds which may be withheld annually from Fresno County if sanctions are imposed. In addition, EPA reviewed a listing of highway projects contained in the State and Regional Transportation Improvement Programs for 1983–87. Our review of this listing indicates that less than $35 million in total highway construction costs will be affected by the funding sanctions in any given year between 1983 and 1987. The actual amount affected by sanctions in any year would be less than $35 million if any proposed projects satisfy the criteria for exemption. Therefore, the regulation is not major since it will not have an economic impact exceeding $100 million per year.

Authority: [Secs. 110, 172, 176(a), 301 and 316 of the Clean Air Act, as amended; 42 U.S.C. 7410, 7502, 7506(a), 7601.

Under Executive Order 12291, this action is not "major". It has been submitted to the Office of Management and Budget (OMB) for review.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Carbon monoxide, Intergovernmental relations.

Dated: November 4, 1983.

John Wise,

Acting Regional Administrator.

[FR Doc. 84–1508 Filed 1–18–84: 8:45 am]

BILLING CODE 6560–50–M

Notices

Federal Register
Vol. 49, No. 13
Thursday, January 19, 1984

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forms Under Review by Office of Management and Budget

January 13, 1984.

The Department of Agriculture has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extensions, or reinstatements. Each entry contains the following information.

(1) Agency proposing the information collection; (2) Title of the information collection; (3) Form number(s), if applicable; (4) How often the information is requested; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to provide the information; (8) An indication of whether section 3504(h) of Pub. L. 96–511 applies; (9) Name and telephone number of the agency contact person.

Questions about the items in the listing should be directed to the agency person named at the end of each entry. Copies of the proposed forms and supporting documents may be obtained from: Department Clearance Officer, USDA, OIRM, Room 108-W Admin. Bldg., Washington, D.C. 20250 (202) 447–4414.

Comments on any of the items listed should be submitted directly to: Office of Information and Regualtory Affairs, Office of Management and Budget, Washington, D.C. 20503, ATTN: Desk Officer for USDA.

If you anticipate commenting on a submission but find that preparation time will prevent you from doing so promptly, you should advise the OMB Desk Officer of your intent as early as possible.

Extension (Burden Change)

- Agricultural Marketing Service: Plan for Estimating Daily Livestock Slaughter Under Federal Inspection, Daily, Businesses: 17,680 responses; 583 hours; not applicable under 3504(h), James A. Ray (202) 447–6231.
- Statistical Reporting Service: Fruit, Nut and Specialty Crops, On Occasion, Monthly, Annually, Farms, Businesses: 58,778 responses; 16,627 hours; not applicable under 3504(h), Lee Sandberg (202) 0535–0039.

New

- Food and Nutrition Service: Evaluataion of the Alternataive Demonstration Project, FNS–46, FNS–250, FNS–256, Monthly, Quarterly, Semi-Annually, Individuals or Households, State or Local Governments, Business or Other For-Profit Federal Agencies or Employees, Non-Profit Institutions, Small Businesses or Organizations: 3,181 responses; 982 hours; not applicable under 3504(h), Carol Olander (703) 756–7115.
- Forest Service: Timber Sale Operating Plans, On Occasion, Businesses or Other For-Profit, Small Businesses or Organizations: 1,000 responses; 5,000 hours; not applicable under 3504(h), Rex Baumback (703) 475–3757.

Reinstatement

- Economic Research Service: Farmland Market Survey, Annually, Farms, Small Businesses: 4,500 responses; 1,875 hours; not applicable under 3504(h), William H. Heneberry (202) 382–8000.

Susan B. Hess,
Acting Department Clearance Officer.

[FR Doc. 84-1334 Filed 1-18-84; 8:45 am]
BILLING CODE 3410-01-M

Agricultural Stabilization and Conservation Service

Feed Grain Donations for the Northern Cheyenne Indian Tribe in Montana

Pursuant to the authority set forth in Section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427) and Executive Order 11336, I have determined that:

1. The chronic economic distress of the needy members of the Northern Cheyenne Indian Tribe in Montana has been materially increased and become acute because of severe and prolonged drought substantially reducing range forage and hay production, thereby creating a serious shortage of feed and causing increased economic distress. The reservation is designated for Indian use and is utilized by members of the Northern Cheyenne Indian Tribe for grazing purposes.

2. The use of feed grain or products thereof made available by the Commodity Credit Corporation for livestock feed for such needy members of the tribe will not displace or interfere with normal marketing of agricultural commodities.

3. Based on the above determination, I hereby declare the reservation and grazing lands of the tribe to be acute distress areas and authorized the donation of feed grain owned by the Commodity Credit Corporation to livestock owners who are determined by the Bureau of Indian Affairs, Department of the Interior, to be needy members of the tribe utilizing such lands. These donations by the Commodity Credit Corporation may commence upon signature of this notice and shall be made available through May 31, 1984, or to such other time as may be stated in a notice issued by the Department of Agriculture.

Signed at Washington, D.C. on January 16, 1984.

C. Hoke Leggett,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 84-1511 Filed 1-18-84; 8:45 am]
BILLING CODE 3410-05-M

Forest Service

Fremont National Forest Grazing Advisory Board; Meeting

The Fremont National Forest Grazing Advisory Board will meet at 10:00 a.m. on Friday, March 2, 1984 at the Forest Supervisor's Office, 34 North D Street, Lakeview, Oregon 97630. The purpose of this meeting is:

1. Disucss use of range betterment funds.

2. Review range allotment management planning.

The meeting will be opened to the public. Persons who wish to attend should notify Ralph B. Roberts, 34 North D Street, Lakeview, Oregon 97630, phone

947–2151. Written statement may be filed with the Borad before or after the meeting.

The committee has established the following rules for public participation:

1. Must have pre-notice and placed on agenda.

2. Time limit will be announced at meeting.

3. May be oral or written.

4. General public.

a. Open input on agenda items permitted.

b. May present topics or concerns if prearranged.

Dated: January 10, 1984.

Russell M. Betts,

Acting Forest Supervisor.

[FR Doc. 84–1472 Filed 1–18–84; 8:45 am]

BILLING CODE 3410–11–M

Gila National Forest Grazing Advisory Board; Meeting

The Gila National Forest Grazing Advisory Board will meet at 10:00 a.m., February 9, 1984 in the conference room, Federal building, 2610 North Silver Street, Silver City, New Mexico.

The agenda for the meeting is:

1. Review Program for Range Betterment Funds

2. Review Allotment Management Plans

The meeting will be open to the public.

Dated: January 10, 1984.

Kenneth C. Scoggin,

Forest Supervisor.

[FR Doc. 84–1419 Filed 1–18–84; 8:45 am]

BILLING CODE 3410–11–M

Packers and Stockyards Administration

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No., name, and location of stockyard	Date of posting
TN–180 M. L. Hickerson's Livestock Market, Manchester, Tennessee.	Apr. 19, 1982.
MS–157 Corinth Livestock Commission Co., Corinth, Mississippi.	Oct. 10, 1978.

Notice or other public procedure has not proceded promulgation of the foregoing rule. There is no legal justification for not promptly deposting a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a change relieving a restriction and may be made effective in less than 30 days after publication in the **Federal Register**. This notice shall become effective upon publication in the **Federal Register**.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 *et seq.)*

Done at Washington, D.C., this 12th day of January, 1984.

Jack W. Brinckmeyer,

Chief, Financial Protection Branch, Livestock Marketing Division.

[FR Doc. 84–1440 Filed 1–18–84; 8:45 am]

BILLING CODE 3210–02–M

Soil Conservation Service

Jacobs Creek Watershed, Pennsylvania; Intent To Prepare Environmental Impact Statement

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Council on Environmental Quality Guidelines (40 CFR Part 1500), and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is being prepared for the Jacobs Creek Watershed, Westmoreland and Fayette Counties, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: James H. Olson, State Conservationist, Soil Conservation Service, Box 985 Federal Square Station, Harrisburg, Pennsylvania 17108, telephone (717) 782–4453.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the action may cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. James H. Olson, State Conservationist, has determined that the preparation and review of an environmental impact statement is need for this project.

The project concerns a plan for flood prevention and watershed protection. Already installed are two multiple-purpose dams for flood prevention and recreational uses. The features remaining to be installed include a flood prevention dam, modified channel improvement works, and accelerated land treatment measures. A draft environmental impact statement will be prepared for the remaining project features and circulated for review by agencies and the public. The Soil Conservation Service invites participation and consultation of agencies and individuals that have special expertise, legal jurisdiction, or interest in the preparation of the draft environmental impact statement. Further information on the proposed action may be obtained from James H. Olson, State Conservationist, at the above address or telephone (717) 782–4453.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program.

Dated: January 10, 1984.

James H. Olson,

State Conservationist.

[FR Doc. 84–1412 Filed 1–18–84; 8:45 am]

BILLING CODE 3410–16

Kirby Ditch Company, Inc., Farm Irrigation RC&D Measure, Wyoming; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of No Significant Impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Kirby Ditch Company, Inc., Farm Irrigation RC&D Measure in Hot Springs County, Wyoming.

FOR FURTHER INFORMATION CONTACT: Mr. Frank S. Dickson, Jr., State Conservationist, Soil Conservation Service, Room 3124, 100 East B Street, Casper, Wyoming 82601, telephone 307–261–5201.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the projects will not cause significant local, regional, nor national impacts on the environment. As a result of these findings, Mr. Frank S. Dickens, Jr., State Conservationist, has determined that the preparation and review of an

environmental impact statement are not needed for this project.

The measure plan addresses replacing an existing flume with an inverted siphon, constructing an access road, and installing a Parshall flume water measuring device, a trashrack, and a pipe drop wasteway structure.

The Finding of No Significant Impact (FONSI) and Environmental Assessment Summary (EAS) have been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI and the EAS are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Frank S. Dickson, Jr.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register.**

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: January 11, 1984.

Ronnie L. Clark,

Deputy State Conservationist.

[FR Doc. 84-1417 Filed 1-18-84; 8:45 am]

BILLING CODE 3410-16-M

CIVIL RIGHTS COMMISSION

Colorado Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Colorado Advisory Committee to the Commission will convene at 9:00 a.m. and will end at 1:00 p.m., on February 4, 1984, at the Quality Inn, I-25 and Speer Blvd., Denver, Colorado 80202. The purpose of this meeting is to discuss the new U.S. Commission on Civil Rights and current projects.

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Minoru Yasui, at (303) 575-2621 or the Rocky Mountain Regional Office at (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1525 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

Illinois Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Illinois Advisory Committee to the Commission will convene at 11:00 a.m. and will end at 2:00 p.m., on February 3, 1984, at the Conference Room, Regional Office of USCCR, 230 South Dearborn, Room 3280, Chicago, Illinois 60604. The purpose of this meeting is to hear reports on the status of ongoing projects and discuss State Civil rights actions.

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Mr. Thomas J. Pugh, at (309) 671-7431 or the Midwestern Regional Office at (312) 353-8048.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1522 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

Massachusetts Advisory Committee; Agenda and Notice of Public Meeting

The Massachusetts Advisory Committee to the U.S. Commission on Civil Rights postponed a meeting announced for November 21, 1983, and will now meet on January 24, 1984 from 4:00 to 6:00 p.m. in the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110.

The purpose of the meeting is to discuss plans for a conference on affirmative action and other project ideas for the coming year.

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Bradford Brown, at 617-548-5123 or the New England Regional Office at 617-223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1526 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

North Dakota Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the North Dakota Advisory Committee to the Commission will convene at 1:00 p.m. and will end at 5:00 p.m., on February 10, 1984, at the Holiday Inn, 3803 13th Avenue South, Fargo, North Dakota 58108. The purpose of this meeting is to discuss the new U.S. Commission on Civil Rights and possible future projects.

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Robert Feder, at (701) 235-5515 or the Rocky Mountain Regional Office at (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Office.

[FR Doc. 84-1523 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

Rhode Island Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Rhode Island Advisory Committee to the Commission will convene at 10:00 a.m. and will end at 12:00 noon, on February 1, 1984, at Davole Square, 3rd Floor Function Room, Point and Eddy Streets, Providence, Rhode Island.

The purpose of the meeting is to hear from knowledgeable parties about the probable impact on employment of minorities and women in connection with proposed "greenhouse compact" of economic development.

Person desiring additional information, or planning a presentation to the Committee, should contact the New England Regional Office at 617-223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1527 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

South Dakota Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the South Dakota Advisory Committee to the Commission will convene at 9:00 a.m. and will end at 3:00 p.m., on February 17, 1984, at the Travelodge, 125 Main Street, Rapid City, South Dakota. The purpose of this meeting is to discuss the new U.S. Commission on Civil Rights and current projects.

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Rae Johnson, at (605) 747-2312 or the Rocky Mountain Regional Office at (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1526 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

Utah Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Utah Advisory Committee to the Commission will convene at 7:00 p.m. and will end at 9:00 p.m., on February 7, 1984, at the Howard Johnson Motor Lodge, Uintah Room, 122 West South Temple, Salt Lake City, Utah 84101. The purpose of this meeting is to review the Advisory Committee statement, *The elderly, Fair Housing, and Education Issues*, and the regionwide report on *Block Grants, Federal Funding, and Indian Reservations.*

Persons desiring additional information, or planning a presentation to the Committee, should contact the Chairperson, Linda M. Dupont-Johnson, at (801) 533-4061 or the Rocky Mountain Regional Office at (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 16, 1984.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 84-1524 Filed 1-18-84; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

President's Commission on Industrial Competitiveness

AGENCY: Office of Economic Affairs, Commerce.

ACTION: Notice of Meetings.

SUMMARY: This notice announces the forthcoming meetings of the President's Commission on Industrial Competitiveness (Commission). The Commission was established by Executive Order 12428 on June 28, 1983 and its charter was approved on August 23, 1983. The Commission shall review means of increasing the long-term competitiveness of United States industries at home and abroad, with particular emphasis on high technology, and provide appropriate advice to the President through the Cabinet Council on Commerce and Trade and the Department of Commerce.

Time and Place: The following subcommittees of the Commission will meet on February 2, 1984 from 8:00-12:00 and 1:00-2:00: Committee on Research, Development and Manufacturing, Committee on Capital Resources, Committee on Human Resources, Committee on Marketing and International Trade.

The meeting place will be the: International Meeting Center, William Penn Hotel, 530 William Penn Place, Pittsburgh, PA 15230.

The full Commission will meet on February 3, 1984 from 8:00-12:00 at: The Ballroom, William Penn Hotel, 530 William Penn Place, Pittsburgh, PA 15230.

The subcommittees of the Commission may, if necessary reconvene on February 3, 1984 from 1:30-4:30.

Public Participation: The meeting will be open to public attendance. A limited number of seats will be available for the public on a first-come, first-served basis.

FOR FURTHER INFORMATION CONTACT: J. Paul Royston, President's Commission on Industrial Competitiveness, 736 Jackson Place, NW., Washington, DC 20503, telephone: 202-395-4527 on substantive issues or Marilyn McLennan, Chief, Information Management Division, 202-377-4217, on issues regarding administration of the Commission.

SUPPLEMENTARY INFORMATION: The purpose of the full Commission meeting is to discuss proposed recommendations to improve the competitiveness of U.S. industries in international trade.

Egils Milbergs,

Executive Director, President's Commission on Industrial Competitiveness.

[FR Doc. 84-1478 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-18-M

Office of the Secretary

Economic Advisory Board; Renewal

In accordance with the provisions of the Federal Advisory Committee Act 5 U.S.C. App. I, and after consultation with the General Services Administration, the Secretary of Commerce has determined that the renewal of the Economic Advisory Board is in the public interest.

The Advisory Board was first established by the Secretary of Commerce on January 12, 1967. Its purpose is to advise the Secretary of Commerce on economic policy issues. It has discharged this mission regularly by convening quarterly to discuss various specific industry situations in terms of consumer spending, capital spending, and inventory status; the near-term outlook and policies; and the outlook, in terms of output and employment, for the forthcoming several quarters.

In renewing the Advisory Board, the Secretary has reaffirmed the importance of the timely and accurate information it has provided concerning business conditions and the current state of the economy. The Secretary has also requested that members of the Advisory Board, in addition to presenting their individual forecasts, also provide their analyses of specific economic issues as designated by the chairperson, the Under Secretary for Economic Affairs.

As initally chartered under the Federal Advisory Committee Act in January 1973, the Economic Advisory Baord will continue with a balanced representation of 16 members, with the Under Secretary for Economic Affairs serving as chairperson, and will operate in compliance with the provisions of the Federal Adviosry Committee Act.

Copies of the Committee's revised charter will be filed with appropriate committees of the Congress.

Inquiries or comments may be addressed to the Committee Control Officer, Virginia R. Marketti, Office of the Under Secretary for Economic Affairs, Room 4848, U.S. Department of Commerce, Washington, D.C. 20230, telephone (202) 377-3523.

Dated: December 27, 1983.

Dennis C. Boyd,

Director for Management and Information Systems.

[FR Doc. 84-1483 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-CW-M

National Technology Medal Evaluation Committee; Establishment

AGENCY: Office of the Assistant Secretary for Productivity, Technology and Innovation, Commerce.

ACTION: Notice of establishment.

SUMMARY: In accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. (1982)) and after consultation with GSA, the Secretary of Commerce has determined that the establishment of the National Technology Medal Evaluation Committee is in the public interest in connection with the performance of duties imposed on the Secretary by the Stevenson-Wydler Technology Innovation Act of 1980 (Pub. L. 96-480, 15 U.S.C. 3711).

The Committee will provide the Secretary through the Steering Committee (chaired by the Assistant Secretary for Productivity, Technology and Innovation and consisting of the Director of the National Bureau of Standards and the Commissioner of the Patent and Trademark Office), after review of nominations from all sources, with an evaluation of the nominations and recommend a priority listing of nominees deserving the National Technology Medal.

The Committee to be appointed by the Secretary will consist of between six and twelve members with three-year terms and rotating memberships selected so as to provide a balanced representation from U.S. industry, government, professional organizations, and academia. Members selected shall have an understanding of, or experience with, developing and utilizing technological innovations or shall be familiar with the education, training, and employment of technological manpower. Members selected shall also be familiar with the objectives and rationale for this award.

The Committee will function solely as an advisory body, and in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act, 15 days from the date of the publication of this notice.

Interested persons are invited to submit comments regarding the establishment of the National Technology Medal Evaluation Committee. Such comments, as well as any inquiries, may be addressed to Dr. Philip Goodman, the Senior Technical Adviser, Office of the Assistant Secretary for Productivity, Technology and Innovation, Room 4824, U.S. Department of Commerce, Washington, D.C. 20230, phone: 202-377-0825 or to Linda Engelmeier, Management Analyst, phone: 202-377-4217.

Dated: January 10, 1984.

Dennis C. Boyd,

Director for Management and Information Systems.

[FR Doc. 84-1484 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-CW-M

International Trade Administration

[A-469-007]

Antidumping Duty Order: Potassium Permanganate From Spain

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: In separate investigations, the United States Department of commerce and the United States International Trade Commission (ITC) have determined that potassium permanganate from Spain, is being sold at less than fair value and that potassium permanganate from Spain is materially injuring a United States industry. Therefore, all entires, or warehouse withdrawals, for consumption, of potassium permanganate from Spain made on or after August 9, 1983, the date on which the Department published its "Suspension of Liquidation" notice in the **Federal Register**, will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption, on or after the date of publication of this antidumping duty order in the **Federal Register**.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Mrs. Loc T. Nguyen, Office of Investigations International Trade Administration, United States Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230, telephone: (202) 377-1785.

Scope of Investigation

The merchandise covered by this order is potassium permanganate, an inorganic chemical produced in free flowing, technical and pharmaceutical grades. Potassium permangante is currently classifiable under item 420.2800 of the Tariff Schedules of the United States Annotated (TSUSA).

In accordance with section 733 of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673 b), on August 9, 1983, the Department published its preliminary determination that there was reason to believe or suspect that potassium permanganate from Spain was being sold at less than fair value (48 Fed. Reg. 36177). On November 28, 1983, the Department published its final determination that these imports were being sold at less than fair value (48 Fed. Reg. 53589).

On January 6, 1984, in accordance with section 735(b) of the Act (19 U.S.C. 1673(d)), the ITC notified the Department that such importations are materially injuring a United States industry.

Therefore, in accordance with sections 736 and 751 of the Act (19 U.S.C. 1673e and 1675), the Department directs United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act (19 U.S.C. 1673e(a)(1)), antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of potassium permanganate from Spain. These antidumping duties will be assessed on potassium permanganate entered, or withdrawn from warehouse, for consumption, on or after August 9, 1983, the date on which the Department published its "Suspension of Liquidation" notice in the **Federal Register**.

On and after the date of publication of this notice, United States Customs officers must require, at the same time as importers would normally deposit estimated Customs duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins listed below:

Manufacturer/producers/exporters	Weighted-average margin (in percent)
Asturquimica	5.49
All other manufacturers/producers/exporters	5.49

This determination constitutes an antidumping duty order, with respect to potassium permanganate from Spain, pursuant to section 736 of the Act (19 U.S.C. 1673e) and section 353.48 of the Commerce Regulations (19 CFR 353.48).

We have deleted from the Commerce Regulations Annex 1 to 19 CFR Part 353.

which listed antidumping findings and orders currently in effect. Instead, interested parties may contact the Office of Information Services, Import Administration, for copies of the updated list of orders currently in effect.

Notice of Review

In accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) the Department hereby gives notice that it is commencing an administrative review of this order on January 19, 1984. For further information regarding this review, contact Mr. William Mathews at (202) 377–5253.

This notice is published in accordance with section 736 of the Act (19 U.S.C. 1673e) and section 353.48 of the Commerce Regulations (19 CFR 353.48).

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

January 13, 1984.

[FR Doc. 84–1461 Filed 1–18–84; 8:45 am]

BILLING CODE 3510–DS–M

[A–475–004]

Certain Tapered Journal Roller Bearings and Parts Thereof From Italy; Final Determination of Sales at Less Than Fair Value

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We have determined that certain tapered journal roller bearings and parts thereof (TJRB) from Italy are being sold in the United States at less than fair value. Therefore, we have notified the U.S. International Trade Commission (ITC) of our determination, and the ITC will determine, within 45 days of publication of this notice, whether these imports are materially injuring, or are threatening to materially injure, a U.S. industry. We have directed the U.S. Customs Service to continue to suspend the liquidation of entries of the subject merchandise which are entered, or withdrawn from warehouse, for comsumption, on or after August 30, 1983.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: David Johnston, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230; telephone: (202) 377–2239.

SUPPLEMENTARY INFORMATION:

Final Determination

We have determined that TJRB from Italy are being sold in the United States at less than fair value, as provided in section 735 of the Tariff Act of 1930, as amended (19 U.S.C. 1673d)(the Act).

We found that the foreign market value of TJRB from Italy exceeded the United States price on 100 percent of sales. These margins ranged from 21.2 percent to 25.2 percent. The overall weighted-average margin on all sales compared is 24.7 percent *ad valorem*.

Case History

On January 26, 1983, we received a petition filed by counsel for Brenco, Inc. In accordance with the filing requirements of § 353.36 of the Commerce Department Regulations (19 CFR 353.36), petitioner alleged that TJRB from Italy are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that these imports are materially injuring, or threaten to materially injure, a United States industry.

On February 16, 1983, we presented a questionnaire in Italy to RIV–SKF Industrie S.p.A. (RIV), the only exporter to the U.S. of the subject merchandise. RIV submitted its response on April 15, 1983. We sent a supplemental questionnaire to counsel for RIV on May 10, 1983. RIV submitted its supplemental response on May 26, 1983 and July 20, 1983.

On June 16, 1983, we determined, pursuant to section 733(c)(1)(B) of the Act, that the case was extraordinarily complicated and that additional time was necessary to make our preliminary determination. Accordingly, we postponed our preliminary determination until not later than August 24, 1983 (48 FR 28520).

On August 24, 1983, we preliminarily determined that TJRB from Itlay were being, or were likely to be, sold in the United States at less than fair value (48 FR 39270). On September 14, 1983, we received a letter from RIV requesting that our final detemination be extended until not later than January 12, 1984. In accordance with section 735(a)(2) of the Act, we extended our final determination until that date (48 FR 43365). On September 22 and 23, 1983, we verified the responses of RIV at its offices in Turin, Italy. On October 12 through 14, 1983, we verified the responses of SKF Canada Ltd. (SKF Canada) at its offices in Scarborough, Ontario, Canada. On October 31, 1983, we held a hearing to allow interested parties an opportunity to comment on our preliminary determination in accordance with section 353.47 of the Commerce Regulations.

Scope of Investigation

For purposes of this investigation, the term "certain tapered journal roller bearings and parts thereof" covers two-row tapered roller bearings and parts thereof including cone and cup assemblies in sets, cone assemblies and cups sold separately, and other parts which may or may not be lubricated, sealed at the manufacturer's factory, and/or unitized. This investigation includes only those tapered journal roller bearings with assembled outside diameters between 6.5 and 10.875 inches, that meet the specifications established by the Association of American Railroads in Specification M–934–81. Tapered journal roller bearings and parts thereof are currently classified under items 680.3932, 680.3934, 680.3938, and 680.3940 of the *Tariff Schedules of the United States Annotated* (TSUSA).

We investigated 100 percent of RIV's sales of TJRB to the United States during the period from August 1, 1982 to January 31, 1983.

Fair Value Comparison

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

As provided in section 772(b) of the Act, we used the purchase price of the subject merchandise to represent the United States price for sales by RIV because the merchandise was sold to unrelated purchasers before importation into the United States. We calculated the purchase price based on the f.o.b. Italian port packed price. We made deductions for Italian inland freight.

Foreign Market Value

In accordance with section 773(a)(1)(B) of the Act, we calculated foreign market value based on the prices at which the subject merchandise is sold in Canada because such or similar merchandise was not sold in the home market. Since RIV sells to SKF Canada, an organization related to RIV, we have used the prices at which SKF Canada sells the subject merchandise to unrelated customers in Canada in accordance with section 773(a)(3) of the Act. In accordance with § 353.5(c) of the Commerce Regulations, we selected Canada as the third country to be used for fair value comparisons because the TJRB exported to Canada are as similar to the TJRB exported to the United

States as are those exported to other countries, and the volume of the TJRB exported to Canada was the largest sales volume to any country outside the home market or the United States containing both types of TJRB.

We calculated the third country prices on the basis of delivered, packed prices to unrelated purchasers in Canada. From these prices we deducted Italian and Canadian inland freight, ocean freight, marine insurance, import duties, and federal sales tax. Since the Act requires the addition of U.S. packing costs to unpacked Canadian prices, we have done this for our final determination.

We allowed a circumstance of sale adjustment for differences in credit expenses in accordance with § 353.15(a) of the Commerce Regulations. We also deducted directly related commissions in accordance with § 353.15(a) of the Commerce Regulations. The following claims were disallowed in calculating foreign market value. SKF Canada requested circumstance of sale adjustments for the salaries and travel expenses of a product manager, a salesman and a serviceman, as well as warehousing expenses. We disallowed these claims because we do not consider these items to be circumstances of sale bearing a direct relationship to sales of TJRB in Canada.

Respondent Comments

Comment 1

The Department should use RIV's sales to Canada as the basis for determining foreign market value because the transactions between RIV and SKF Canada are conducted as if the companies were unrelated. That RIV deals with SKF Canada on an arms-length basis is established by the fact that RIV's prices to Unity, its unrelated United States distributor, are comparable to the prices at which RIV sells to SKF Canada, its related Canadian distributor. Moreover, the market conditions in the United States and Canada are comparable. Further, Canadian customs authorities accept that the invoiced values of the TJRB imported from RIV reflect their fair market value, and Italian tax authorities have not found that RIV's export prices are internal transfer prices.

DOC Position

Section 353.22(b) of the Commerce Regulations Requires that sales to related purchasers ordinarily not be used in the determination of foreign market unless those sales are demonstrated to be at prices comparable to those sold to persons unrelated to the seller. RIV cannot so demonstrate because it does not sell similar merchandise to unrelated purchasers in Canada. We are unable to accept as arms-length and to use the prices at which RIV sells the subject merchandise to SKF Canada on the basis of the other factors cited by RIV to show that it transacts business with SKF Canada as if the companies were unrelated. The similarity of prices in sales to SKF Canada and Unity is not meaningful as a measure of arms-length transactions since the sales are subject to different market forces inherent in sales to different countries. Further, there is no indication of the reasons for which the Canadian customs authorities regard the invoice value of imported merchandise as reflective of its fair market value, nor has information been provided which substantiates that the Italian tax authorities do not regard as transfer prices the prices which RIV charges SKF Canada. We are not persuaded, based upon the above factors, that RIV and SKF Canada transact business in an arms-length fashion. Therefore, we determine, in accordance with section 773(a)(3) of the Act, that the appropriate prices to use in determining foreign market value are those at which SKF Canada sells to unrelated end users.

Comment 2

If the Department uses SKF Canada's resales as the basis for determining foreign market value, it should make circumstance of sale adjustments for directly related costs of the salaries and expenses of SKF Canada's railway segment employees and certain warehousing expenses.

DOC Position

Section 353.15(a) of the Commerce Regulations provides that the differences in circumstances of sale for which allowances will be made are limited, in general, to those circumstances which bear a direct relationship to the sales under consideration. In considering the requested adjustment for the salaries and expenses of certain railway segment employees, we note first that, although the respondent has provided methods by which to allocate these costs, because the railway segment markets products other than TJRB and, therefore, these costs have been allocated largely based upon estimates of time spent by the employees on the sale of TJRB, we cannot consider these costs as being directly related to the sales under consideration. Second, since the salaries and travel expenses of the railway segment employees are borne by SKF Canada regardless whether particular sales of TJRB are made, these expenses cannot be considered directly related to sales of TJRB. Therefore, we have not allowed this claim.

The warehousing expenses for which RIV is claiming a circumstance of sale adjustment consists of the allocated portion of SKF Canada's total warehousing operation. They are pre-sale expenses incurred on the warehousing of TJRB retained as inventory. Since these expenses are not directly related to sales of TJRB, we disallowed this claim.

Comment 3

The Department should not make an adjustment for differences in credit expenses because, according to section 353.15, adjustments are to be made for differences in credit terms and not for differences in credit experience. Even if the Department chooses to base its adjustment on the actual credit expense experience, we should not focus exclusively on the cost to RIV of the different credit experiences, but rather should not make the adjustment because the different credit experiences have not had an effect on the market value of the merchandise under investigation, in that they have not affected the prices charged to Unity or to SKF Canada's customers.

Additionally, the Department should not make the adjustment because an analysis of the acutal costs to RIV of the delayed payments cannot now accurately be computed and because it is not presently possible to determine that RIV has suffered or will suffer any economic costs resulting in a decrease in the value received from Unity. RIV has received and continues to receive an advantage in Unity's late payments by virtue of the devaluation of the Italian lira against the U.S. dollar. Additionally, RIV has been charging interest to Unity's account for overdue invoice amounts and, under its conditions of sale, has the right to collect such interest from Unity.

DOC Position

In making a circumstance of sale adjustment for differences in credit expenses, we consider the actual difference in payment experience in the two markets and not merely the offered terms of payment. To calculate the adjustment only on the basis of a difference in terms of credit unreasonably ignores real differences in credit experience where, as here, even though the terms of credit in both markets are net 30 days, the seller receives payment on various dates later

than those required under the terms of sale.

We cannot accept respondent's alternative argument that no adjustment should be made because the differences in credit costs have not affected the price (i.e. the value) of the merchandise. As a result of Unity's delayed payment, RIV has borne additional costs. These costs are even greater than the additional costs borne by RIV due to the delay in payment by SKF Canada's customers. The fact that RIV has chosen not to increase its prices to account for the inability on the part of its customers to make payments on a timely basis does not dispose of the fact that RIV has had differing credit experiences in the two markets. To the contrary, it indicates that RIV is absorbing its costs in the American market relative to the Canadian market, an occurrence which the Act was intended to address. Since use of the cost criterion provides a means by which to redress this situation, we have used the differences in credit costs in the two markets to calculate a circumstance of sale adjustment.

Finally, we have been able to calculate the costs to RIV of the delayed payments in each market by applying the appropriate interest rate to the number of days for which payment was outstanding. That RIV has benefited from Unity's late payment due to the devaluation of the Italian lira does not eliminate the fact that actual differences existed in payment experience in the two markets. It means only that the loss incurred was compensated for as the result of an unrelated change in Italian monetary policy. With the exception of situations described in § 353.56(b) of the Commerce Regulations (19 CFR 353.56(b)), fluctuations in the value of currency are events which we cannot properly consider in making price comparisons. However, if, in the future, RIV exercises its right to collect overdue invoice amounts, then we will take such payments into account in the course of any review under section 751 of the Act to the extent that such payments are actually made.

Comment 4

Differences in level of trade may reasonably be expected to result in different prices. Therefore, the Department should make a level of trade adjustment based upon the difference between the considerable distribution costs assumed by SKF Canada in its sales of TJRB to end users and the minimal selling costs incurred by RIV in its sales to Unity.

DOC Position

We recognize that in certain circumstances, where sales are made at different levels of trade, an adjustment for such differences may be appropriate. However, we are unable to make such an adjustment in the instant case since we have been provided with no information establishing the price differential which would exist were there sales in Canada at the distributor level. In considering whether to make a level of trade adjustment, we cannot assume that cost differences associated with sales made at different levels of trade may reasonably be expected to result in price differences. In order to establish that there are differences which affect price comparability, information substantiating that the differences in the prices are the result of differences in the cost of selling at one level of trade as compared to the other must be submitted. Since the information provided is not sufficient to substantiate respondent's claimed cost-based adjustment, we did not make an adjustment.

Comment 5

The Department should make adjustments for export duty rebates to the United States price in accordance with section 772(d) of the Act. It should make a corresponding adjustment to the foreign market value in accordance with section 773(a)(4) of the Act.

DOC Position

We have not made the requested adjustment because payments made under Italian Law 639, pursuant to which this rebate is administered, are paid on all qualifying exports regardless whether a company actually pays duties or is relieved of the obligation to pay such duties upon importation of the merchandise. Even if RIV showed that it paid import duties on material used in the production of TJRB, or was relieved of the obligation to pay such duties, there is no direct link between the duties paid by Italian companies and the rebate of such duties by the Italian government. Since there has been no showing that the payments to RIV under Italian Law 639 are rebates of import duties previously paid or uncollected, we have not allowed the requested adjustment to United States price. Since no adjustment to United States price is being allowed, it is no longer necessary to consider wheter a corresponding adjustment to foreign market value should be allowed pursuant to section 773(a)(4) of the Act.

Comment 6

The Department should not offset the commissions paid by SKF Canada against the indirect selling expenses incurred by RIV on its sales to the United States because the offset provision is designed to take into account only those selling expenses in one market that are analogous to the expenses in the other market.

DOC Position

Section 353.15(c) of the Commerce Regulations provides that reasonable allowances for other selling expenses generally will be made in cases where a reasonable allowance is made for commissions in one of the markets under consideration, the amount of such allowance being limited to the actual other selling expenses incurred in the one market, or the total amount of the commission allowed in such other market, whichever is less. This regulation does not require that the other selling expenses actually incurred in one market be analogous to the commissions paid in the other market, but does require that the other selling expenses actually incurred in one market be limited by the lesser of either the commissions or the other selling expenses in either market. Therefore, we have used the indirect selling expenses to offset the commissions in accordance with this provision of our regulations.

Petitioner Comments

Comment 1

The Department has properly used SKF Canada's sales to unrelated purchasers in determining foreign market value because RIV is not in a position to demonstrate that sales prices to SKF Canada are comparable to those at which such merchandise is sold, or offered for sale, to unrelated purchasers in Canada.

DOC Position

We agree with petitioner's comment (see the Department's position for Respondent's Comment 1).

Comment 2

The Department properly refused to make circumstance of sale adjustments advanced by RIV because commissions for SKF Canada's sales have already been deducted from the foreign market value and the requested adjustments do not bear a direct relationship to the sales in question.

*(*See also* Final Affirmative Countervailing Duty Determination: Forged Undercarriage Components from Italy in which the export rebates in question were determined to be countervailable export subsidies.)

DOC Position

We have disallowed the requested circumstance of sale adjustments (see DOC position for Respondent's Comment 2).

Verification

In accordance with section 776(a) of the Act, we verified data used in making this determination in this investigation, by using standard verification procedures which included on-site examination of company records and selected original source documentation containing relevant information.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the U.S. Customs Service to continue to suspend liquidation of all entries of TJRB from Italy, which are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall require a cash deposit or the posting of a bond equal to the estimated weighted-average margin amount by which the foreign market value of the merchandise subject to this investigation exceeds the United States price. The suspension of liquidation will remain in effect until further notice. The weighted-average margins are as follows:

Manufacturers/producers/exporters	Weighted-average margins (percent)
RIV-SKF Industrie S.p.A.	24.7
All Other Manufacturers/Producers/Exporters	24.7

ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonconfidential information relating to this investigation. We will allow the ITC access to all privileged and confidential information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

The ITC will make its determination whether these imports are materially injuring, or threatening to materially injure, a U.S. industry within 45 days of the publication of this notice.

If the ITC determines that material injury does not exist, this proceeding will be terminated and all securities posted as a result of the suspension of liquidation will be refunded or cancelled. If, however, the ITC determines that such injury does exist, we will issue an antidumping order, directing Customs officers to assess an antidumping duty on TJRB from Italy entered, or withdrawn, for consumption after the suspension of liquidation, equal to the amount by which the foreign market value of the merchandise exceeds the U.S. prices.

This determination is being published pursuant to section 735(d) of the Act (19 U.S.C. 1673d(d)).

Dated: January 12, 1984.

William T. Archey,

Acting Assistant for Trade Administration.

[FR Doc. 84-1462 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-DS-M

[A-485-006]

Carbon Steel Plate From Romania; Preliminary Results of Administrative Review of Suspension Agreement

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of suspension agreement.

SUMMARY: The Department of Commerce has conducted an administrative review of the agreement to suspend the antidumping investigation on hot-rolled carbon steel plate from Romania. The review covers the one known exporter of this merchandise to the United States and the period January 4, 1983 through October 31, 1983. There were no known shipments of this merchandise to the United States during the period, and there are no known unliquidated entries.

As a result of the review, the Department has preliminarily determined that the one known exporter has complied with the terms of the suspension agreement. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Michael J. Altier or John Kugelman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 377-3601.

SUPPLEMENTARY INFORMATION:

Background

On January 4, 1983, the Department of Commerce ("the Department") published in the **Federal Register** (48 FR 317) a notice of suspension of the antidumping duty investigation of hot-rolled carbon steel plate from Romania. In the notice the Department also announced its intent to conduct an administrative review of the suspension agreement, as provided for in section 751 of the Tariff Act of 1930 ("the Tariff Act"). The Department has now conducted that administrative review.

Scope of the Review

For purposes of the review the term "carbon steel plate" covers hot-rolled carbon steel plate currently classifiable in items 607.6615, 607.9400, 608.0710, and 608.1100 of the Tariff Schedules of the United States Annotated.

This review covers the period January 4, 1983 through October 31, 1983, and Metalimportexport, the only known exporter to the United States of Romanian carbon steel plate covered by the suspension agreement.

Terms of the Suspension Agreement

Metalimportexport agreed to make any necessary price adjustments to eliminate completely any sales of carbon steel plate at less than the Department's estimated foreign market value, as determined by the Department on the basis of the price of such or similar merchandise in the surrogate country, with appropriate adjustments.

Metalimportexport agreed to deliver a report to the Department within 15 days of the beginning of each calendar quarter, itemizing all sales of carbon steel plate during the preceding quarter which were exported to the United States directly from Romania or through third countries. Metalimportexport also agreed to provide the Department with any additional information required to ensure that Metalimportexport is fully complying with the terms of the agreement. Further, Metalimportexport agreed to cooperate with the verification of Romanian information. During the period January 4, 1983 through September 30, 1983, there were no exports of this merchandise to the United States.

Preliminary Results of the Review and Compliance With the Agreement

Since there have been no shipments of Romanian carbon steel plate to the United States for the period, and the other terms of the agreement have been met, we preliminarily determine that Metal import export has complied with the suspension agreement.

Pursuant to the terms of the suspension agreement the Romanian government was advised on November 23, 1983 of the estimated foreign market value effective until January 3, 1984. The estimated foreign market value was

calculated in accordance with the methodolgy used for purposes of the preliminary determination of sales at less than fair value (47 FR 25646). That determination used the net base price for Finnish carbon steel plate (European Grade FE 37–B), with additions for quality and size extras, for purposes of comparison with the Romanian hot-rolled carbon steel plate entering the United States market during the period of investigation.

During the course of our review the cooperating Finnish producer supplied updated home market sales information covering the period August 1, 1983 through October 31, 1983, which was verified.

There were no shipments of the subject merchandise to the United States from Romania during the period of our review. There were, however, importations into Finland of carbon steel plate from Romania during the period. Based upon its analysis of the type of Romanian steel entering Finland during the period of review, the Finnish producer advised Commerce officals that in its opinion the appropriate basis of product comparison for such steel would be the base price of European grade FE 37–B without adjustment for quality or size extras.

We believe that the Romanian shipments of certain steel into Finland during the period of our review represent the best evidence of what the mix and variety of Romanian batch shipments into the United States would have been during the period of our review had any, in fact, occurred. Accordingly, for purposes of this preliminary determination the Finnish home market base price for European grade FR 37–B, without quality or size extras, was used to determine the estimated foreign market value under the terms of the suspension agreement.

The estimated foreign market value will be effective for all entries, or withdrawals from warehouse, for consumption of Romanian carbon steel plate on or after the publication date of the final results of this review. It shall remain in effect until our next semiannual notification. It is based on verified home market prices in Finland, the previously chosen surrogate country, and on advice from the Finnish manufacturer.

Pursuant to the agreement, we will consider comments on changing surrogates, our proposed change in methodology, which values extras as zero, and other changes in our methodology. Interested parties may submit written comments on these priliminary results within 30 days of the date of publication of this notice and may request disclosure and/or a hearing within 10 days of the date of publication. Any hearing, if requested, will be held 30 days after the date of publication or the first workday thereafter. Any request for an administrative protective order must be made within 5 days of the date of publication. The Department will publish the final results of the administrative review including the results of it analysis of any such comments or hearing.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

January 13, 1984.

[FR Doc. 84–1505 Filed 1–18–84; 8:45 am]

BILLING CODE 3510–DS–M

[A–401–004]

Certain Carton Closing Staples and Staple Machines From Sweden; Allowance of Security in Lieu of Estimated Duties Pending Early Determinations of Antidumping Duties

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Allowance of security in lieu of estimated duties pending early determinations of antidumping duties.

SUMMARY: The Department of Commerce has determined that it has sufficient information from Josef Kihlberg Trading AB and Grytgols Bruks AB to conduct expedited reviews of the antidumping duty orders on certain carton closing staples and staple machines from Sweden with respect to such merchandise manufactured by these firms. The Department will determine the appropriate foreign market values and United States prices by March 19, 1984. We will permit Kihlberg and Grytgols to post bonds or other security in lieu of the cash deposits of estimated antidumping duties for the covered merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and on or before March 19, 1984.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois or Susan Crawford, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 377–3813/1130.

SUPPLEMENTARY INFORMATION:

Background

On December 20, 1983, the Department of Commerce ("the Department") published in the **Federal Register** antidumping duty orders on certain carton closing staples and staple machines from Sweden (48 FR 56250–51). The Department announced that, in addition to deposits of estimated normal customs duties, Customs officers were to require cash deposits of estimated antidumping duties on all merchandise entered, or withdrawn from warehouse, for consumption on or after December 20, 1983.

On December 12, 1983, Josef Kihlberg Trading AB and Grytgols Bruks AB requested that the Department waive the requirements for cash deposits of estimated antidumping duties and conduct expedited reviews pursuant to section 736(c) of the Tariff Act of 1930 ("the Tariff Act").

Before granting waivers of cash deposits of estimated antidumping duties we must be satisfied that we will be able to determine the appropriate foreign market values and United States prices within 90 days after the date of publication of the orders. The Department is satisfied that it will be able to do so.

Accordingly, the Department is instructing the Customs Service to waive the cash deposits of estimated antidumping duties and accept bonds or other security for covered staples and staple machines manufactured by Kihlberg and for covered staples manufactured by Grytgols entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and on or before March 19, 1984.

Interested parties may submit written comments within 30 days from the date of publication of this notice and may request disclosure and/or a hearing within 10 days after the date of publication. The Department will determine the results of these expedited reviews by March 19, 1984, including the results of its analysis of any such comments or hearing.

This notice is published in accordance with section 736(c)(2) of the Tariff Act (19 U.S.C. 1673(e)(c)(2)).

Dated: January 13, 1984.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 84–1504 Filed 1–18–84; 8:45 am]

BILLING CODE 3510–DS–M

Export Trade Certificate of Review; Application

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Application.

SUMMARY: The Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and invites interested parties to submit information relevant to the determination of whether a certificate should be issued.

DATES: Comments on these applications must be submitted on or before February 8, 1984.

ADDRESS: Interested parties should submit their written comments, original and five (5) copies, to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 5618, Washington, D.C. 20230.

Comments should refer to this application as "Export Trade Certificate of Review, application number 84–00001."

FOR FURTHER INFORMATION CONTACT: Charles S. Warner, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/377–5131, or Eleanor Roberts Lewis, Assistant General Counsel for Export Trading Companies, Office of General Counsel, 202/377–0937. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (Pub. L. 97–290) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 48 FR 10596–10604 (Mar. 11, 1983) (to be codified at 15 CFR Part 325). A certificate of review protects its holder and the members identified in it from private treble damage actions and from civil and criminal liability under Federal and state antitrust laws for the export trade, export trade activities and methods of operation specified in the certificate and carried out during its effective period in compliance with its terms and conditions.

Standards for Certification

Proposed export trade, export trade activities, and methods of operation may be certified if the applicant establishes that such conduct will:

1. Result in neither a substantial lessening of competition or restraint of trade within the United States nor a substantial restraint of the export trade of any competitor of the applicant,

2. Not unreasonably enhance, stabilize, or depress prices within the United States of the goods, wares merchandise, or services of the class exported by the applicant,

3. Not constitute unfair methods of competition against competitors engaged in the export of goods, wares, merchandise, or services of the class exported by the applicant, and

4. Not include any act that may reasonably be expected to result in the sale for consumption or resale within the United States of the goods, wares, merchandise, or services exported by the applicant.

The Secretary will issue a certificate if he determines, and the Attorney General concurs, that the proposed conduct meet these four standards. For a further discussion and analysis of the conduct eligible for certification and of the four certification standards, see "Guidelines for the Issuance of Export Trade Certificates of Review," 48 FR 15937–10 (April 13, 1983).

Request for Public Comments

The Office of Export Trading Company Affairs (OETCA) is issuing this notice in compliance with section 302(b)(1) of the Act which requires the Secretary to publish a notice of the application in the **Federal Register** identifying the persons submitting the application and summarizing the conduct proposed for certification. The OETCA and the applicant have agreed that this notice fairly represents the conduct proposed for certification. Through this notice, OETCA seeks written comments from interested persons who have information relevant to the Secretary's determination to grant or deny the application below. Information submitted by any person in connection with the application(s) is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552).

The OETCA will consider the information received in determining whether the proposed conduct is "export trade," "export trade activities," or a "method of operation" as defined in the Act, regulations and guidelines and whether it meets the four certification standards. Based upon the public comments and other information gathered during the analysis period, the Secretary may deny the application or issue the certificate with any terms or conditions necessary to assure compliance with the four standards.

The OETCA has received the following application for an Export Trade Certificate of Review:

Applicant: International Raw Materials Ltd., Philadelphia Bourse Building, Suite 730, Philadelphia, PA 19106
Application No.: 84–00001
Date Received: January 3, 1984
Date Deemed Submitted: January 6, 1984
Members in Addition to Applicant: None

Summary of application: International Raw Materials Ltd. (IRM), submitted an application seeking certification for the following export trade activities and methods of operation for its export trade worldwide.

A. Export Markets

IRM expects to export its goods and services worldwide.

B. Export Trade

Anhydrous sodium carbonate (Soda ash).

C. Export Trade Activities and Methods of Operation

Background. The domestic United States soda ash industry consists of a limited number of major producers. Applicant has had, and continues to have, various commercial relationships with some of the major producers, and considers itself expert in all aspects of the export marketing and shipping of soda ash product. Nevertheless, prior to Commerce Department approval of a proposed Export Trade Certificate of Review, applicant believes that it cannot, without potential legal jeopardy, solicit from the major producers the market information which would enable applicant to propose a set of specific contractual relationships.

Phase I Activities. Accordingly, the instant application addresses only the first phase of applicant's intended activities. Upon the issuance of an Export Trade Certificate of Review approving the Phase I activities described herein, applicant intends to complete such activities as promptly as possible, and thereafter, utilizing the information so obtained, to apply for a subsequent Certificate of Review, covering the specific Phase II activities hereinafter described.

Applicant seeks certification in order to permit it to solicit and exchange production, marketing, pricing, distribution and other information related to the export of soda ash from some or all the major producers, for the purposes, and on the terms and conditions, specified herein.

All information obtained by the applicant pursuant to approval of this application would be treated by applicant as confidential, and information obtained from any one of the major producers would not be

disclosed to any other of the major procedures, except in aggregate or coded fashion, sufficient to conceal the source of said information.

Upon its acquisition and review of information relating to the export marketing, pricing and distribution practices and objectives of the major producers, and their soda ash production capabilities, applicant intends to commission an Economic Feasibility Study ("the Study"). The purpose of the Study will be to analyze all of the applicant's export-related activities which relate to soda ash (including applicant's port and terminaling operations, its logistical infrastructure and overseas marketing capabilities) in the context of the activities of the major producers. It will then be possible to determine whether combining some or all of the soda ash export activities of the major producers, together with the full range of export-related facilities and services provided by applicant, would be economically advantageous, and beneficial to the U.S. soda ash industry in the international marketplace. The Study will specifically analyze any domestic competitive impact which might result from such a combination, as well as the projected effects on domestic U.S. soda ash export levels, and the profitability of the major producers and the applicant.

The results of the Economic Feasibility Study, coded or aggregated as appropriate, will be distributed to each of the major producers who have opted to participate in it. Thereafter, assuming the economic feasibility of the proposed activities, applicant will develop a Business Plan, utilizing the information obtained. The Business Plan would identify the proposed members of the intended combination, and set forth the requirements for membership. It would also define the activities to be undertaken by applicant and the major producers.

Phase II Activities. In the event that a Phase I Certificate of Review is issued, such a Business Plan could suggest the following types of activities which may be applied for under a Phase II Certificate of Review: formation of a common stockpile; coordination of transportation; provision of terminaling services; territorial sales arrangements, purchasing quotas; pricing practices; profit sharing agreements, and other activities as might be appropriate. As stated above, the activities described herein as Phase II activities are *not* within the scope of the instant application, but would instead be submitted for approval in a subsequent and separate Application for an Export Trade Certificate of Review.

Dated: January 16, 1984.

Irving P. Margulies,
Deputy General Counsel.

[FR Doc. 84-1530 Filed 1-18-84; 8:45 am]
BILLING CODE 3510-DR-M

[A-428-007]

Certain Tapered Journal Roller Bearings and Parts Thereof From the Federal Republic of Germany; Final Determination of Sales at Not Less Than Fair Value

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We have determined that certain tapered journal roller bearings and parts thereof (TJRB) from the Federal Republic of Germany (Germany) are not being, nor are likely to be, sold in the United States at less than fair value. Therefore, we are terminating this investigation.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Raymond G. Busen or David Johnston, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 377-1278 or 377-2239.

SUPPLEMENTARY INFORMATION:

Case History

On January 26, 1983, we received a petition filed by counsel for Brenco, Inc. In accordance with the filing requirements of § 353.36 of the Commerce Department Regulations (19 CFR 353.36), petitioner alleged that TJRB from Germany are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that these imports are materially injuring, or threaten to materially injure, a United States industry.

On February 16, 1983, we presented a questionnaire in Germany to FAG Kugelfischer Georg Schafer and Co. (FAG), the only known German producer of the subject merchandise. We received the response on April 26, 1983. We sent a supplemental questionnaire to FAG on May 11, 1983. We received the supplemental response on June 1, 1983.

On June 10, 1983, petitioner asked the Department to extend the period for the preliminary determination until 210 days after the date of receipt of the petition in accordance with section 733(c)(1)(A) of the Act. On June 16, 1983, we postponed our preliminary determination until not later than August 24, 1983 (48 FR 28681).

On August 24, 1983, we preliminarily determined that TJRB from Germany were not being, nor were likely to be, sold in the United States at less than fair value (48 FR 39269).

On August 31, 1983, we received a letter from petitioner requesting that the final determination be extended until not later than January 12, 1984. In accordance with section 735(a)(2)(B) of the Act, we extended our final determination until that date (48 FR 43365). On October 5, 1983, we verified the responses of FAG at its head offices in Schweinfurt, Germany. Since we based foreign market value on sales of the subject merchandise by FAG to Canada, on November 8 and 9, 1983, we verified those portions of the responses relating to FAG's sales to Canada at FAG Bearings Ltd. (FAG Canada) offices in Stratford, Ontario, Canada. Since we based the United States price on the exporter's sales price of the subject merchandise, on November 15, 1983, we verified the exporter's sales price information contained in the responses at Roller Bearing Industries, Inc. in Richmond, Virginia.

Scope of Investigation

For purposes of this investigation, the term "certain tapered journal roller bearings and parts thereof" covers two-row tapered journal roller bearings and parts thereof including cone and cup assemblies in sets, cone assemblies and cups sold separately, and other parts which may or may not be lubricated, sealed at the manufacturer's factory, and/or unitized. This investigation includes only those tapered journal roller bearings with assembled outside diameters between 6.5 and 10.875 inches, that meet the specifications established by the Association of American Railroads On Specifications M-934-81. Tapered journal roller bearings and parts thereof are currently classified under items 680.3932, 680.3934, 680.3938, and 680.3940 of the *Tariff Schedules of the United States Annotated* (TSUSA).

We investigated 100 percent of FAG's sales of TJRB to the United States during the period from August 1, 1982 to January 31, 1983.

Fair Value Comparison

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

As provided in section 772(c) of the Act, we used the exporter's sales price of the subject merchandise to represent the United States price for sales by FAG because the merchandise was sold to unrelated purchasers after importation into the United States. We calculated the exporter's sales price based on the cif, duty paid, delivered, packed price. We made deductions for foreign inland freight, ocean freight, insurance, United States inland freight, customs duties, brokerage, credit expenses and other selling expenses incurred in the United States.

Foreign Market Value

In accordance with section 773(a)(1)(B) of the Act, we calculated foreign market value based on the prices at which the subject merchandise is sold in Canada because such or similar merchandise was not sold in the home market. Since FAG sells to FAG Canada, an organization related to FAG, we have used the prices at which FAG Canada sells the subject merchandise to unrelated customers in Canada, in accordance with section 773(a)(2) of the Act. In accordance with § 353.5(c) of the Commerce Regulations, we selected Canada as the third country to be used for fair value comparisons because the TJRB exported to Canada are as similar to the TJRB exported to the United States as are those exported to other countries, and the volume of FAG's sales to Canada is its largest sales volume to any country outside the home market or the United States.

We calculated the third country prices on the basis of delivered, packed prices to unrelated purchasers in Canada. From these prices we deducted German inland freight and insurance, Canadian inland freight, brokerage, import duties and ocean freight. We made a deduction for credit expenses which were directly related to the sales under consideration pursuant to § 353.15(a) of the Commerce Regulations. We also made a deduction for all actual selling expenses incurred in the Canadian market up to the amount of other selling expenses incurred in the United States market, in accordance with § 353.15(c) of the Commerce Regulations. We made no adjustment for differences in packing costs because these costs were the same in both markets.

Verification

In accordance with section 776(a) of the Act, we verified the information used in making this determination by using standard verification procedures including on-site examination of company records and selection of original source documentation containing relevant information.

Comments

No comments other than those addressed in the above analysis were submitted by respondent or petitioner.

Final Determination

We have determined that TJRB from Germany are not being, nor are likely to be, sold in the United States at less than fair value, as provided in section 735(a) of the Act. Our final determination of sales at not less than fair value terminates this investigation.

In accordance with section 735(d) of the Act, we will notify the ITC of our determination. This determination is being published pursuant to section 735(d) of the Act (19 U.S.C. 1673d(d)).

Dated: January 12, 1984.

William T. Archey,

Acting Assistant Secretary for Trade Administration.

[FR Doc. 84-1426 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-DS-M

[A-588-012]

Certain Tapered Journal Roller Bearings and Parts Thereof from Japan; Final Determination of Sales at Less than Fair Value

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We have determined that certain tapered journal roller bearings and parts thereof (TJRB) from Japan are being sold in the United States at less than fair value. Therefore, we have notified the U.S. International Trade Commission (ITC) of our determination, and the ITC will determine, within 45 days of publication of this notice, whether these imports are materially injuring, or are threatening to materially injure, a U.S. industry. We have directed the U.S. Customs Service to continue to suspend the liquidation of entries of the subject merchandise which are entered, or withdrawn from warehouse, for consumption, on or after August 30, 1983.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Raymond Busen, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 377-1278.

SUPPLEMENTARY INFORMATION:

Final Determination

We have determined that TJRB from Japan are being sold in the United States at less than fair value, as provided in section 735 of the Tariff Act of 1930, as amended (19 U.S.C. 1673) (the Act).

We found that the foreign market value of TJRB from Japan exceeded the United States price on 100 percent of sales. These margins ranged from 11.7 percent to 38.2 percent. The overall weighted-average margin on all sales compared is 12.5 percent *as valorem.*

Case History

On January 26, 1983, we received a petition filed by counsel for Brenco, Inc. In accordance with the filing requirements of § 353.36 of the Commerce Department Regulations (19 CFR 353.36), petitioner alleged that TJRB from Japan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that these imports are materially injuring, or threaten to materially injure, a United States industry.

On February 16, 1983, we presented a questionnaire in Japan to Koyo Seiko Co., Ltd. (Koyo), the only known exporter to the United States of the subject merchandise. We received the response on April 4, 1983. We sent supplemental questionnaires to Koyo on April 21 and July 14, 1983. We received the supplemental responses on May 20 and August 1, 1983.

On June 16, 1983, we determined, pursuant to section 733(c)(1)(B) of the Act, that the case was extraordinarily complicated and that additional time was necessary to make our preliminary determination. Accordingly, we postponed our preliminary determination until not later than August 24, 1983 (48 FR 28520).

On August 24, 1983, we made a preliminary determination that TJRB from Japan were being sold in the United States at less than fair value (48 FR 39272). On September 6, 1983, we received a letter from Koyo requesting that the final determination be extended until not later than January 12, 1984. In accordance with section 735(a)(2)(A) of the Act, we extended our final determination until that date (48 FR

43365). On September 12 through 15, 1983, we verified the responses of Koyo at its offices in Osaka, Japan. On September 19 and 20, 1983, we verified the responses of Australian Koyo Ltd. at its offices in Sydney, Australia.

Scope of Investigation

For purposes of this investigation, the term "certain tapered journal roller bearings and parts thereof" covers two-row tapered roller bearings and parts thereof including cone and cup assemblies in sets, cone assemblies and cups sold separately, and other parts which may or may not be lubricated, sealed at the manufacturer's factory, and/or unitized. This investigation includes only those tapered journal roller bearings with assembled outside diameters between 6.5 and 10.875 inches, that meet the specifications established by the Association of American Railroads in Specification M-934-81. Tapered journal roller bearings and parts thereof are currently classified under items 680.3932, 680.3934, 680.3938, and 680.3940 of the *Tariff Schedules of the United States Annotated* (TSUSA).

We investigated 100 percent of Koyo's sales of TJRB to the United States during the period from August 1, 1982 to January 31, 1983.

Fair Value Comparison

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

As provided in section 772(c) of the Act, we used the exporter's sales price of the subject merchandise to represent the United States price for sales by Koyo because the merchandise was first sold to unrelated purchasers after importation into the United States. We calculated the exporter's sales price based on the c.i.f., duty paid, delivered packed price. We made deductions for Japanese inland freight, ocean freight, marine insurance, United States inland freight, customs duties, brokerage, commissions, discounts for prompt payment, credit expenses and other selling expenses incurred in the United States.

Foreign Market Value

In accordance with section 773(a)(1)(B) of the Act, we calculated foreign market value based on the prices at which the subject merchandise is sold in Australia because such or similar merchandise was not sold in the home market. We selected Australia as the third country for fair value comparisons because the sales to Australian purchasers included all three types of TJRB exported to the United States. Furthermore, two types were identical in both markets while the third type was similar.

We calculated the third country prices on the basis of delivered, packed prices to unrelated purchasers in Australia. From these prices we deducted Japanese inland freight, insurance, brokerage, ocean freight, marine insurance, and Australian brokerage, import duty, inland freight and insurance. We also made a deduction for all actual selling expenses incurred in the Australian market up to the amount of other selling expenses incurred in the United States market, in accordance with § 353.15(c) of the Commerce Regulations.

We also made an allowance, where appropriate, for differences in physical characteristics, in accordance with § 353.16 of the Commerce Regulations.

We made deductions, where appropriate, for technical assistance and engineering services costs and for credit costs in accordance with § 353.15 of the Commerce Regulations. The credit costs for both markets were computed on the basis of actual interest expense incurred on each sale. We made no adjustment for differences in packing costs because these costs were the same in both markets.

The following claims were disallowed in calculating foreign market value because they did not meet the requirements of § 353.15 of the Commerce Regulations. Koyo requested a circumstance of sale adjustment for consulting fees, credit costs, and entertainment. We did not make a circumstance of sale adjustment for consulting fees because the expense consisted primarily of a monthly retainer and was not directly related to the sales under investigation. We did not make a circumstance of sale adjustment for credit costs on one sale because it was an imputed interest cost on carrying inventory and was regarded as a general business cost. We did consider credit costs and entertainment to be indirect selling expenses and included the amounts in the offset to United States selling expenses as required by § 353.15(c) of the Commerce Regulations. We also disallowed Koyo's claim for interest expense incurred on sales by Koyo to Australian Koyo Ltd. because the firms are related and the intra-company transfer of funds in the form of interest expense is not a corporate expense. Furthermore, this was not an interest expense incurred on sales to the first unrelated purchaser.

Verification

In accordance with section 776(a) of the Act, we verified the information used in making this determination by using standard verification procedures, including on-site examination of company records and selection of original source documentation containing relevant information.

Comments

No comments other than those addressed in the above analysis were submitted by respondent or petitioner.

Supension of Liquidation

In accordance with section 733(d) of the Act, we are directing the U.S. Customs Service to continue to suspend liquidation of all entries of TJRB from Japan, which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall require a cash deposit or the posting of a bond equal to the estimated weighted-average margin amount by which the foreign market value of the merchandise subject to this investigation exceeds the United States price. The suspension of liquidation will remain in effect until further notice. The weighted-average margins are as follows:

Manufacturers, producers and exporters	Weighted-average margins percent
Koyo Seiko Co., Ltd	12.5
All Other Manufacturers/Producers/Exporters	12.5

ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonconfidential information relating to this investigation. We will allow the ITC access to all privileged and confidential information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

The ITC will make its determination whether these imports are materially injuring, or threatening to materially injure, a U.S. industry within 45 days of the publication of this notice.

It the ITC determines that material injury does not exist, this proceeding will be terminated and all securities posted as a result of the suspension of

liquidation will be refunded or cancelled. If, however, the ITC determines that such injury does exist, we will issue an antidumping order, directing Customs officers to assess an antidumping duty on TJRB from Japan entered, or withdrawn, for consumption after the suspension of liquidation, equal to the amount by which the foreign market value of the merchandise exceeds the U.S. prices. This determination is being published pursuant to section 735(d) of the Act (19 U.S.C. 1673d(d)).

Dated: January 12, 1984.

William T. Archey,

Acting Assistant Secretary for Trade Administration.

[FR Doc. 84-1427 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-DS-M

Subcommittee on Export Administration of the President's Export Council; Closed Meeting

A closed meeting of the President's Export Council Subcommittee on Export Administration will be held February 1, 1984, 9:00 a.m.–3:30 p.m., Herbert C. Hoover Building, Room 6802, 14th Street and Constitution Avenue, N.W., Washington, D.C.

The Subcommittee provides advice on matters pertinent to those portions of the Export Administration Act of 1979 that deal with United States policies of encouraging trade with all countries with which the United States has diplomatic or trading relations, and of controlling trade for national security and foreign policy reasons.

Agenda: Discussion of matters properly classified under Executive Order 12356, dealing with matters pertaining to the control of exports for national security, foreign policy or short supply reasons under the Export Administration Act. A Notice of Determination to close meetings or portions of meetings of the Subcommittee to the public on the basis of 5 U.S.C. 522b(c)(1) was approved on February 2, 1983, in accordance with the Federal Advisory Committee Act. A copy of the Notice is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6628, U.S. Department of Commerce (202) 377–4217.

For further information, contact Debbie Kappler (202) 377–1455.

Dated: January 13, 1984.

William T. Archey,

Deputy Assistant Secretary for Trade Administration.

[FR Doc. 84-1429 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-DT-M

National Oceanic and Atmospheric Administration

Caribbean Fishery Management Council and its Administrative Subcommittee; Public Meetings

AGENCY: Natonal Marine Fisheries Service, NOAA, Commence.

SUMMARY: The Caribbean Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265 as amended), has established an Administrative Subcommittee. The Council and its Administrative Subcommittee will hold separate meetings. The Council will hold its 49th regular public meeting to consider fishery management plans (FMPs) under development, and to discuss other Council matters. The Administrative Subcommittee will meet to discuss issues related to its regular administrative operations.

DATES: The Council's public meeting will convene on Tuesday, February 28, 1984, at approximately 2:00 p.m., adjourning at approximately 5:00 p.m., reconvening on Wednesday, February 29, at approximately 9 a.m., and will adjourn at approximately noon. The Council's Administrative Subcommittee will convene on Tuesday, February 28, at approximately 10:30 a.m., and will adjourn at approximately noon. All meetings will take place at the Conference Room of the Hotel Pierre, De Diego Avenue, Santurce, Puerto Rico.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, Suit 1108, Banco de Ponce Building, Hato Rey, Puerto Rico 00918. Telephone (809) 753–4926.

Dated: January 16, 1984.

Joseph W. Angelovic,

Deputy Assistant Administrator for Science and Technology, National Marine Fisheries Service.

[FR Doc. 84-1453 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-22-M

Western Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Western Pacific Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265, as amended), will convene a public meeting to review foreign fishing permit applications; discuss draft assessment of crustaceans; discuss the draft fishery management plan (FMP) for billfish and discuss the status of the draft Pelagics FMP; review the annual report of the Spiny Lobster FMP and the Seamount Groundfish Preliminary Management Plan (PMP); discuss foreign and domestic enforcement of the Billfish PMP and the Spiny Lobster FMP, respectively; as well as conduct other Council business. The Council will also convene a session of the meeting which will be closed to the public, to discuss personnel matters.

DATES: The open sessions of the meetings will be held on January 30, 1984 (1:30 to 5:30 p.m.); and on January 31 (9 a.m. to 3 p.m.). The closed session will be held on January 30 (10 a.m. to noon). The meetings will take place at the Ala Moana American Hotel, Hibiscus II Room, Honolulu, Hawaii.

FOR FURTHER INFORMATION CONTACT: Western Pacific Fishery Management Council, 1164 Bishop Street, Room 1405, Honolulu, Hawaii 96813, Telephone: (808) 523–1368.

Dated: January 13, 1984.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 84-1454 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcing New TSUSA Numbers Required on Export Visas for Certain Cotton and Man-Made Fiber Textile Products From the Philippines

January 16, 1984.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on January 20,

1984. For further information contact Carl Ruths, International Trade Specialist, 202/377–4212.

A CITA directive of November 21, 1979 established, effective on January 1, 1980, a new visa and exempt certification mechanism for cotton, wool and man-made fiber textile and apparel products exported from the Philippines which are subject to the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of November 24, 1982, as amended, between the Governments of the United States and the Republic of the Philippines. A further directive dated October 26, 1983 (48 FR 50146) directed the U.S. Customs Service, effective on January 1, 1984, to deny entry for consumption, or withdrawal from warehouse for consumption of apparel products in certain specified categories, including Categories 335 pt. (girls' and infants' cotton coats), 635 pt. (girls' and infants' man-made fiber coats) and 648 pt. (girls' and infants' man-made fiber trousers), for which the export visas fail to specify the correct designation (T or NT) in the context of the correct category. On January 1, 1984, certain of the TSUSA numbers identifying traditional (T) products in Categories 335 pt., 635 pt., and 648 pt., were changed as follows:

Category 335(T) will add TSUSA Nos. 383.3455 and 383.3464.

In Category 635(T) TSUSA No. 383.8119 will replace 383.8117.

In Catetory 648(T) TSUSA No. 383.1955 will replace 383.1940.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

January 16, 1984.

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of November 21, 1979, as amended, which established a visa and exempt certification for certain cotton, wool and man-made fiber textile products, produced or manufactured in the Philippines and exported on and after January 1, 1980.

Effective on January 20, 1984, the TSUSA numbers for Categories 335(T), 635(T), and 648(T) will be changed as follows for goods exported on and after January 1, 1984.

Category 335(T) will add TSUSA Nos. 383.3455, and 383.3464.

In Category 635(T) TSUSA No. 383.8119 will replace 383.8117.

In Category 648(T) TSUSA No. 383.1955 will replace 383.1940.

The Committee for the Implementation of Textile Agreement has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely,

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 84–1507 Filed 1–18–84; 8:45 am]

BILLING CODE 3510–DR–M

Establishing a New Export Visa Requirement for Certain Cotton, Wool, and Man-Made Fiber Textile and Apparel Products Produced or Manufactured in the Socialist Republic of Romania; Correction

January 11, 1984.

On January 4, 1984 a notice was published in the **Federal Register** (49 FR 493) announcing establishment of an export visa requirement for certain cotton, wool, and man-made fiber textile and apparel products, produced or manufactured in Romania and exported on and after February 1, 1984. The letter to the Commissioner of Customs which followed that notice described the details of the new visa arrangement and referred to a facsimile of the visa stamp to be used by the Government of Romania. The facsimile was not published with the letter. A copy of that stamp follows this notice.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

VISA AUTHORIZED FOR USE BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA FOR COTTON, WOOL AND MAN-MADE FIBER TEXTILE AND APPAREL PRODUCTS EXPORTED TO THE UNITED STATES



[FR Doc. 84–1506 Filed 1–18–84; 8:45 am]

BILLING CODE 3510–DR–M

Adjusting the Import Limit for Certain Cotton Apparel Products from Haiti

January 16, 1984.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on January 19, 1984. For further information contact

Carl Ruths, International Specialist (202) 377–4212.

Background

A CITA directive dated February 23, 1983 (48 FR 8325), as amended, established limits for certain specific categories of cotton and man-made fiber textile products, including Category 337 (cotton playsuits), produced or manufactured in Haiti and exported during the agreement year which began on March 1, 1983.

Effective on January 19, 1984, the limit for Category 337 is being increased from 112,203 dozen to 124,545 dozen to account for the application of carryover

from the previous agreement year, as provided under the terms of the Bilateral Cotton, Wool and Man-made Fiber Textile Agreement of March 25 and April 1, 1982, as amended, between the Governments of the United States and Haiti.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), and December 30, 1983 (48 FR 57584).

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

January 16, 1984.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of February 23, 1983 from the Chairman of the Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton and man-made fiber textile products, produced or manufactured in Haiti and exported during the twelve-month period which began on March 1, 1983.[1]

Effective on January 19, 1984, paragraph 1 of the directive of February 23, 1983 is hereby further amended to include an adjusted level of restraint for Category 337 of 124,545 dozen.[2]

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely,

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 84-1428 Filed 1-18-84; 8:45 am]

BILLING CODE 3510-DR-M

[1] The agreement provides, in part, that: (1) Specific limits shall be increased by seven percent annually; (2) a specific limit may be exceeded in any agreement year by not more than seven percent of its square yards equivalent total, provided that the amount of the increase is compensated for by an equivalent decrease in one or more specific limits; (3) specific limits may also be increased for carryover and carryforward up to 11 percent of the applicable category limit; and (4) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

[2] The limit has not been adjusted to account for any imports exported after February 28, 1983.

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Wage Committee; Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, March 6, 1984; Tuesday, March 13, 1984; Tuesday, March 20, 1984; and Tuesday, March 27, 1984 at 10:00 a.m. in room 1E801, The Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) concerning all matters involved in the development and authorization of wage schedules for federal prevailing rate employees pursuant to Pub. L. 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, meetings may be closed to the public when they are "concerned with matters listed in 5 U.S.C. 552b." Two of the matters so listed are those "related solely to the internal personnel rules and practices of an agency," (5 U.S.C. 552b. (c)(2)), and those involving "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (5 U.S.C. 552b. (c)(4)).

Accordingly, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy & Requirements) hereby determines that all portions of the meeting will be closed to the public because the matters considered are related to the internal rules and practices of the Department of Defense (5 U.S.C. 552 b(c)(2)), and the detailed wage data considered by the Committee during its meetings have been obtained from officials of private establishments with a guarantee that the data will be held in confidence (5 U.S.C. 552b. (c)(4)).

However, members of the public who may wish to do so are invited to submit material in writing to the chairman concerning matters believed to be deserving of the Committee's attention. Additional information concerning this meeting may be obtained by writing the Chairman, Department of Defense Wage Committee, Room 3D264, the Pentagon, Washington, D.C. 20301.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 84-1432 Filed 1-18-84; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

National Petroleum Council, Thermal Task Group of the Committee on Enhanced Oil Recovery; Meeting

Notice is hereby given that the Thermal Task Group of the Committee on Enhanced Oil Recovery will meet in January 1984. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Enhanced Oil Recovery will investigate the technical and economic aspects of increasing the Nation's petroleum production through enhanced oil recovery. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location, and agenda of the Thermal Task Group meeting follows:

The Thermal Task Group will hold its twelfth meeting on Friday, January 25, 1984, starting at 8:30 a.m., in the Desert Suite of the Canyon Hotel, 2850 South Palm Canyon Drive, Palm Springs, California.

The tentative agenda for the Thermal Task Group meeting follows:

1. Opening remarks by the Chairman and Government Cochairman.
2. Review progress of Task Group study assignments.
3. Discuss any other matters pertinent to the overall assignment from the Secretary of Energy.

The meeting is open to the public. The Chairman of the Thermal Task Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Thermal Task Group will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil, Gas and Shale Technology, Fossil Energy, 301/353-3032, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading

Room, Room IE–190, DOE Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C., between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on January 12, 1984.

Donald L. Bauer,

Principal Deputy Assistant Secretary for Fossil Energy.

[FR Doc. 84–1550 Filed 1–18–84; 8:45 am]

BILLING CODE 6450–01–M

Economic Regulatory Administration

Action Taken on Consent Order With World Oil Company

AGENCY: Economic Regulatory Administration (DOE), United States Department of Energy.

ACTION: Notice of Action Taken on Consent Order with World Oil Company.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order with World Oil Company as a final order of the DOE.

EFFECTIVE DATE: January 19, 1984.

FOR FURTHER INFORMATION CONTACT: Michael West, Esq., San Francisco Office, Economic Regulatory Administration, Department of Energy, 333 Market Street (Sixth Floor), San Francisco, California 94105; (415) 974–7114.

SUPPLEMENTARY INFORMATION: On June 13, 1983, the ERA published a notice in the **Federal Register** that it had executed a proposed Consent Order with World Oil Company (World) which would become effective no sooner than thirty (30) days after publication of that notice. 48 FR 27129. Pursuant to 10 CFR 205.199J(c), interested person were invited to submit comments concerning the terms and conditions of the proposed Consent Order.

The Consent Order resolves certain potential civil liability arising out of the Mandatory Petroleum Price and Allocation Regulations, 10 CFR Parts, 205, 211, and 212, in connection with the reporting of entitlements obligations and the sale of refined petroleum products during the period August 20, 1973 through January 27, 1981. The Consent Order requires a cash payment to DOE of $1,100,000.00 within 10 days after the effective date of the Consent Order. It also requires a dismissal with prejudice of *World Oil Company v. Edwards*, No. 82–0914 MRP (C.D. Cal.) and a waiver of any and all claims World may have to funds now held by DOE in escrow under the *In Re EDG. Inc. Consent Order*, Case No. 930S00173 (EDG). The amount of that escrow previously claimed by World is $658,281.93 including interest as of May 16, 1983.

As proposed, the consent order provided that $900,000 would be paid to the State of California because of DOE's inability to identify persons injured by World's activities, and the balance to go to the DOE for subsequent disposition in resolution of an entitlement program dispute. DOE has determined that it will hold in escrow both the $1,100,000 payment under the Consent Order and the funds from the above identified escrow account pending a determination concerning the appropriate disposition of these funds as discussed below.

Three comments were received by the July 13, 1983 deadline, and two thereafter. All five comments received were considered by ERA. The comments were exclusively from officials of state agencies. None of the commenters objected to the Consent Order and they generally agreed with the original remedy proposed to the extent it provided for refunds to states. Some suggested, however, that any undistributed refund amounts should be distributed to the States. One of the commenters, citing the decision of the Temporary Emergency Court of Appeals in *Citronelle-Mobile Gathering, Inc. v. Edwards*, 669 F.2d 171 (1982), suggested that it would be unlawful to deposit any of the funds received in the United States Treasury. Another commenter suggested that use of the funds distributed to California should not be restricted to the five energy conservation programs specified in the original proposed Consent Order. Two separate comments from officials of the State of California suggested that payment to the State Treasurer was inconsistent with a recent mechanism established by the State of California for receipt of such funds.

After considering the comments questioning the use of the funds, ERA has determined that the Consent Order should be made final but that further consideration ought to be given to the proposed remedy. To date, ERA has not yet determined an appropriate distribution for the funds to be paid pursuant to the consent order. Nevertheless, rather than hold this proceeding in abeyance, ERA has decided to make the consent order final and to resolve later the appropriate disposition of the payments under the consent order. Accordingly, the Consent Order, as made final, provides that the $1,100,000 payment by World will be placed in, and the EDG funds will be maintained in, a DOE interest bearing escrow account until an appropriate distribution is determined.

Having considered all comments received, ERA has determined that the proposed World Consent Order should be made final with the modification described above, effective on the date of publication of this Notice.

Issued in San Francisco on the 4th day of January 1984.

Raymond G. Gong,

Chief Counsel, Economic Regulatory Administration, San Francisco Office.

[FR Doc. 84–1551 Filed 1–18–84; 8:45 am]

BILLING CODE 6450–01–M

Proposed Remedial Order; Petrade International, Inc.

AGENCY: Economic Regulatory Administration, U.S. Department of Energy.

ACTION: Notice of Proposed Remedial Order to Petrade International, Inc.

SUMMARY: Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice of a Proposed Remedial Order which was issued to Petrade International, Inc. (Petrade) 11 Greenway Plaza, Suite 1710, Houston, Texas 77046. This Proposed Remedial Order alleges that Petrade charged prices in excess of its actual purchase prices in violation of §§ 212.86, 210.62(c) and 205.202 during the period April 1978 through December 1978 in the amount of $1,007,075.65. The Proposed Remedial Order also alleges violations in the pricing of crude oil of § 212.183 during the period April 1978 through January 1980 in the amount of $3,407,652.97.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from: U.S. Department of Energy, Economic Regulatory Administration, ATTN: Sandra K. Webb, Director, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002.

Within fifteen (15) days of publication of this Notice any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, in accordance with 10 CFR 205.193.

Issued in Houston, Texas on the 20th day of December 1983.

Sandra K. Webb,

Director, Houston Office, Economic Regulatory Administration.

[FR Doc. 84-1544 Filed 1-18-84; 8:45 am]

BILLING CODE 6450-01-M

Texas Armada Refining Company; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Texas Armada Refining Company (TARCO), 12625 Callaway Cemetery Road, Euless, Texas 76039. This Proposed Remedial Order charges TARCO with pricing violations in the amount of $5,864,289 in connection with increased non-product costs in excess of those permitted in 10 CFR Part 212, Subpart E during the period February 1, 1976 through December 31, 1979.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from James A. Martin, Manager, Litigation Support Group, Economic Regulatory Administration, Department of Energy, 1341 W. Mockingbird Lane, Suite 200E, Dallas, Texas 75247 or calling (214) 767-7483. Within fifteen (15) days of publication of this Notice, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, Forrestal Building, 1000 Independence Avenue, SW. Room 6F-055, Washington, D.C. 20585, in accordance with 10 CFR 205.193.

Issued in Dallas, Texas on the 16th day of December 1983.

Ben Lemos,

Director, Dallas Office, Economic Regulatory Administration.

[FR Doc. 84-1552 Filed 1-18-84; 8:45 am]

BILLING CODE 6450-01-M

Energy Information Administration

Secondary and Tertiary Storage Task Group of the Coordinating Subcommittee of the National Petroleum Council's Committee on Petroleum Inventories and Storage Capacity; Meeting

Notice is hereby given that the Secondary and Tertiary Storage Task Group of the Coordinating Subcommittee of the National Petroleum Council's Committee on Petroleum Inventories and Storage Capacity will meet in February 1984. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and gas industries. The Committee on Petroleum Inventories and Storage Capacity will study and update the analysis of minimum operating levels as well as update the estimates of total storage capacity available for use. The Subcommittee was established to assemble information, and report to the Committee on matters relating to petroleum inventories and petroleum product storage capacities. The Secondary and Tertiary Task Group of the Subcommittee was established to develop a methodology to estimate more precisely the storage capactiy in the secondary distribution system and tertiary storage segment.

The Secondary and Tertiary Storage Task Group will hold its meeting on Wednesday and Thursday, February 1-2, 1984, starting at 9:00 a.m., in Conference Room 2673 of the Marathon Tower, 5555 San Felipe, Houston, Texas.

The tentative agenda for the Task Group meeting follows.

1. Review the final data from the survey of the secondary petroleum distribution system.

2. Discuss the final estimates of the inventory and storage in the secondary petroleum distribution system and tertiary storage segment.

3. Review the draft report.

4. Discuss any other matters pertinent to the overall assignment of the Task Group.

5. Public Comment (10 minute rule).

The meeting is open to the public. The Chairman of the Task Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Task Group will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should contact Jimmie L. Petersen, Office of Oil and Gas, Energy Information Administration, Forrestal Building, Room 2H-058, Washington, D.C., 202/252-6401, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review approximately 30 days following the meeting at the Freedom of Information Public Reading Room, Room 1E-190, Department of Energy, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C., between the hours to 8:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C. on January 16, 1984.

J. Erich Evered,

Administrator, Energy Information Administration.

[FR Doc. 84-1553 Filed 1-18-84; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. CI84-173-000]

ANR Production Co.; Application for Limited-Term Partial Abandonment and Limited-Term Certificate of Public Convenience and Necessity

January 13, 1984.

Take notice that on January 11, 1984, ANR Production Company filed an application for (1) permission and approval for limited-term partial abandonment of the sale to Transcontinental Gas Pipe Line Corporation from Mustang Island Block A-85, Offshore Texas that had been previously authorized in Docket No. CI83-188-000, and (2) a limited-term certificate of public convenience and necessity, with pregranted abandonment, authorizing the sale of "surplus" gas from such block to Entex, Inc.

Applicant is requesting authorization for the reason that Transco is unable to purchase from ANR for its system supply the volumes of gas which are capable of being produced from Mustang Island Block A-85. Because of facilities constraints east of station 50 on the Transco system, Transco is also unable to transport said gas to its customers under the Transco ISP and CCP programs. ENTEX, on the other hand, is willing and able to purchase up to 25,000 dekatherms (dth) per day from this block. Transco has agreed to release the gas as surplus to its system requirements for the limited term through October 28, 1984.

Applicant seeks authorization for the period from the date of authorization through October 28, 1984.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before January 23, 1984, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR

385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1486 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5088-001]

California Lumber; Surrender of Preliminary Permit

January 13, 1984.

Take notice that California Lumber, Permittee for the West Branch Feather River Hydroelectric Project, FERC No. 5088, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 5088 was issued on January 31, 1983 and would have expired on January 31, 1985. The project would have been located on West Branch Feather River in Butte County, California.

California Lumber filed the request on November 7, 1983, and the surrender of the preliminary permit for Project No. 5088 is deemed accepted as of November 7, 1983, and effective as of 30 days after the date of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1487 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-110-000]

Cody Gas Co.; Petition for a Declaratory Order

January 16, 1984.

Take notice that on December 1, 1983, Cody Gas Company (Petitioner), 1155 Sheridan Avenue, Cody, Wyoming 82414, filed in Docket No. CP84-110-000 a petition pursuant to § 1.7(c) of the Commission's Rules of Practice and Procedure (18 CFR 1.7(c)) and pursuant to section 1(c) of the Natural Gas Act for an order declaring certain pipeline is exempt from the provisions of the Natural Gas Act, the Natural Gas Policy Act of 1978 and the rules and regulations of the Commission, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

It is stated that Petitioner is negotiating with Husky Pipeline Company to purchase a 3½-inch O.D. pipeline approximately 34.6 miles long which begins at the facilities of Montana-Dakota Utilities Co. at Elk Basin in Wyoming, with a jog of approximately 1½ miles into Montana, and terminates at a point in Park County, Wyoming. Petitioner states that there are no taps or any other outlets on the portion of the pipeline that lies within the state of Montana. It is further stated that all gas entering the pipeline at Elk Basin, Wyoming, would be consumed in Wyoming.

Petitioner requests that the Commission find the subject pipeline exempt from the jurisdiction of the Commission under the Natural Gas Act.

Any person desiring to be heard or to make protest with reference to said petition should on or before February 6, 1984, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1482 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-112-000]

Columbia Gas Transmission Corp.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on December 1, 1983, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed in Docket No. CP84-112-000 a request, as supplemented January 6, 1984, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of CertainTeed Corporation (CertainTeed) under the authorization issued in Docket No. CP83-76-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 800 dt equivalent of natural gas per day on behalf of CertainTeed for a term of one year. Columbia states that the gas to be transported would be purchased from POI Energy, Inc. (POI), by CertainTeed and would be used for combustion engineering in CertainTeed's plant in York, Pennsylvania. Columbia states that it would receive the gas at various existing delivery points in Holms, Trumbull, Monroe, Medina, Washington and Wayne Counties, Ohio, Indiana County, Pennsylvania, and Raleigh County, West Virginia, and redeliver such gas to Columbia Gas of Pennsylvania, the distribution company serving CertainTeed. Columbia further states that it has released certain gas supplies of POI which Certain Teed has purchased from POI. Columbia states that these supplies are subject to the ceiling price provisions of Sections 102, 103 and 107 of the Natural Gas Act of 1978.

Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for

authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1488 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-53-000]

Columbia Gas Transmission Corp. Request Under Blanket Authorization

January 13, 1984.

Take notice that on November 8, 1983, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP84-53-000 a request, as supplemented January 4, 1983, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of Chemetals Incorporated (Chemetals) under the authorization issued in Docket No. CP83-76-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 1,460 dt equivalent of natural gas per day for Chemetals for a term of one year. Columbia states that the gas to be transported would be purchased from Yankee Resources, Inc. (Yankee), by Chemetals and would be used primarily for boiler fuel in Chemetals' Baltimore, Maryland plant. Columbia states that it would receive the gas at existing delivery points in Carroll, Perry, Trumbull, Columbiana, Hocking, Noble, Licking and Coshocton Counties, Ohio, and Rockingham County, Virginia, and redeliver such gas to Baltimore Gas and Electric Company, the distribution company serving Chemetals. Columbia further states that it has released certain gas supplies of Yankee which Chemetals has purchased from Yankee. Columbia states that these supplies are subject to the ceiling price provisions of sections 102, 103, 107 and 108 of the Natural Gas Policy Act of 1978.

Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1489 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-90-000]

Columbia Gas Transmission Corp.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on November 23, 1983, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 24314, filed in Docket No. CP84-90-000 a request, as supplemented on January 6, 1984, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas under the authorization issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 400 dt equivalent of natural gas per day on behalf of Trumbull Asphalt Division of Owens-Corning Fiberglas Corporation (Trumbull Asphalt). Columbia states that it would receive the quantities at existing points of delivery on its system and redeliver to Columbia Gas of Ohio, Inc. for ultimate delivery to Trumbull Asphalt's plant in Medina, Ohio.

Columbia states that the gas to be purchased by Trumbull Asphalt involves gas supplies released by Columbia and that such supplies are subject to the ceiling price provisions of section 103 of the Natural Gas Policy Act of 1978.

Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt equivalent, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1490 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

Columbia Gas Transmission Corp.; Prior Notice Requests

January 13, 1984.

Take notice that Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in the referenced dockets requests pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of specific end-users under the authorization issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests which are on file with the Commission and open to public inspection.

The Appendix hereto provides specific details for each of the referenced dockets under which Columbia proposes to transport natural gas. Columbia states that the gas to be transported would be received at existing delivery points on its system

and that it would redeliver the gas to the distributor serving the particular end-user. Columbia states that the gas to be purchased by the end-users involves gas supplies released by Columbia (except for Docket No. CP84–177–000) and that such supplies are subject to the ceiling price provisions of the National Gas Policy Act of 1978 (NGPA) (See Appendix for the NGPA sections under which gas was released). Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the specific request in which it has an interest. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the particular request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

APPENDIX

Docket No. CP84–	Distribution company	End-user	Producer/supplier	Transportation Volumes (MMBtu/Day)	NGPA sections
167–000	CWV [5]	Quaker State Oil Refining Corp., Newell, W VA	Quaker State Oil Refining Corp	4,100	103, 107, and 108.
176–000	COH [1]	General Electric Co. Coshocton, Ohio	Ohio Shale Pipeline Corp	1,800	103, 107.
177–000	CPA [2]	Welland Chemical, Inc., Newall, PA	Berea Oil & Gas Corp	1,000	Not applicable.
181–000	BG&E [3]	United States Gypsum Co., Baltimore, MD	Fox Oil & Gas Inc	2,500	102, 103.
185–000	City of Richmond, D.P.U.[4].	Manchester Board & Paper Co., Inc., Richmond, VA	Morgan-Pennington, Inc	450	103.
186–000	COH [1]	Weyerhaeuser Co., Mt. Vernon, Ohio	Energy Management, Inc	100	102, 103, 107, and 108.
188–000	COH [1]	Mar-Zane, Inc., Division of Shelley & Sands Inc., Haydenville, Ohio.	Shelly & Sands, Inc	150	103, 107.
189–000	BG&E [3]	Maryland Cup, Corp., Owings Mills MD & Baltimore, MD	POI Energy, Inc	1,500	102, 103, and 107.
190–000	CWV [5]	Goodyear Tire & Rubber Co., Apple Grove, W VA	Victory Development Co	1,600	102,103.
191–000	CWV [5]	Koopers Co. Inc., Follansbee, W VA	([6])	1,040	103.

[1] Columbia Gas of Ohio, Inc.
[2] Columbia Gas of Pennsylvania, Inc.
[3] Baltimore Gas & Electric Company
[4] Columbia will deliver to Commonwealth Pipeline Corp., which will redeliver to City of Richmond, Department of Public Utilities.
[5] Columbia Gas of West Virginia, Inc.
[6] Ludco, Inc.; Jerry C. Olds and/or Rodney L. Johnson; Jack Moran; Richard C. Meyer, Inc.; W.E. Shrider Co., Inc.; Jeff Moran, Jeffery G. Moran.

[FR Doc. 84–1491 Filed 1–18–84; 8:45 am]
BILLING CODE 6717–01–M

[Docket No. CP84–168–000]

Columbia Gas Transmission Corp.; and Columbia Gulf Transmission Co.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on January 4, 1984, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, and Columbia Gulf Transmission Company (Columbia Gulf), 3805 West Alabama Avenue, Houston, Texas, 77027, filed jointly in Docket No. CP84–168–000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia and Columbia Gulf propose to transport natural gas on behalf of St. Regis Corporation (St. Regis) under the authorizations issued in Docket Nos. CP83–76–000 and CP83–496–000, respectively, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Columbia and Columbia Gulf propose to transport up to 3.5 billion Btu of natural gas per day for St. Regis for a term of one year. It is stated that the gas to be transported would be purchased from Exxon Corporation (Exxon) in Louisiana and would be used for boiler fuel in St. Regis's York, Pennsylvania, plant.

The gas purchase agreement between Exxon and St. Regis indicates that Columbia has released certain gas supplies of Exxon. It is stated that these supplies are subject to the ceiling provisions of sections 102 and 103 of the Natural Gas Policy Act of 1978. It is indicated that St. Regis has purchased this released gas from Exxon. It is further indicated that Columbia Gulf would receive the gas from Exxon in Louisiana or offshore Louisiana, would deliver the gas to Columbia at existing points of interconnection between Columbia and Columbia Gulf, and the gas would be transported by Columbia to Columbia Gas of Pennsylvania, Inc. (CPA), the distributor serving St. Regis in York, Pennsylvania.

It is stated that depending upon whether the receipt point is offshore or onshore, Columbia Gulf would charge either (1) its average system-wide unit onshore transmission charge, currently 26.19 cents per dt equivalent, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide offshore transmission charge, currently 44.63 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. It is further stated that Columbia would charge its average system-wide storage and transmission charge, currently 40.11 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia Gulf states that, for company-use and unaccounted-for gas, it would retain 3.33 percent of the total quantity of gas delivered into its system for offshore

transportation and 2.58 percent for onshore transportation. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1492 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-169-000]

Columbia Gas Transmission Corp. and Columbia Gulf Transmission Co., Request Under Blanket Authorization

January 13, 1984.

Take notice that on January 4, 1984, Columbia Gas Transmission Corporation (Columbia Gas), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, and Columbia Gulf Transmission Company (Columbia Gulf), 3805 West Alabama Avenue, Houston, Texas, 77027, filed jointly in Docket No. CP 84-169-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia Gas and Columbia Gulf propose to transport natural gas on behalf of The Proctor and Gamble Manufacturing Company (P&G) under the authorization issued in Docket Nos. CP83-76-000 and CP83-496-000, respectively, pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Columbia Gas and Columbia Gulf propose to transport up to 3 billion Btu of natural gas per day for P&G for a term of one year. Applicants state that the gas to be transported would be purchased from Exxon Corporatoin (Exxon) by P&G and would be used for boiler fuel in P&G's facility in Baltimore, Maryland.

Columbia Gas states that it has released certain gas supplies which P&G has purchased from Exxon, and that these supplies are subject to the ceiling price provisions of sections 102(c) and 103 of the Natural Gas Policy Act of 1978. It is indicated that Columbia Gulf would receive up to 3,000 dt equivalent of natural gas per day delivered into its pipeline system at existing interconnections with Exxon and would transport such gas for Baltimore Gas and Electric Company (BG&E), the distribution company serving P&G. It is indicated that Columbia Gulf would deliver the gas to existing points of interconnection with Columbia Gas, located in the state of Louisiana, and Columbia Gas would then redeliver the gas to BG&E at an existing delivery point on BG&E's pipeline system.

Further, Columbia Gas states that depending upon whether the receipt point is offshore or onshore, it would charge either its average system-wide unit onshore or offshore transmission costs which are currently 26.19 cents per dt equivalent and 44.63 cents per dt equivalent, respectively, exclusive of company-use and unaccounted-for gas. Columbia Gas states that it would retain 3.33% of the total quantity of gas delivered into its system for transportation offshore and 2.58% transportation onshore for company-use and unaccounted-for gas. Columbia Gas indicates that it would charge its average system-wide storage and transmission costs which is currently 40.11 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia Gas states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1493 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-170-000]

Columbia Gas Transmission Corp.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on January 4, 1984, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP84-170-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of Bethlehem Steel Corporation (Bethlehem Steel) under the authorization issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 4,550 dt equivalent of natural gas per day on behalf of Bethlehem Steel for a term of one year. Columbia states that the gas to be transported would be purchased from Industrial Energy Services Company, by Bethlehem Steel and would be used for boilers and reheat furnaces at Bethlehem Steel's Steelton, Pennsylvania, plant, It is stated that Columbia would receive the gas at various existing delivery points in Pennsylvania, and redeliver such gas to UGI Corporation, the distribution company serving Bethlehem Steel. Columbia further states that the gas to be purchased by Behtlehem Steel involves gas supplies released by Columbia and that such supplies are subject to the ceiling price provisions of Section 103 of the Natural Gas Policy Act of 1978.

Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.00 cents per dt equivalent, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into

its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1494 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-171-000]

Columbia Gas Transmission Corp.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on January 4, 1984, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed in Docket No. CP84-171-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of Bethlehem Steel Corporation (Bethlehem Steel) under the authorization issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 4,000 dt equivalent of natural gas per day on behalf of Bethlehem Steel for a term of one year. Columbia states that the gas to be transported would be purchased from Industrial Energy Services Company, by Bethlehem Steel and would be used for boilers and reheat furnaces at Bethlehem Steel's Bethlehem, Pennsylvania, plant. It is stated that Columbia would receive the gas at various existing delivery points in Pennsylvania, and redeliver such gas to UGI Corporation, the distribution company serving Bethlehem Steel. Columbia further states that the gas to be purchased by Bethlehem involves gas supplies released by Columbia and that such supplies are subject to the ceiling price provisions of section 103 and 108 of the Natural Gas Policy Act of 1978.

Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt equivalent, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage, transmission and gathering charge, currently 44.93 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1495 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-193-000]

Columbia Gas Transmission Corp.; Request Under Blanket Authorization

January 13, 1984.

Take notice that on January 12, 1984, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP84-193-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Columbia proposes to transport natural gas on behalf of Empire Detroit Steel, Division of Cyclops Corporation (Empire), under the authorization issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Columbia proposes to transport up to 7.5 billion Btu of natural gas per day for Empire for a term of one year. It is stated that the gas to be transported would be purchased from Ohio Gas Marketing (OGM) and would be used for boiler fuel and space heating in Empire's Mansfield, Ohio, plant.

It is indicated that Columbia has released certain gas supplies of OGM and that these supplies are subject to the ceiling provisions of sections 102, 103, 107 and 108 of the Natural Gas Policy Act of 1978. It is further indicated that Empire has made arrangements to purchase this released gas from OGM. Columbia states that it would receive the gas from OGM and redeliver the gas to Columbia Gas of Ohio, Inc. (COH), the distributor serving Empire in Mansfield, Ohio. Further, Columbia states that depending upon whether its gathering facilities are involved, it would charge either (1) its average system-wide storage and transmission charge, currently 40.11 cents per dt equivalent, exclusive of company-use and unaccounted-for gas, or (2) its average system-wide storage transmission and gathering charge, currently 44.93 cents per dt equivalent, exclusive of company-use and unaccounted-for gas. Columbia states that it would retain 2.85 percent of the total quantity of gas delivered into its system for company-use and unaccounted-for gas.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1496 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP74-9-000]

Consolidated Gas Supply Corp., et al.; Petition To Amend

January 16, 1984.

Take notice that on December 12, 1983, Consolidated Gas Supply Corporation (Consolidated), 445 West Main Street, Clarksburg, West Virginia 26301, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, National Fuel Gas Supply Corporation (National Fuel), 10 Lafayette Square, Buffalo, New York 14203, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77252, referred to collectively as Petitioners, filed in Docket No. CP74-9-000 a petition to amend the order issued on January 22, 1974,[1] in Docket No. CP74-9, pursuant to Section 7(c) of the Natural Gas Act, to authorize additional exchange points for the exchange of natural gas, all as more fully set forth in the petition on file with the Commission and open to public inspection.

Petitioners state that the order of January 22, 1974, authorized an exchange of natural gas among the Petitioners and the construction of facilities necessary to effect such exchanges. It is stated that the Petitioners request amendment of such order to authorize additional exchange points for the receipt of gas by National Fuel from Consolidated and the delivery of such gas as part of the subject exchange, in accordance with an amendatory agreement between Consolidated and National Fuel dated November 21, 1983. It is further stated that the proposed points of exchange deliveries are those existing delivery points specified in any of Consolidated's presently effective service agreements with National Fuel.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before Feb. 6, 1984, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1481 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[1] This proceeding was commenced before the F.P.C. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

[Docket No. ER84-91-000]

Delmarva Power & Light Co.; Order Accepting for Filing and Suspending Rates, Denying Motion To Reject, Noting Intervention, and Establishing Hearing Procedures

Issued January 13, 1984.

On November 14, 1983, Delmarva Power & Light Company ("Delmarva") tendered for filing, pursuant to the abbreviated filing requirements of § 35.13(a)(2) of the Commission's regulations, amendments to its Interconnection Agreement with the Easton Utilities Commission and the Town of Easton, Maryland ("Easton").[1] Under the Interconnection Agreement, Delmarva purchases lower priced short-term power through the Pennsylvania-New Jersey-Maryland ("PJM") Interconnection from the Allegheny Power System ("APS") for resale to Easton. The proposed amendments would permit Delmarva to recover by means of formula rates (1) the savings foregone by Delmarva by not utilizing the APS power it sells to Easton and (2) the revenues foregone by allowing Easton to use the PJM transmission facilities instead of selling excess transfer capability to other PJM members. The proposed changes are expected to increase revenues. Delmarva requests an effective date of Janury 13, 1984, with respect to charges to recover the foregone savings. With respect to charges to recover the foregone revenues, Delmarva requests an effective date of January 14, 1984, but states that it would accept a suspension to such date as the Commission permits revisions to the PJM Interconnection Agreement in Docket No. ER83-736-000.[2]

Notice of the filing was published in the **Federal Register**, with comments due by December 9, 1983.[3] On December 16, 1983, Easton filed a timely protest and motion to intervene.[4] In addition, Easton moves for rejection of the filing or the issuance of a deficiency letter. In support of its motion to reject the filing, Easton states that Delmarva has not complied with the Commission's regulations requiring the submission of cost support and other data in connection with revisions of filed rate schedules. Specifically, Easton disputes Delmarva's claim that the transactions in question are not subject to reasonable prediction and therefore fit within the "abbreviated filing" provisions of section 35.13(a)(2). Easton asserts that Delmarva has ample information available to it with which to develop a reasonable prediction of foregone savings over a forecasted twelve month period.

If the filing is not rejected, Easton requests that the Commission issue an order deferring the effective date by interpreting the contract between Delmarva and Easton as prohibiting Delmarva from placing the proposed formula rates into effect prior to a determination by the Commission that the formula rates are just and reasonable. In the alternative, Easton moves for a five month suspension of the rates, contending, *inter alia*, that the rates: are anticompetitive; bear no relation to the real cost of providing service to Easton; would yield an excessive return on investment; and would eliminate the benefits to Easton of purchasing short-term power.

On January 3, 1984, Delmarva answered Easton's protest and motion to intervene. While Delmarva does not oppose Easton's intervention, Delmarva does oppose the motions to reject or to issue a deficiency letter, to defer the effective date until the proposed changes are determined by the Commission to be just and reasonable, and to suspend for five months. Delmarva contends that its filing is an abbreviated filing within the Commission's rules due to the difficulty of developing reliable test period data and because the transactions involved are short-term. Delmarva further asserts that the contract between itself and Easton permits Delmarva to unilaterally make changes in charges as it deems necessary, and that Easton's interpretation of the contract conflicts

[1] *See* Attachment A for rate schedule designations.

[2] These revisions to the PJM Interconnection Agreement affect Delmarva's foregone revenues inasmuch as they revise the rates that PJM members will be assessed for the use of other PJM members' unused share of transfer capacity in the PJM 500 kV transmission grids. Therefore, to the extent that Delmarva uses the "transfer capability" of the transmission facilities to deliver energy to Easton in any hour, Delmarva foregoes the opportunity of reducing its systemwide production costs and foregoes the opportunity to recover revenues.

[3] The Commission subsequently extended the comment period to December 16, 1983, pursuant to a motion filed by Easton.

[4] On December 23, 1983, Easton filed a supplement to its protest.

with the plain language of the agreement. Finally, Delmarva disputes Easton's claims that the proposed changes are anticompetitive and do not properly reflect Delmarva's costs. Delmarva states that it is but one of many owners of the 500kV system and has no monopoly power in that market. Concerning its costs, Delmarva asserts that the instant filing is designed to recover only the costs imposed on Delmarva from serving Easton. Moreover, Delmarva states that if these costs are not recovered from Easton they will be borne by Delmarva's firm power customers, thus violating the principle of cost causation.

Discussion

Under Rule 214(c)(1) of the Commission's Rules of Practice and Procedure (18 CFR 385.214), Easton's unopposed motion to intervene serves to make it a party to this proceeding.

We shall deny Easton's motion to reject the filing or to issue a deficiency letter, inasmuch as our review indicates that the submittal substantially complies with our regulations,[5] and that further cost support information is not necessary.

As noted, Easton requests an order declaring that the proposed formula rates cannot become effective until after a finding by the Commission that the rates are just and reasonable. The Interconnection Agreement between Delmarva and Easton provides that Delmarva may file for modification of either the charges set forth in sections (f) and (g) of Schedule 1.01 or the terms and conditions of that Schedule other than those charges under section 205 of the Federal Power Act. However, the Interconnection Agreement limits the effective date for changes in terms and conditions to the later of (1) the date of issuance by the Commission of a final order finding the proposed modification to be just and reasonable or (2) December 31, 1983. While Delmarva states that the proposed changes revise the charges provided for in Schedule 1.01 section (g), Easton contends that the proposed changes are additional charges not already provided for in sections (f) and (g), and are, therefore, subject to the limitation on an effective date applicable to changes in terms and conditions. We find the foregone savings and foregone revenues formula rates to be modifications or changes of the existing rate contained in section (g) of Schedule 1.01, rather than a change in terms and conditions. Accordingly, we shall deny Easton's request to defer the effectiveness of the proposed changes until after the Commission issues a final order finding the changes to be just and reasonable.

Our review of Delmarva's submittal and the pleadings indicates that the proposed formula rates have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. We shall therefore accept Delmarva's rates for filing and suspend them as ordered below.

In *West Texas Utilities Company*, Docket No. ER82-23-000, 18 FERC ¶ 61,189 (1982), we explained the Commission's suspension policy and noted that rate filings would ordinarily be suspended for one day where preliminary review indicates that the proposed rates may be unjust and unreasonable but may not produce substantially excessive revenues, as defined in *West Texas*. Because our review suggests that Delmarva's formula rates may not yield excessive revenues, we shall suspend the foregone savings formula rate for one day from 60 days after filing, to become effective, subject to refund, on January 14, 1984, and we shall suspend the foregone revenues formula rate, to become effective, subject to refund, on the date that the Commission allows PJM transmission rate revisions in Docket No. ER83-736-000 to become effective.

The Commission orders:

(A) The motion to reject Delmarva's filing or to issue a deficiency letter is hereby denied.

(B) The motion to defer the effective date of the proposed amendments until after the issuance of a final Commission order finding the amendments to be just and reasonable is hereby denied.

(C) Delmarva's proposed rates are hereby accepted for filing; the foregone savings formula rate is suspended for one day from 60 days after filing, to become effective, subject to refund, on January 14, 1984, and the foregone revenues formula rate is suspended, to become effective, subject to refund, on the date the Commission permits revisions to the PJM Interconnection Agreement to become effective in Docket No. ER83-736-000.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Proceduce and the regulations under the Federal Power Act [18 CFR, Chapter I], a public hearing shall be held concerning the justness and reasonableness of Delmarva's formula rates.

(E) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days of the date of this order, in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(F) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Attachment A—Delmarva Power & Light Co., Docket No. ER84-91-000

Rate Schedule Designations

Filed:

Designations	Descriptions
(1) Rate Schedule FERC No. 71 (Redesignation of Rate Schedule FPC No. 11).	Interconnection Agreement (dated Oct. 15, 1970).
(2) Supplement No. 1 to Rate Schedule FERC No. 71 (Redesignation of Supplement No. 1 to Rate Schedule FPC No. 11).	Amendment to Interconnection Agreement (dated Sept. 27, 1972).
(3) Supplement No. 2 to Rate Schedule FERC No. 71 (Redesignation of Supplement No. 2 to Rate Schedule FPC No. 11).	Supplement Agreement (dated May 29, 1975).
(4) Supplement No. 3 to Rate Schedule FERC No. 71 (Redesignation of Supplement No. 3 to Rate Schedule FPC No. 11).	Supplemental Agreement (dated Mar. 20, 1981).
(5) Supplement No. 4 to Rate Schedule FERC No. 71 (Redesignation of Supplement No. 4 to Rate Schedule FPC No. 11).	Supplemental Agreement dated May 31, 1981 (settlement agreement in Docket No. EL82-1-000).
(6) Supplement No. 5 to Rate Schedule FERC No. 71 (Redesignation of Supplement No. 5 to Rate Schedule FPC No. 11).	Schedule 1.01.
(7) Supplement No. 6 to Rate Schedule FERC No. 71..	Revised Schedule 1.01 (exhibit A-1).
(8) Supplement No. 7 to Rate Schedule FERC No. 71 (Supersedes Supplement No. 6)..	(Exhibit A-2).

[5] *See Municipal Light Boards of Reading and Wakefield, Massachusetts* v. *FPC*, 450 F.2d 1341 (D.C. Cir. 1971), *cert. denied*, 405 U.S. 989 (1972).

[FR Doc. 84-1496 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2232-047]

Duke Power Co.; Application for Change in Land Rights

January 16, 1984.

Take notice that Duke Power Co., Licensee for the Catawba-Wateree Project, FERC No. 2232, on March 31, 1983, filed an application for approval of an easement affecting project land and waters at the Lake Hickory development of the project. The easement would enable Lake Hickory Development Corporation to construct and operate a sewer line that would discharge approximately 30,000 gallons per day of treated effluent into the waters of Lake Hickory. The application also include a proposal by the Licensee for the lease of approximately 0.21 acre of land to Lake Hickory Development Corporation for the construction of a boat dock at Lake Hickory. The Lake Hickory development is located in Burke County, North Carolina.

Correspondence with the Licensee should be directed to: Mr. John E. Lansche, Legal Department, P.O. Box 33189, Charlotte, North Carolina 28242.

Agency Comments—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Motion to Intervene—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1983). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before February 29, 1984.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Deputy Director, Project Management Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 298 RB at the above address.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1483 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER84-102-000]

Montaup Electric Co.; Order Rejecting Purchased Power Adjustment Clause, Noting Interventions, and Terminating Docket

Issued January 13, 1984.

On November 16, 1983, Montaup Electric Company (Montaup) tendered for filing a proposed purchased power adjustment clause (PPAC) to reflect changes in the cost of purchased capacity under Montaup's long-term unit purchase agreements.[1] Montaup proposes that the PPAC supplement and revise its firm power wholesale rates to two Montaup affiliates, Eastern Edison Company and Blackstone Valley Electric Company and to three non-affiliated customers, Newport Electric Corporation, Pascoag Fire District, and the Town of Middleborough.[2] Montaup contends that the PPAC is required to protect Montaup from underrecovery of its costs through its base rates. Montaup states that its base rates reflect test period projections based on inaccurate estimates provided by Montaup's nonaffiliated long-term suppliers.

Under the proposed PPAC, monthly adjustments resulting in rate increases are limited to monthly increments that do not exceed five percent of the base demand charge in order to eliminate large rate fluctuations. Amounts in excess of the five percent limitation are deferred to the following month (or months) until recovery is complete. There is no limitation on monthly rate decreases. The PPAC also provides for the filing of an annual statement (should the PPAC result in a net increase in revenues above those that would be collected in the absence of the clause) on a calendar year basis comparing Montaup's average monthly demand charge per kilowatt-month as billed to customers for the year (including the effect of the PPAC) with the average demand cost per kilowatt-month for the year based on actual costs at the rate of return reflected in the base demand charge. If the "as-billed" cost exceeds the actual cost, Montaup will refund the difference with interest, with refunds limited to the amounts collected under the PPAC.[3] Furthermore, revenues collected under the provisions of the PPAC are subject to refund for sixty (60) days following the filing of the statement or until a final order issues from the Commission resolving any dispute as to the collected revenues.

Montaup requests waiver of the notice requirements to allow the PPAC to become effective on December 28, 1983, the date the firm power rates filed in Docket No. ER84-55-000 became effective.

Notice of the filing was published in the **Federal Register** with comments due on or before December 9, 1983. The Attorney General of the State of Rhode Island and the Rhode Island Division of Public Utilities and Carriers (Rhode Island) filed a timely intervention and protest which raised no substantive issues but requested that the Commission reject the PPAC.

The Attorney General of the Commonwealth of Massachusetts (Massachusetts) also filed a timely intervention, protest, and request for rejection of the PPAC. If the PPAC is not rejected, Massachusetts alternatively seeks a five month suspension of the PPAC and compliance with the Commission's full notice requirements. If the PPAC is accepted without a five month suspension, Massachusetts requests that the PPAC be consolidated with Docket No. ER84-55-000. In support of its requests, Massachusetts states that the proposed PPAC is contrary to Commission precedent, and creates disincentives for economic purchases of power and energy. Massachusetts further contends that the underestimates recited by Montaup are part of the risk of doing business.

Montaup's three nonaffiliated customers (Customers) also filed a timely intervention, protest and request for rejection of the PPAC, or in the alternative, a rejection of that portion of the PPAC that permits collection of costs incurred during the effective period of superseded tariffs. If the PPAC

[1] Montaup purchases capacity from seven suppliers: Connecticut Yankee Atomic Power Company, Yankee Atomic Electric Company, Maine Yankee Atomic Power Company, Vermont Yankee Nuclear Power Corporation, Boston Edison Company (Pilgrim Unit No. 1), Canal Electric Company (Canal Unit No. 1), City of Taunton, Massachusetts (Cleary Unit No. 9), and Maine Electric Power Company (Coleson Cove Unit Nos. 1, 2, and 3 owned and operated by the New Brunswick Power Commission).

[2] In Docket No. ER84-55-000, the Commission accepted for filing and suspended for one day Montaup's proposed increase in rates for firm power service to become effective, subject to refund, December 28, 1983.

[3] The effect of the limitation is that customers will receive the benefits of cost decreases only to the extent that such decreases are less than or equal to the surcharge collected under the PPAC.

is not rejected entirely, Customers request that the PPAC be consolidated with Docket No. ER84–55–000 and thus, be considered in the Commission's determination in that docket of the appropriate suspension period and return on equity. In support of their requests, Customers contend that Commission precedent favors rejection of the PPAC and that in any event many of Montaup's expenses are either not likely to reoccur or may easily be forecasted.

On December 9, and 20, 1983, Montaup filed answers to the pleadings of Rhode Island, Massachusetts, and Customers. Montaup alleges that the PPAC comports with Commission precedent; that Customers fail to demonstrate that the PPAC will expose them to overrecovery; that the inaccurate estimates of Montaup's suppliers have been reoccurring and unpredictable; that Montaup's suppliers occasionally bill Montaup for costs incurred during the effective period of a superseded tariff making such costs attributable to current service; that protests with regard to the creation of any disincentives are inapposite since the PPAC only reflects changes in purchased capacity costs (not energy) under long-term agreements.

Discussion

Under Rule 214(c)(1) of the Commission's Rules of Practice and Procedure (18 CFR 385.214), the unopposed interventions of Rhode Island, Massachusetts, and the Customers serve to make them parties to this proceeding.

The Commission has generally looked with disfavor upon automatic cost adjustment clauses which track only one cost component.[4] Our policy has been to permit automatic clauses in only a few instances: fuel adjustment clauses, research and development cost adjustments, full cost of service formula tariffs, and interchange rates based on incremental costs. Automatic adjustment clauses are exceptions to the notice and review provisions of the Federal Power Act and approval of such clauses as the rate is a departure from the traditional regulatory scheme.

The Commission's clear precedent in disallowing any automatic adjustments which track selected cost components (except as noted above) requires that the instant PPAC is summarily rejected. The situation presented by Montaup cannot be substantively distinguished from the other instances where a PPAC has been rejected. We stated in *Central Illinois Light Company* that we have "consistently applied a basic policy against isolated, self-policing *automatic* pass-through clauses for electric utilities that could in effect bypass or nullify the express statutory supervisory responsibilities of this Commission." Montaup argues that the PPAC is not "self-policing" and will not "bypass" Commission supervision because provisions within the PPAC permit Commission review and refunds. While we agree that Montaup's PPAC provides for Commission review of the "true-up" of actual versus "as-billed" demand costs, it nonetheless automatically increases the rates to recover selected costs. Decreased costs are only taken into account to the extent that they are equal to or less than increased costs. Thus, the PPAC guarantees unlimited recovery of purchased power cost increases, while placing a cap on rate adjustments to reflect cost decreases. This selective type of rate adjustment is what we have found in the past and continue to find objectionable.

In *Nantahala Power and Light Company*, 57 FPC 803 (1977), we rejected the company's PPAC stating: "The purchased power costs are only one component in an electric utility's cost of service and to permit automatic increases to flow through to wholesale customers for this one cost item while other costs items could be decreasing, would be inequitable." Montaup contends that its PPAC reflects offsetting decreases in other cost components, but, as noted, the decreases in other cost components will be passed on to customers only to the extent that other costs decrease as much as or less than purchased power costs increase.

In *Lockhart Power* and *Central Kansas Power Company, supra*, we likewise disallowed PPACs similar to that proposed by Montaup. Montaup purchases about fifty per cent of its requirements, whereas Lockhart and Central Kansas purchased sixty-five per cent and eighty per cent of their requirements, respectively. In addition, Lockhart made claims similar to Montaup of financial distress and unpredictable purchased power costs.

We have, however, recently accepted for filing a PPAC submitted by Superior Water, Light and Power Company. But the situation in *Superior* is unique and wholly unlike that presented in this docket. Superior purchases about ninety-five per cent of its requirements from its parent company and therefore its PPAC effectively operated as a proxy for a comprehensive cost of service tariff which adjusts all cost components.

We find unpersuasive Montaup's argument that it lacks sufficent detailed knowledge to substitute figures in its test period projections for the low estimations provided by its suppliers. We are likewise unpersuaded that the only solution to Montaups problem with its supplier's estimates is a PPAC. Given the trend of inaccurate estimates provided by Montaup's suppliers over the past seven years, Montaup should reasonbly be expected to include the expected cost overruns in developing its test period projections. Purchased power is but one cost item which a utility must project. It is the utility's responsibility to put forward accurate projections using both information from its vendors as well as its informed analysis and judgment of the vendor's assumptions and reliability and of the general economic climate and trend.

The Commisson orders:

(A) Montaup's proposed purchased power adjustment clause is rejected.

(B) Docket No. ER84–102–000 is terminated.

(C) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84–1499 Filed 1–18–84; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP84–77–000]

Northwest Central Pipeline Corp., Request Under Blanket Authorization

January 16, 1984.

Take notice that on November 18, 1983, Northwest Central Pipeline Corporation (Northwest Central), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP84–77–000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that Northwest Central proposes to abandon by reclaim certain measuring and appurtenant facilities in Woods County, Oklahoma, and to abandon the transportation and exchange of gas through said facilities under its authorization issued in docket No. CP82–479–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in its request on file with the

[4] *See Nantahala Power and Light Company*, Opinion No. 139, Docket No. ER76–828–000, 19 FERC ¶ 61,152 (1982); *Central Power and Light Company*, Docket Nos. EL79–26 and ER79–600, 11 FERC ¶ 61,102 (1980); *Central Illinois Light Company*, Docket No. ER76–919, Opinion, No. 81, 10 FERC ¶ 61,102 (1980); *Central Kansas Power Company*, Docket Nos. E–9469 and ER76–377, Opinion No. 29, 4 FERC ¶ 61,337 (1978); and *Nantahala Power and Light Company*, Docket No. E–9181, 57 FPC 803 (1977).

Commission and open to public inspection.

Northwest Central states that Zenith Natural Gas Company (Zenith) has advised that gas service is no longer needed at this location. The estimated cost to reclaim these facilities is $2,400, with an estimated salvage value of $1,710.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1484 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER81-779-004]

Pennsylvania Power Co.; Order Accepting for Filing Compliance Rates, Subject to Refund and Denying Motions To Reject and To Compel

Issued January 13, 1984.

On October 7, 1981, Pennsylvania Power Company (Penn Power) submited for filing a proposed two-step rate increase. By order dated January 21, 1982, 18 FERC ¶ 61,043 the Commission accepted Penn Power's submittal for filing, suspended the Phase A rates for one day, granted Penn Power's request to make the Phase B rates effective, subject to refund, upon issuance of the initial decision in this proceeding, such rates to reflect the findings of that decision, and set the proposed two-step increase for hearing. The Presiding Administrative Law Judge phased the proceedings, and the initial decision in Phase I was issued on June 20, 1983, 23 FERC ¶ 63,115. Accordingly, on August 4, 1983, as revised on September 23 and October 24, 1983,[1] Penn Power submitted for filing revised Phase B rates and cost of service data.[2] Penn Power requests an effective date of June 20, 1983 for the Phase B rates.

Notices of the original and revised compliance filings were published in the **Federal Register** with comments due on or before September 6, 1983, and November 21, 1983, respectively.[3] On September 6, 1983, five Pennsylvania Boroughs (Boroughs) [4] filed a protest to Penn Power's August 4, 1983 compliance filing. Boroughs request that the Commission reject the filing, contending that Penn Power's submittal of increased rates is inconsistent with certain ordering paragraphs of the initial decision which directed refunds and that the submittal is premature, because certain cost of service issues remain unresolved. If Penn Power's compliance filing is not rejected, Boroughs request that Penn Power be required to provide additional workpapers. Boroughs also allege that Penn Power's treatments of deferred fuel expense and interest expense for its income tax calculation were incorrect.[5] Finally, Boroughs contend that Penn Power's proposed effective date of June 20, 1983 (the date of the initial decision) would result in retroactive ratemaking and that the compliance rates, if accepted for filing, should become effective only on the date of acceptance. On October 7, 1983, Boroughs filed a motion to compel production of additional workpapers and stated that Penn Power has refused to respond to data requests for workpapers supporting the company's compliance filing. On November 4, 1983, Boroughs filed a protest to the October 24, 1983 revision to the compliance filing, in which protest Boroughs reiterate their request for additional workpapers.

On September 23, 1983, Penn Power filed a response to Boroughs' September 6, 1983 pleading, requesting denial of Boroughs' requests for rejection of the compliance filing and for production of additional workpapers.

Discussion

Boroughs partially base their request for rejection on the contention that the compliance filing is premature, because certain cost of service issues remain unresolved and because the Commissions's January 21, 1982, order envisioned that the Phase B rates would reflect an initial decision that resolved all outstanding cost of service issues. Boroughs further contend that the June 20, 1983, initial decision does not meet this requirement because: (1) The Commission has not ruled on the exceptions to the initial decision, (2) the treatment adopted for abandoned plant leaves unresolved the actual amounts to be amortized, and (3) the Quarto coal issue was reserved for Phase II of the proceeding.

We note that the Commission's order of January 21, 1982, expressly directed Penn Power to implement its Phase B rates, subject to refund, at the time of the issuance of the initial decision. This necessarily required that the Phase B rates become effective before exceptions to the initial decision could be considered. Furthermore, resolution of all cost of service issues before implementation of the Phase B rates is unnecessary for the protection of the Boroughs, because the January 21, 1982, order directed that the Phase B rates would be collected subject to refund.

In any event, only the Quarto coal issue is left unresolved by the initial decision in Phase I.[6] As to the issue of abandonment costs, the Administrative Law Judge's treatment of abandoned plant does not leave the annual cost of service effect unresolved. Rather, the initial decision only leaves variable the length of the ultimate amortization period.

We note, however, that the Commission's order did not address the possibility of a phased proceeding, leaving open the question of whether the issuance of the first or second phase initial decision would establish the effective date for the Phase B rates. We believe that any ambiguity on this issue is best resolved by allowing implementation of the Phase B rates upon the issuance of the Phase I initial decision. Penn Power could have implemented the Phase B rates, subject to refund, after a five month suspension, on June 23, 1982, nearly one year before the initial decision was issued. Instead, Penn Power voluntarily deferred recovery of the Phase B rates pending an initial decision. We, therefore, believe that it would be inappropriate to further delay recovery of the Phase B rates by

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[1] Penn Power revised its compliance filing in response to a September 20, 1983 letter from the Office of Electric Power Regulation advising the company that its compliance filing was deficient with respect to the findings of the initial decision and the stipulation of the parties which was adopted by the initial decision.

[2] *See* Attachment for rate schedule designations and affected parties.

[3] 48 FR 38885 and 52629 (1983).

[4] The Boroughs are Ellwood City, Grove City, Wampum, New Wilmington and Zelienople, Pennsylvania.

[5] We note that Penn Power corrected its treatments of deferred fuel expense and interest expense in its revised compliance filings.

[6] Moreover, our review indicates that the Quarto coal issue, which was phased by the Administrative Law Judge, could only have a nominal impact on ultimate base rates since the primary cost of service effect of the Quarto coal issue is flowed through the allowable fuel expense in the fuel adjustment clause.

Penn Power and that the January 21, 1982, order should be interpreted as allowing for implementation of the Phase B rates at the time of the issuance of the first initial decision in this proceeding.

Boroughs also request rejection of the filing on the basis that the submittal of increased rates is inconsistent with the refund language contained in ordering paragraphs (3) and (5) of the decision.[7] We note that, although the justness and reasonableness of both steps of the proposed increase were the subject of the initial decision (with the exception of the reserved Quarto coal issue), only the Phase A rates were in effect prior to issuance of the decision. We further note that the Phase A rates generate revenues at a lower level than that found to be just and reasonable by the Administrative Law Judge, although the Law Judge would not have known this prior to the compliance filing. Thus, the refund provision in the decision is inapplicable in this case, since the rates approved by the Administrative Law Judge are higher than the Phase A rates which were in effect. Inasmuch as the revised Phase B rates result in revenue levels that exceed the Phase A rates, the Phase A rates will be effective during a locked-in period, from January 24, 1982, through June 20, 1983, and no refunds are required at this time. Therefore, we find Boroughs' objections based on the initial decision's refund language to be groundless and we shall deny Boroughs' motion to reject on this basis.

Boroughs argue that, to the extent the compliance rates are accepted for filing, an effective date as of the date of this order should be assigned. Boroughs contend that Penn Power's proposed effective date of June 20, 1983 (the date of the initial decision) constitutes retroactive ratemaking. We also find this allegation to be without merit, since the Boroughs were put on notice by the January 21, 1982, order that the Phase B rates would be prospective from the date of the initial decision. We shall, therefore, accept Penn Power's compliance rates for filing to become effective, subject to refund, on June 20, 1983.

With respect to Boroughs' requests for production of additional workpapers and for rejection for failure to provide workpapers, our review indicates that Penn Power has submitted adequate cost data in support of its rates to determine the necessary adjustments to the original cost of service study submitted by Penn Power in support of the proposed Phase B rates and has complied with the initial decision. We shall, therefore, deny Boroughs' motion for production of workpapers.

The Commission orders:

(A) Boroughs' motion to reject Penn Power's compliance filing is hereby denied.

(B) Boroughs' motion to compel the production of additional workpapers is hereby denied.

(C) Penn Power's compliance rates are hereby accepted for filing to become effective, subject to refund, on June 20, 1983.

(D) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Attachment—Pennsylvania Power Co. Rate Schedule Designations

Docket No. ER81-779-004

Designation	Other party	Description
Supplement No. 14 to Rate Schedule FPC No. 30 (Supersedes Supplement No. 3).	New Wilmington	Rate level B.
Supplement No. 4 to Rate Schedule FPC No. 31 (Supersedes Supplement No. 3).	Wampum	Do.
Supplement No. 4 to Rate Schedule FPC No. 32 (Supersedes Supplement No. 3).	Zelienople	Do.
Supplement No. 4 to Rate Schedule FPC No. 33 (Supersedes Supplement No. 3).	Ellwood City	Do.
Supplement No. 4 to Rate Schedule FPC No. 34 (Supersedes Supplement No. 3).	Gove City	Do.

[FR Doc. 84-1500 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 7139-001]

Springfield Associates No. 4; Surrender of Preliminary Permit

January 13, 1984.

Take notice that Springfield Associates No. 4, Permittee for Wiley Creek, Project No. 7139, has requested that its preliminary permit be terminated. The Preliminary Permit was issued on October 19, 1983, and would have expired on September 30, 1985. The project would have been located on Wiley Creek within the Willamette National Forest in Lane County, Oregon.

Springfield Associates No. 4 filed the request on November 14, 1983, and the surrender of the preliminary permit for Project No. 7139 is deemed accepted as of November 14, 1983, and effective as of 30 days after the date of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1497 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP84-123-000]

United Gas Pipe Line Co.; Request Under Blanket Authorization

January 16, 1984.

Take notice that on December 9, 1983, United Gas Pipe Line Company (United), Post Office Box 1478, Houston, Texas 77001, filed in Docket No. CP84-123-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that United proposes to construct and operate a sales tap for the delivery of gas to Louisiana Gas Service Company (Louisiana Gas) to serve a residential subdivision under the authorization issued in Docket No. CP82-430-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

United states that the sales tap would be located on its 10-inch Covington line in St. Tammany Parish, Louisiana, and would enable Louisiana Gas to provide up to 92 Mcf of natural gas per day for residential end-use, under United's Rate Schedule G-N. It is stated that the requested sales tap would not cause an increase in the customer's contractual maximum daily quantity nor its entitlements under United's effective curtailment plan.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-1485 Filed 1-18-84; 8:45 am]

BILLING CODE 6717-01-M

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[7] 23 FERC at p. 65,307.

ENVIRONMENTAL PROTECTION AGENCY

[Docket Nos. 518, 520, 521 and 527; OPP-FRL-2508-7]

Pesticide Products Containing Strychnine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Objections and Requests for Hearing.

SUMMARY: Notice is hereby given, pursuant to section 164.8 of the rules of practice (40 CFR 164.8) issued under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 *et seq.*), that objections and requests for a hearing were filed by registrants, users and vendors of pesticide products containing strychnine in connection with the Administrator's notice of intent to cancel registrations, and deny applications for certain users of strychnine, dated September 30, 1983, 48 FR 48522 *et seq.* (October 19, 1983). These proceedings have been consolidated for hearing by order of the Chief Administrative Law Judge dated January 5, 1984.

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of these proceedings on file with the Hearing Clerk, Environmental Protection Agency (Mail Code A-110), Room 3708, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460 (202-382-4865).

Dated: January 11, 1984.

Marvin E. Jones,

Administrative Law Judge.

[FR Doc. 84-1451 Filed 1-19-84; 8:45 am]

BILLING CODE 6560-50-M

[SAB-FRL-2508-8]

Science Advisory Board; Environmental Effects, Transport and Fate Committee; Open Meeting

Under Pub. L. 92-463, notice is hereby given of a one-day meeting of the Science Advisory Board's Environmental Effects, Transport and Fate Committee. The meeting will be held on February 6, 1984 at the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. in room 3906-08. The meeting will begin at 9:15 a.m. and will adjourn at approximately 4:30 p.m.

The Committee will be meeting to receive background information from Agency staff on two issues. These include 1) assessment of environmental impacts following incineration of hazardous wastes at sea, and 2) development of indicators to define and measure ocean degradation. These briefings will enable the Committee to determine an appropriate course of action to carry out its independent scientific review.

The meeting is open to the public. Any member of the public wishing to attend, obtain information or submit comments to the Committee should contact Dr. Terry F. Yosie, Director, Science Advisory Board (202) 382-4126 or Dr. Douglas B. Seba, Executive Secretary, Environmental Effects, Transport and Fate Committee (202) 382-2552 by close of business January 31, 1984.

Terry F. Yosie,

Staff Director, Science Advisory Board.

January 12, 1984.

[FR Doc. 84-1450 filed 1-18-84; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[Docket No. FEMA-REP-6-LA-3]

Louisiana; Radiological Emergency Preparedness Plans

AGENCY: Federal Emergency Management Agency.

ACTION: Notice of receipt of plans.

SUMMARY: This is a notice that the State of Louisiana has submitted Radiological Emergency Preparedness Plans to the Federal Emergency Management Agency, Region VI, for review and approval. These plans include the Louisiana Peacetime Radiological Response Plan and Attachment 3 to this plan which is the Peacetime Radiological Response Plan for the River Bend Station.

DATE: December 27, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry Stephens, Regional Director, FEMA Region VI, Federal Center, 800 North Loop 288, Denton, Texas 76201-3698; (817) 387-5811.

SUPPLEMENTARY INFORMATION: This provides notice in accordance with 44 CFR Part 350.8 of the FEMA Final Rule, "Review and Approval of State and Local Radiological Emergency Plans and Preparedness," that on December 27, 1983, the Federal Emergency Management Agency Region VI office received the State of Louisiana's Radiological Emergency Preparedness Plans. These plans include the State of Louisiana Peacetime Radiological Response Plan which is Annex J, Appendix 7 to the Louisiana Preparedness Plans for Emergency Operations and Attachment 3, which is the Louisiana Peacetime Radiological Response Plan for the River Bend Station and offsite emergency response plans for the five local governing bodies (parishes) which are within the Plume Exposure Pathway Emergency Planning Zones of the nuclear plant.

Copies of these plans will be made available upon request in accordance with the fee schedule for FEMA Freedom of Information Act request. This schedule, which covers exemption from the fee, is set forth in subpart C of 44 CFR, Part 5. There are 402 pages in the document: reproduction fees are 10¢ a page prepaid with a request for a copy.

Comments regarding the plans may be submitted in writing to Mr. Jerry Stephens, Regional Director, at the above address within 30 days of this **Federal Register** Notice.

FEMA Final Rule 44 CFR 350.10 requires that a public meeting be held prior to the approval of the plans. A public meeting will be held in the vicinity of the River Bend Plant and will be noted in the local newspapers at least two weeks prior to the meeting date.

Jerry Stephens,

Regional Director.

[FR Doc. 84-1404 Filed 1-18-84; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL HOME LOAN BANK BOARD

[84-14]

Prices for Federal Home Loan Bank Services

Dated: January 12, 1984.

AGENCY: Federal Home Loan Bank Board.

ACTION: Notice of prices for Federal Home Loan Bank services.

SUMMARY: The Office of District Banks and the Office of Policy and Economic Research of the Federal Home Loan Bank Board are publishing, pursuant to delegated authority, the prices charged by the Federal Home Loan Banks for (1) processing and settlement of items and (2) demand deposit services offered to member institutions.

FOR FURTHER INFORMATION CONTACT: Ashley C. Speir, Jr., (202-377-6656) Office of District Banks, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: Section 11(e) of the Federal Home Loan Bank Act (12 U.S.C. 1431(e)) authorizes the Federal Home Loan Banks (1) to accept demand deposits from member institutions, (2) to be drawees of

payment instruments, (3) to engage in collection and settlement of payment instruments drawn on or issued by members and eligible institutions, and (4) to engage in such incidental activities as are necessary to the exercise of such authority.

Section 11(e)(2)(B) of the Bank Act (12 U.S.C. 1431(e)(2)(B)) requires the Federal Home Loan Banks to charge fees for services authorized in that section, which fees are "to be determined and regulated by the Board consistent with the principles set forth in section 11A(c) of the Federal Reserve Act." Board regulations at 12 CFR 534.6 require that the Director of the Office of District Banks and the Director of the Office of Policy and Economic Research (or their designees) review, approve, and publish these fees at least annually. The regulations specify that the fees must be reviewed in accordance with the following pricing principles:

(1) In determining the fees for service provided under this Part, a Federal Home Loan Bank must take into account all direct and indirect costs of providing the services.

(2) Prices must reflect the imputed rate of return that would have been earned and the taxes that would have been paid if the Bank were a private corporation, by using a cost of capital adjustment factor applied to those assets used in providing services authorized under this Part.

(3) All costs must be fully recovered within a period not exceeding five years. The prices charged for collection, processing, and settlement services must yield at least a competitive rate of return within a period not exceeding five years after offering such services.[1]

In accordance with these principles, the Director of the Office of District Banks and the Director of the Office of Policy and Economic Research have reviewed and approved the current prices for Federal Home Loan Bank services, which are published herewith. The services and their prices are divided into two categories: (1) Services involved in the processing and settlement of items drawn on or issued by member institutions (Schedule A); and (2) service relating to demand deposit accounts maintained by member institutions with the Banks (Schedule B).

The services described in the attached schedules are not identical for any two Banks, as each Bank's program is tailored to meet the needs of the member institutions in the Bank's district. Furthermore, the volume of services rendered varies significantly among the districts, with the result that the costs of providing the services also vary from district to district. In light of these considerations, the Board continues its practice of approving separate district fee structures rather than adopting a uniform pricing scheme. This policy is consistent with the Congressional intent that pricing encourage competition.

It is not required that each processing step or transaction performed by a Bank be specifically priced. This policy permits the Banks to establish fee schedules that are in line with the marketing practices of providers of correspondent services in each district. However, total revenue from services must be sufficient to cover costs. In the case of item processing an settlement services, fees must be sufficient to recover all start-up costs within five years. Demand deposit service expenses must be recovered annually, because the Banks have provided these services for many years, and thus have attained mature service volumes.

The price analysis incorporates an imputed cost of capital adjustment factor of fifteen percent. This adjustment factor is required by 12 CFR 534.6(b)(2) in order to yield a fee structure competitive with prices charged by private-sector servicers. The current fifteen-percent figure was derived in accordance with a formula which is described in detail at 45 FR 64161 (Sept. 29, 1980).

The directors of the Office of District Banks and the Office of Policy and Economic Research of the Federal Home Loan Bank Board hereby give notice of the following fee schedules for Federal Home Loan Bank services:

Schedule A: Item Processing and Settlement Services

District 1.—Federal Home Loan Bank of Boston

[Services not provided]

District 2.—Federal Home Loan Bank of New York

Service	Fee
Settlement (per month)	$75.00
Standard Intercept (per item)	.02
Standard Intercept-Delayed Check (per item)	.02
Check Safekeeping:	
First 100,000 items/month (per item)	.015
100,001 plus items/month (per item)	.010
Bulk Filing	
First 100,000 items/month (per item)	.020
100,001 plus items/month (per item)	.015

District 2.—Federal Home Loan Bank of New York—Continued

Service	Fee
Statement Rendering:	
Bulk Filing with items (per statement)	.30
Check Safekeeping without items (per statement)	.05
Stop Payment, Suspect item, and Certified Item File (per entry)	1.00
Automatic Item Returns (per item)	2.50
Photocopies (per copy)	2.00
Original Item Retrieval (per item)	4.00
Datafax High Dollar Items (per item)	1.00
Counter Item Filing (per item)	.02
Counter Item Sorting (per item)	.005
Notices or Advertising Inserts (per insert)	.005
Microfilm Monthly History (per 100,000 items)	5.00
Now Transaction History-Additional Copies (per fiche card)	1.00
Held Paid Item Filming (per item)	.02

District 3.—Federal Home Loan Bank of Pittsburgh

Service	Fee
Processing:	
First 10,000 items/month (per item)	$0.0375
Next 20,000 items/month (per item)	.0325
Next 20,000 items/month (per item)	.0300
50,001 plus items/month (per item)	.0225

District 4.—Federal Home Loan Bank of Atlanta

Service	Fee
Settlement only (per month)	$50.00
Daily Delivery:	
Same Day (per item)	.03
Next Day (per item)	.03
Bulk Filing (per item)	.04
Statement Matching (per item)	.07
Truncation (per item)	.03
Return Items (per item)	2.50
Caution/Alert (Stop Payment) (per item)	2.00
Facsimile:	
Large Dollar (per item)	2.00
On Request (per item)	2.00
Bookkeeping and Account Number Rejects (per item)	2.00
Over-the-Counter Items (per item)	.01
Photocopies (per item)	2.50
Finesort (Check Number)—Special Accounts	.01

NOTE.—The monthly billing for service options (other than Settlement Only) is $75.00.

District 5.—Federal Home Loan Bank of Cincinnati

Service	Fee
Settlement Only (per month)	$50.00
Check Retrieval or Inspection of Original Item (per item)	1.50
Photocopy (per copy)	1.00
Advertising Insertion (per item)	.01
Posted- "on-us" (per item)	.03
Statement Stuffing Service for Truncated Statements (per statement)	.01
Statement Stuffing of Deposit Tickets and Dishonored Notices (per item)	.09
Return Items Processed by Bank (per item)	2.50
Additional Sorting Upon Request	
Fine Sorting (per item)	.005
Cycle Sorting (per item)	.005

[1] By Resolution No. 82-211, the Board proposed to substitute a ten-year rule for this five-year requirement. 47 FR 57293 (December 23, 1982). No final action has been taken with respect to the proposal; however, the Board still has it under consideration.

SERVICE

Items/Month	Daily return unsorted	Daily return sorted	Truncation	Bulk filing w/ stuffing	Bulk filing w/out stuffing
0 to 10,000	$.0375	$.0400	$.0400	$.0775	$.0425
10,001 to 25,000	.0300	.0325	.0325	.0700	.0350
25,001 to 50,000	.0250	.0275	.0275	.0650	.0300
50,001 to 75,000	.0200	.0225	.0225	.0600	.0250
75,001 to 100,000	.0150	.0175	.0175	.0550	.0200
100,001 to 125,000	.0100	.0125	0125	.0500	.0150
125,001 to 150,000	.0075	.0100	.0100	.0475	.0125
150,001 and over	.0050	.0075	.0075	.0450	.0100

DISTRICT 6.—FEDERAL HOME LOAN BANK OF INDIANAPOLIS

Service	Fee
Settlement Only (per month)	$40.00
Minimum Processing Fee (per month)	40.00
Over-the-Counter Items (per item)	.035
Microfilm	.035
Exception Safekeeping Statements	.25
Photocopies and Facsimiles	2.00
Facsimile Items for Signature Verification on Day of Presentment	[1]

[1] No charge.

SERVICE

Item per/month	Safekeeping	Turnaround (daily or cycled)	Complete
0 to 5,000	$.045	$.053	$.077
5,001 to 10,000	.037	.048	.075
10,001 to 15,000	.036	.044	.073
15,001 to 25,000	.031	.037	.072
25,001 to 50,000	.030	.033	.070
50,001 to 75,000	.026	.030	.066
75,001 to 100,000	.023	.027	.065
100,001 to 125,000	.021	.024	.064
125,001 to 150,000	.019	.022	.063
150,001 to 175,000	.017	.020	.062
175,001 and up	.014	.016	.059

DISTRICT 7.— FEDERAL HOME LOAN BANK OF CHICAGO

SERVICE

Items per month	Daily returns	24-hour delay	Bulk file	Truncation
0 to 25,000	$.0250	$.0240	$.0230	$.0200
25,001 to 50,000	.0245	.0235	.0225	.0195
50,001 to 75,000	.0240	.0230	.0220	.0190
75,001 to 100,000	.0235	.0225	.0215	.0185
100,001 and up	.0230	.0220	.0210	.0180

Service	Fee
Counter Items (per item)	$0.025
Return Items (per item)	4.00
Photocopies (per item)	3.00
Facsimile of Items (per page)	2.00
Cash letter Facsimile (per page)	2.00
Special Sorts (per item)	.015
Monthly Recap (per item)	.0025
Data Transmission (per item)	.0030

DISTICT 8.—FEDERAL HOME LOAN BANK OF DES MOINES

SERVICES

Volume level	Basic fee (truncated)	Daily/cycle [1]	Monthly [1]	Monthly/film [1]
1 to 10,000	$.021	$.016	$.021	$.026
10,001 to 25,000	.019	.014	.019	.024
25,001 to 50,000	.017	.012	.017	.022
50,001 to 75,000	.015	.010	.015	.020
75,001 to 175,000	.0125	.0075	.0125	.0180
Bulk Pricing (175,001 to over)	.012	.006	.010	.015

OTHER SERVICES

Service	Fee
Tape and Transmission Preparation	$.0002
Key Punch (rejects)	.04
Photo Copies	2.75
Signatures Verified	[2].70
Counter Items With Microfilm	.04
Facsimile Transmission	1.00
Microfiche—Monthly Reports	1.50
Microfiche—Copies	.18
Return Items	2.50
Stop Payments	2.00
Original Item Return	2.75
Certified Checks	.50
Counter Items Without MICR Encoding	.10
Facsimile Transmission of Daily Cash Letter	1.00
NOW Transaction Inquiry	1.00
Telephone Advice on Missing Account No	.50
Microfilm Copies for Audit	10.00
Telephone Check Inquiry	1.00

NOTE.—Minimum processing fee of $40.00 per month will apply for total NOW services.

[1] Fees for daily/cycle return, monthly return or monthly return with microfilm are in addition to the basic (truncated) fee.

[2] Dollar amount variable by association.

DISTRICT 9.—FEDERAL HOME LOAN BANK OF DALLAS

SERVICE

Basic service—Items/Month	Cycle-Daily [1]	Truncate
Tier 1: 0 to 50,000	$.036	$.030
Tier 2: 50,001 to 100,000	.030	.025
Tier 3:100,001 to 150,000	.025	.020
Tier 4: 150,001 to 200,000	.020	.015
Tier 5: 200,001 to Over	.014	.010

Special Services (Per Item)	Fee
Counter Item Integration	$.036
Receive, microfilm, and fine sort with checks presently on hand at the FHLBank and store for truncation or delivery to association	
Return Items	3.00
Fee for sorting and returning any items (NSF's, stop payments, etc.) An additional $.50 will be added to reflect Federal Reserve Bank charges for checks processed through FRB Dallas, Houston, San Antonio and El Paso.	
Stop Payment File	2.00
Fee for receiving and placing on file holds, stop pays, closed accounts, etc.	
Photocopies or Original Check Retrieval	1.50
Postage	[2]

[1] An additional $.006 for month end.

[2] Actual cost.

DISTRICT 10—FEDERAL HOME LOAN BANK OF TOPEKA

Service	Fee
1. Settlement—with FHLBank Processing	[1]
2. Settlement only	[2] $50.00
3. Truncation	[3] 0.02
4. Bulk Filing and Return	0.035
Special Services	
1. Item Retrieval or Photocopy	[3] $2.00
2. Return Items (NSF, stop pay, etc.)	[3][4] 2.50
3. Counter Items (Microfilmed and filed)	[3] 0.03
4. Facsimile Transmission for NOW detail listing of items paid	[5]1.50

[1] No charge.
[2] Per month.
[3] Per item.
[4] $1.00/per item—over 50 items.
[5] Per transmission.

Notes.—The costs for bulk filing, sorting, storage and settlement for associations utilizing FHLBank processing are included in our pricing policy.

There are no transportation charges imposed by the FHLBank related to check delivery for processing.

There are no minimum monthly charges for NOW processing.

Fees will be adjusted to reflect any future charges that may be imposed by the Federal Reserve System.

FHLBank service prices may be changed with a ninety-day advance written notice to the user.

The FHLBank will not assume check printing expenses for NOW drafts.

District 11.—Federal Home Loan Bank of San Francisco

Service	Volume price based on total items per month				
	Less than 50,000	50,000 to 250,000	250,000 to 500,000	500,000 to 1,000,000	1,000,000 and more
Basic capture service (Minimum charge $300/month):					
Capture/fine sort/microfilm	$.0375	$.0325	$.0275	$.0200	$.0175
Return item processing	2.00	1.75	1.50	1.25	1.00
Comprehensive NOW Service (Minimum charge $600/month):					
Capture/file/microfilm/fine sort	.0375	.0325	.0275	.0200	.0175
Statement preparation (taruncated	.15	.15	.15	.15	.15
Statement preparation (bar-encoded	.35	.325	.30	.275	.25
Return item processing	2.00	1.75	1.50	1.25	1.00
Additional Services:					
Photocopies	1.00	1.00	1.00	1.00	1.00
Over-the-counter items	.04	.04	.04	.04	.04
Statement inserts	.03	.03	.03.	.03	.03

District 12—Federal Home Loan Bank of Seattle

Items/per month	Service			
	Daily return	Truncation	Bulk file	Statement stuffing
A. Seattle processing center:				
0 to 50,000	$.0250	$.0300	$.0350	$.0600
50,001 to 100,000	.0200	.0250	.0300	.0550
100,001 to 200,000	.0175	.0225	.0275	.0525
200,001 and up	.0150	.0200	.0250	.0500
B. Honolulu processing center:				
0 to 50,000	.0350	.0400	.0450	.0700
50,001 to 100,000	.0300	.0350	.0400	.0650
100,001 to 200,000	.0275	.0325	.0375	.0625
200,001 and up	.0250	.0300	.0350	.0600
C. Additional services and charges:				

Service	Seattle center	Honolulu center
Transportation charges for items outside of the Seattle Federal Reserve clearing district (except for Regional Processing Centers) (per item)	$.005	$.005
Return Item Handling (per item	.75	.50
Facsimile Transmissions (per item)	.75	.50
Large Dollar Verification (per item)	.75	.50
Research Requests (per item)	.75	.50
Fine Sort Only (per item)	.006	.006
Settlement Only (per month)	125.00	125.00

Schedule B: Demand Deposit Services

District 1.—Federal Home Loan Bank of Boston

Service	Fee
Checks and Items Paid (per item)	$.08
Deposits (per item)	.20
Debit and Credit Memos (per item)	.10
Account Maintenance (per month)	3.00
Stop Payments (per item)	1.00
Special Statements (per statement)	1.00
Wire Transfers Out (per item)	2.50
Account Reconciliation:	
Issue Items (per item)	.04
Card or Tape Items (per item)	.02

District 2.—Federal Home Loan Bank of New York

Service	Fee
Teller Checks and Money Orders: [1]	
First 10,000 items/month (per item)	$.195
10,001 plus items/month (per item)	.145
Wire Transfers:	
In (per wire)	[2]
Out (per wire)	7.50
Depository Transfer Checks (per check)	1.00
Collections:	
Coupon Processing, Bond Redemption, and Recurring Payments (per transaction)	4.00

[1] The indicated fee covers all aspects of check service including the cost of the blank instruments, stop payment orders, inquiries, and photocopies of paid items stored on microfilm. Blank stock is resupplied automatically, and other forms such as stop payment orders, photo request cards, check control sheets, and address labels are supplied on request.
[2] No charge.

District 3.—Federal Home Loan Bank of Pittsburgh

Service	Fee
Deposit Processing Service:	
Deposit Ticket Entry (per entry)	$.15
Deposit Transfer Voucher (per entry)	.25
Mail Deposit Ticket Entry (per entry)	.25
Deposit Item Processing (per item)	.02
Deposit Item Encoding (per item)	.03
Deposit Item Return (per item)	1.00
Deposit Item Photocopy (per item)	2.00
Deposit Pickup (per pickup)	6.75
Check and Money Order Clearing Service:	
Clearing Item Processing (per item)	.0887
Clearing Item Reconciliation Copy Processing:	
By Manual Input (per item)	.0295
By Magnetic Tape Input (per item)	.0098
Clearing Item Fine Sorting for Return with Bank Statements (per item)	.02
Stop-Payment Orders (per entry)	4.50
Imprinting Checks and Money Orders	[1]
Wire Transfer of Funds:	
Outgoing (per transfer)	3.75
Incoming (per transfer)	1.25
Lockbox Service:	
Lockbox Item Processing (per item)	.11
Deposit Item Processing (per item)	.02
Deposit Ticket Entry (per entry)	.15
Transportation (per month)	20.00

[1] Actual cost.

District 4.—Federal Home Loan Bank of Atlanta

Service	Fee
Checks paid [1] (per item):	
Monthly statement w/items fine sorted	$0.12
Monthly statement w/items truncated	.09
Stop payment (per item)	6.00
Deposit Transfer Checks (OTC) (per item)	2.50
Wire Transfers:	
In (per transfer)	2.50
Out (per transfer)	3.30
Account Reconciliation Service:	
Full reconciliation-magnetic tape ($20.00 min./mo.)	[2] .03
Full reconciliation-paper issue ($20.00 min./mo):	
—Encoded amounts	[2] .0425
—Unencoded amounts	[2] .06
Partial reconciliation ($10.00 min./mo.)	[2] .03
Deposit Processing:	
Unencoded checks (per item)	.0525
Encoded checks (per item)	.0350
Foreign checks (per item)	2.50
Bond Coupons (per envelope)	3.00
Deposited checks returned (per entry)	2.50
Automated Clearinghouse (ACH) Service:	
Originating—$15.00 per tape plus per item	.03
Receiving—$50.00 settlement per month plus per item charge	.03
Settlement Only Services:	
Automated Clearinghouse (ACH) (per month)	50.00
Currency and Coin (per month)	50.00
Treasury Tax and Loan (TT&L) (per month)	50.00
Savings Bonds (per month)	50.00
Deposit of items at Fed (per month)	50.00
Currency and Coin Service (Full): $50.00 settlement/month plus per order	2.50

[1] The Checks paid charge includes at no additional charge: Monthly account maintenance, internal transfers, special statement drops, photocopies, and return of items not paid.
[2] Per issue.
[3] Per item.

District 5.—Federal Home Loan Bank of Cincinnati

Service	Fee	
	Encoded	Unencoded
Items per Month:		
0 to 25,000	$.0475	$.0575
25,001 to 50,000	.0450	.0550
50,001 to 75,000	.0425	.0525
75,001 to 100,000	.0400	.0500
100,001 to Over	.0375	.0475

Item disbursement	Per item charge printing paid by	
	FHLB	Association
Original Item:		
General Disbursement, etc.	$.135	$.055
Money Order	.105	.055
Dividend	.095	.055
Christmas Club	.200	.055
Unreconciled	.200	160
Disbursement-Reconcilation:		
Magnetic Tape	.043	.043
Advices	.060	.040
Other Services	[1]	
Stop Payments	2.00	
Wire Transfer-Out	4.00	
Charges	.11	
Credits	.11	
Photocopies	1.00	
Depository Transfer Check (DTC)	2.00	
Photocopy	1.00	
Dishonored Item:		
a. Returned to Association	1.00	
b. Automatically Re-deposited	[2]	
Non-Cash Collection Service:		
a. Non-Cash Item	3.50	
b. Security Coupon Collection (per envelope)	3.50	
c. Coupon Return Item	5.00	
d. Foreign Item	2.50	
e. U.S. Treasury and Gov't Agency Coupons	[3]	

[1] Per item charge.
[2] Check deposit fee.
[3] No charge.

District 6.—Federal Home Loan Bank of Indianapolis

Service	Paid check charge	Advices	
		Paper	Tape
Quarterly transaction volume:			
First 3,750	$.13	$.05	$.025
Next 9,000	.11	.04	.02
Next 12,250	.09	.04	.02
Next 25,000	.08	.03	.015
All over 50,000	.07	.02	.01

Overdrafts in excess of $10,000 are assessed a charge at the variable advance rate.

Collected balances will earn at an interest rate that approximates the 91 day Treasury Bill rate.

Other services	Metropolitan area	
	Detroit	Indianapolis
Cash Item Deposited:—		
Unencoded	$.06	$.07
—Pre-encoded		.04
Return Item	.75	.75
Photocopies	2.00	2.00
Mortgage Remittance	Fee	
Per Deposit Item Received	$.15	
Truncation of Coupons	.02	

Courier charges are assessed for each delivery at various rates, depending upon the distances traveled and other cost considerations.

Service charges for the coin and currency program are $25.00 per delivery by armored truck service in the Metropolitan Areas of Indianapolis and Detroit while fees vary outside the metropolitan areas depending upon distance involved.

DISTRICT 7.—FEDERAL HOME LOAN BANK OF CHICAGO

Service	Fee	
Checks and money orders paid items/month per association	Non-truncated accounts	Truncated accounts
A. Demand Accounts:		
0 to 7,500	$.110	$.090
7,501 to 10,000	.100	.080
10,001 to 12,500	.090	.070
12,501 to 15,000	.080	.060
15,001 to 25,000	.075	.055
25,001 to and up	.070	.050
Ancillary Service Fees:		
Fine Sorting (per Item)	.015	
Recons:		
—Non-Encoded Items (per Item)	.055	
—Encoded Items (per item)	.020	
—Magnetic Tape Items (per item)	.020	
Stop Payments (pre stop) placed	7.00	
Photocopies (per item)	3.00	
Account Maintenance (per account per month)	10.00	
Additional Statements (per statement)	5.00	
Checks Supplied by Bank	(1)	
Request for Money Order Forms	(1)	
Postage Courier	(1)	
B. Deposit Processing:		
Checks Deposit Drawn On:		
FHLB/Chicago—FHLB Intercept Customers (per item)	.015	
City of Chicago Financial Institutions (Routing Numbers 0710, 2710) (per item)	.042	
Postal Money Orders (0020, 0119) (per item)	.042	
U.S. Treasury Checks (0050, 0051) (per item)	.042	
Chicago RCPC Financial Institutions: (Routing Numbers 0711, 0712, 0719, 2711, 2712, 2719)	.053	
Transit Items—Other District Financial Institutions	.084	
Check Encoding (per item)	.035	
Return Items:		
Re-Deposits	(2)	
Charge Backs (per item)	1.00	
Food Stamps (per item)	.02	
Coupons Deposited (per envelope)	2.50	
Coin and Currency Orders (plus costs)	2.00	
C. Money Transfers:		
Wire Transfers:		
In	2.00	
Out	4.00	
Out/Third Party	6.00	
Quick Drafts	2.00	

[1] Actual cost.
[2] No charge.

DISTRICT 8—FEDERAL HOME LOAN BANK OF DES MOINES

Service	Fee
Account Maintenance	$5.00
Account Reconciliation	5.00
Check Printing Costs	Actual
Drafts Paid:	
Truncated	.04
—Non-Truncated	.05

DISTRICT 8—FEDERAL HOME LOAN BANK OF DES MOINES—Continued

Service	Fee
Stop Payments	5.00
Ledger Credits	.20
Ledger Debits	.10
Bankwires in:	
—Without Phone Advice	2.50
—With Phone Advice	3.50
Bankwires out:	
Without Phone Advice	4.00
—With Phone Advice	6.00
Special Cut-off Statements	3.00
Account Reconciliation Tape Issues	.02
Issue Encoding	.04
Safekeeping Transactions	10.00
Retail Repo customers, per page (plus $25.00 Main. Fee)	.25
Pledge Agreements	20.00
Deposited Items Returned	.80
Food Stamps Deposited	.02
Coupons Deposited (per envelope)	2.50
Coin and Currency Orders	2.00
Misc. Coin and Currency	Actual
Microfilm Processing	4.00
Microfilm Duplication	5.00
Miscellaneous Film Processing	Actual
Messenger	Actual
Miscellaneous Charges	1.00

Deposit processing fees item	Encoded	Unencoded
a. Des Moines Center:		
Local	$.025	$.0425
Regional	.035	.0525
Regional—Premium	.040	.0575
Transit	.0475	.065
b. Minneapolis Center:		
Local	.025	.0425
Regional	.030	.0475
Regional-Premium	.035	.0525
Country	.030	.0475
Transit	.055	.0725
c. Kansas City Center:		
Local	.020	.0375
Country	.035	.0525
Transit	.0575	.075
d. St. Louis Center:		
Local	.0275	.0450
Regional	.0350	.0525
Regional-Premium	.040	.0575
Country	.035	.0525
Transit	.0550	.0725

Lockbox Service	Fee
1. Basic Service	$.13
2. Transmit via user supplied equipment	.01
3. Transmit via FHLBank supplied equipment	.015
4. Data prep. for transmission	.04
5. Re-enter/Reprocess item	.08
6. Keypunch or MICR encode from handwritten document	.05
7. Keypunch or MICR encode from pre-printed document	.04
8. Photocopies	.20
9. Microfilm copies	2.75
10. Storage	N/A
11. Due on sale edit	.005
12 Write loan account number on check	[1].001
13. Write check number, amount and/or loan number on envelope and return	[1].001
14. Pull selected checks to be non-processed	[1].001
15 Check postmark/sort by date	.001
16. Call L.B. totals posted	[2] 1.00
17. Telephone verification of account number, etc	[1].50
18. Process additions to savings or checking accts	.25
19. Process additions to principal, escrow, etc	[1].002
20. Sort and batch envelopes by type of return in sequence	[1].001
21. Batch payments by type in processing	.001
22. Process multiple payments	.001
23. Process late fees/delinquents, when total amount due not shown	.001
24. Process "certified funds required"	.001
25. Screen envelopes for attention line	.001
26. Sort and package output	1.00
27. Date stamp checks, coupons, etc	.005
28. Microfilm checks, coupons, etc	.01
29. Courier/postage	[4]
30. Post Office box rental	[4]
31. Local messenger service	[4]
32. Minimum monthly billing	40.00
33. Modified processing; open and screen performed by member	.08
34 Pull system rejects/hot file rejects	.02
35. Update hot file (manual)	[3].50
36. Update hot file (data transmission)	[3].015
37. Process payments to hot file	[1] [3].004

[1] Per item.
[2] Per day.
[3] Addition.
[4] Actual.
[5] Up to 5,000 per account; over 5,000 billed at $.002/item

DISTRICT 9.—FEDERAL HOME LOAN BANK OF DALLAS

Service	Fee (per item)
Checks/Money Orders paid (standard check furnished)	$.15
Truncation	(1)
Reconciliation of Check/Money Order:	
—Magnetic tape	.02
—MICR	.07
Fine Sort	.006
Deposits	[2].04
Credits/Adjustments	(1)
Wire:	
—In	2.00
—Out	4.00
Check Withdrawals	5.00
Stop Payments	5.00
Exception Item Return	2.50
Depository Transfer Checks	4.00
Photocopy	2.50
Transmatic Returns	2.50
Voids	(1)
Checks/Money Order Forms (above standard check)	(2)
Paid Items Mailed to Association	(3)
Overdrafts (per daily occurance and interest penalty at Category II advance rate plus 1%)	10.00

[1] No charge.
[2] Per check.
[3] Actual costs.

DISTRICT 10.—FEDERAL HOME LOAN BANK OF TOPEKA

Service	Fee
Checks Paid	[1] $.15
Truncated	[1].12
Outgoing Wire Transfers	[1] 4.00
Incoming Wire Transfer	[1] 2.00
Basic Demand Service (Tape Transmission):	
Cycle	[1].11
Truncated	[1].08
Safekeeping Charges (per transaction):	
Physical Securities	35.00
Wireable Securities	30.00
Pass-Through Reserves (per month)	25.00

DISTRICT 11.—FEDERAL HOME LOAN BANK OF SAN FRANCISCO

Service	Fee
Debits (items paid)	[1] $.08
Fine-sorting	[1].01
Deposits	[1].25
Reconcilement issue:	
Tape	[1].03
MICR	[1].08
Photocopy	[2] 1.00
Stop Payment	[3] 5.00
Passthrough reserve (per month required)	25.00
Wire Transfers:	
Incoming	[3] 3.00
Outgoing	[3] 5.00

DISTRICT 11.—FEDERAL HOME LOAN BANK OF SAN FRANCISCO—Continued

Service	Fee
Overdraft charges	(3)

[1] Per item.
[2] Each.
[3] Bank's average daily Federal funds rate plus 2% ($25.00 minimum).

DISTRICT 12.—FEDERAL HOME LOAN BANK OF SEATTLE

Service	Fee
Account Maintenance (per month)	$3.50
Wire Transfers Out (per wire)	3.00
Wire Transfers In (per wire)	2.00
Pre-Autorized Deposit Transfers (per check)	1.25
Stop Payments (per stop)	3.25
Government Recurring Payments (per item)	.25
Unreconciled checks paid and fine sorted (per item)	.075
Checks paid and reconciled—tape entry (per item)	.065
Checks paid and reconciled—register entry (per item)	.095
Check Supplies	(1)

[1] Actual cost.

By the Federal Home Loan Bank Board.

S. G Frank Haas III,

Director, Office of District Banks.

Eric I. Hemel,

Director, Office of Policy and Economic Research.

[FR Doc. 84-1310 Filed 1-18-84; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 955-R]

A. B. Barone Forwarding, Inc.; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of A. B. Barone Forwarding, Inc., 1251 Riviera Avenue, New Orleans, LA 70122 was cancelled effective December 10, 1983.

By letter dated October 26, 1983, A. B. Barone Forwarding, Inc., was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 955-R would be automatically revoked unless a valid surety bond was filed with the Commission.

A. B. Barone Forwarding, Inc. has failed to furnish a valid bond.

Therefore, by virture of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 9.09(f) dated September 27, 1983;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 955-R be and is hereby revoked effective December 10, 1983.

It is ordered, that Independent Ocean Freight Forwarder License No. 955-R issued to A. B. Barone Forwarding, Inc. be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon A. B. Barone Forwarding, Inc.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84-1439 Filed 1-18-84; 8:45 am]

BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 2706]

BVT America, Inc.; Order of Revocation

On December 9, 1983, BVT America, Inc., 2260-K Landmeier Road, P.O. Box 836, Elk Grove Village, IL 60007, requested the Commission to revoke its Independent Ocean Freight Forwarder License No. 2706.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 9.09(e) dated September 27, 1983;

It is ordered, that Independent Ocean Freight Forwarder License No. 2706, be revoked effective December 9, 1983, without prejudice to reapplication for a license in the future.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon BVT America, Inc.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84-1434 Filed 1-18-84; 8:45 am]

BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 2171]

Continental Cargo Corp.; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of Continental Cargo Corp., 8273 N.W. 66th Street, Miami, FL 33166 was cancelled effective December 7, 1983.

By letter dated November 28, 1983, Continental Cargo Corp. was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 2171 would be automatically revoked unless a valid surety bond was filed with the Commission.

Continental Cargo Corp. has failed to furnish a valid bond.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), § 9.09(f) dated September 27, 1983;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 2171 be and is hereby revoked effective December 7, 1983.

It is ordered, that Independent Ocean Freight Forwarder License No. 2171 issued to Continental Cargo Corp. be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon Continental Cargo Corp.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84-1435 Filed 1-18-84; 8:45 am]

BILLING CODE 6730-01-M

Independent Ocean Freight Forwarder License Applicants; R.S. International

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916 (75 stat. 522 and 46 U.S.C. 841(c)).

Persons knowing of any reason why any of the followng applicants should not receive a license are requested to communicate with the Director, Bureau of Tariffs, Federal Maritime Commission, Washington, D.C. 20573.

Richard H. Schenider d.b.a. R. S. International, 701 W. Manchester Blvd., Suite 203, Inglewood, CA 90301.

Lyon Worldwide Shipping, Inc., 3633 136th Pl., S.E., Bellevue, WA 98006, Officers: George A. Deborn, Chairman/Chief; Remo S. Galvagno, President; Robert B. Temple, Vice President

Berman International Transportation, Inc., 3150 River Road, Suite 113, Des Plaines, IL 60018, Officers Bradley A. Berman, President/Director

S–D–C Air Freight, Inc., 6080 N.W. 84th Avenue, Miami, FL 33166, Officers: Richard Cazan-Cassini, President; Ralf Steevens, Secretary; Henry Diz, Treasurer

EX-IM Business Services Corporation, 411 First Avenue S.E., Suite 320, Cedar Rapids, Iowa 52406, Officer: Howard Jay Ohsman, President

Peter A. Allen d.b.a. World Freight Services, 717 Minot Court, Elk Grove Village, Il 60007

Darrell W. Naquin d.b.a. Traco International, 5261 Laurel Street, New Orleans, LA 70115

By the Federal Maritime Commission.

Dated: January 16, 1984.

Francis C. Hurney,

Secretary.

[FR Doc. 84–1433 Filed 1–18–84; 8:45 am]

BILLING CODE 6730–01–M

[Independent Ocean Freight Forwarder License No. 1481–R]

Michael Alan Baker; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of Michael Alan Baker, 11443 Rose Avenue, Los Angeles, CA 90066 was cancelled effective December 7, 1983.

By letter dated November 28, 1983, Michael Alan Baker was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1481–R would be automatically revoked unless a valid surety bond was filed with the Commission.

Michael Alan Baker has failed to furnish a valid bond.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 9.09(f) dated September 27, 1983;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 1481–R be and is hereby revoked effective December 7, 1983.

It is ordered, that Independent Ocean Freight Forwarder License No. 1481–R issued to Michael Alan Baker be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the Federal Register and served upon Michael Alan Baker.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84–1437 Filed 1–18–84; 8:45 am]

BILLING CODE 6730–01–M

[Independent Ocean Freight Forwarder License No. 2114–R]

Trans Container Line, Inc.; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of Trans Container Line, Inc., 8600 W. 67th Street, Hogkins, IL 60525 was cancelled effective December 14, 1983.

By letter dated November 28, 1983, Trans Container Line, Inc. was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder Linense No. 2114–R would be automatically revoked unless a valid surety bond was filed with the Commission.

Trans Container Line, Inc. has failed to furnish a valid bond.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), § 9.09(f) dated September 27, 1983;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 2114–R be and is hereby revoked effective December 14, 1983.

It is ordered, that Independent Ocean Freight Forwarder License No. 2114–R issued to Trans Container Line, Inc. be returned to the Commission for cancellation.

It is further order, that a copy of this Order be published in the Federal Register and served upon Trans Container Line, Inc.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84–1438 Filed 1–18–84; 8:45 am]

BILLING CODE 6730–01–M

[Independent Ocean Freight Forwarder License No. 306]

W. C. Auger & Company; Order of Revocation

On December 20, 1983, W. C. Auger & Company, P.O. Box 2250, San Francisco, CA 94126, voluntarily surrendered its Independent Ocean Freight Forwarder License No. 306 for revocation.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), § 9.09(e) dated September 27, 1983;

It is ordered, that Independent Ocean Freight Forwarder License No. 306, be revoked effective December 20, 1983, without prejudice to reapplication for a license in the future.

It is further ordered, that a copy of this Order be published in the Federal Register and served upon W. C. Auger & Company.

Robert G. Drew,

Director, Bureau of Tariffs.

[FR Doc. 84–1436 Filed 1–18–84; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Alaska Pacific Bancorporation, et al.; Engaging de Novo in Permissible Nonbanking Activities

The bank holding companies listed in this notice have filed a notice under § 225.23(a)(1) of the Board's Regulation Y (49 FR 794) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (49 FR 794) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated for that application. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. With respect to each notice, interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would

not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated for the application or the offices of the Board of Governors not later than February 9, 1984.

A. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President), 101 Market Street, San Francisco, California 94105:

1. *Alaska Pacific Bancorporation,* Anchorage, Alaska, to engage through its subsidiary Alaska Pacific Mortgage Company, Anchorage, Alaska in mortgage lending, pursuant to § 225.4(a)(1) of Regulation Y (12 CFR 225.4(a)(1) (1983)) and loan servicing, pursuant to § 225.4(a)(3) of the Regulation Y (12 CFR 225.4(a)(3) (1983)).

2. *BankAmerica Corporation,* San Francisco, California to expand the data processing activities of its subsidiary Decimus Corporation, San Francisco, California to include providing to others any one or more of the following: data processing or data transmission services (including, without limitation, timesharing services), or access thereto by any technologically feasible means, where the data are financial, banking or economic and the services are provided pursuant to a written agreement so describing and limiting the services; data bases and access thereto by any technologically feasible means, where the data are financial, banking or economic; data processing hardware or data transmission hardware where the hardware is offered only in conjunction with software designed for the processing or transmission of financial, banking or economic data and where the general purposes hardware does not constitute more than 30 percent of the cost of any packaged offering and where the provision of the hardware is otherwise in accordance with § 225.123(e); software that is designed and marketed for the processing or transmission of financial, banking or economic data and where the software is provided pursuant to a written agreement so describing and limiting its use; and other facilities (e.g., documentation and operating personnel) to the extent permitted by § 225.4(a)(8) and 225.123(e). Decimus will also engage in incidental data processing activities as permitted by § 225.123(e), serving the United States, pursuant to § 225.4(a)(8) of Regulation Y (12 CFR 225.4(a)(3) (1983)).

3. *Empire Bancorp,* Rancho Cucamonga, California, to engage through its subsidiary Haven Escrow Company, Inc., Covina, California in acting as escrow agent for the purchase and sale of real and personal property, the execution of all documents and the acceptance and dispersal of funds relating to loan transactions, and all other activities engaged in by an escrow agent, pursuant to § 225.4(a)(4) of Regulation Y (12 CFR 225.4(a)(4) (1983)).

4. *Valley Capital Corporation,* Las Vegas, Nevada, to engage through its subsidiary Valley Capital Mortgage Company, Inc., Las Vegas, Nevada in providing portfolio investment advice to any person for investments in real property; and making or acquiring for its own account and for the account of others, loans and other extensions of credit, pursuant to § 225.4(a) (1) and (5) of Regulation Y (12 CFR 225.4(a) (1) and (5) (1983)).

5. *Valley Capital Corporation,* Las Vegas, Nevada, to engage through its subsidiary Valley Computer Corporation, Las Vegas, Nevada in data processing and data transmission services, data bases or facilities (including data processing and data transmission hardware, software, documentation and operating personnel), pursuant to § 225.4(a)8 of Regulation Y (12 CFR 225.4(a)(8) (1983)).

Board of Governors of the Federal Reserve System, January 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1517 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

Mellon National Corporation, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (49 FR 794) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated for that application. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. With respect to each application, interested persons may express their views in writing to the Reserve Bank indicated for that application or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than February 13, 1984.

A. Federal Reserve Bank of Cleveland (Lee S. Adams, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *Mellon National Corporation,* Pittsburgh, Pennsylvania; to merge with Northwest Pennsylvania Corp., Oil City, Pennsylvania (indirectly acquiring Northwest Bank, Oil City, Pennsylvania, and Union Bank & Trust Co., Erie, Pennsylvania.)

B. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *South Louisiana Financial Corporation,* Houma, Louisiana; to become a bank holding company by acquiring 98.235 percent of the voting shares of South Louisiana Bank, Houma, Louisiana.

C. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Orion Bancorporation, Inc.,* Orion, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of State Bank of Orion, Orion, Illinois.

D. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *Sunstate Bancshares, Inc.,* Phoenix, Arizona; to become a bank holding company by acquiring 100 percent of the voting shares of Bank of Casa Grande Valley (In Organization), Casa Grande, Arizona.

Board of Governors of the Federal Reserve System, January 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1516 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

Montgomery Bancorp, et al.; Formation of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by acquiring voting shares or

assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C., 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *Montgomery Bancorp*, Troy, North Carolina; to become a bank holding company by acquiring 100 percent of the voting shares of Bank of Montgomery, Troy, North Carolina. Comments on this application must be received not later than February 13, 1984.

B. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Plains Bancshares, Inc.*, Plains, Texas; to become a bank holding company by acquiring at least 80 percent of the voting shares of Plains State Bank, Plains, Texas. Comments on this application must be received not later than February 13, 1984.

Board of Governors of the Federal Reserve System, January 13, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1518 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

RIHT Financial Corporation, et al.; Proposed de Novo Nonbank Activities by Bank Holding Companies

The organizations identified in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to these applications, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any comment that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated. Comments and requests for hearing should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated.

A. **Federal Reserve Bank of Boston** (Richard E. Randall, Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02106:

1. *RIHT Financial Corporation*, Providence, Rhode Island (mortgage banking and servicing activities; northern Florida): To engage through its subsidiary, RIHT Mortgage Corporation, in the origination, sale and servicing of residential and commercial mortgage loans. These activities would be conducted from an office to be located in Altamonte Springs, Florida. The service area for the proposed activities would be northern Florida. Comments on this application must be received not later than February 8, 1984.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Illinois Corporation*, Evanston, Illinois (consumer finance and credit insurance activities; Illinois, Florida, Georgia, Kansas, Kentucky, Louisiana, North Carolina, Oklahoma, Texas, Virginia): To engage, through its subsidiary, First Illinois Finance Company (doing business as Mercury Finance Company), in making and acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a consumer finance company; and acting as agent for the sale of credit life and accident and health insurance directly related to its extensions of credit, as permitted under section 601(A) of the Garn-St Germain Depository Institutions Act of 1982. These activities would be conducted from offices located in the States of Illinois, Florida, Georgia, Kansas, Kentucky, Louisiana, North Carolina, Oklahoma, Texas and Virginia, and serving those states. Comments on this application must be received not later than February 2, 1984.

Board of Governors of the Federal Reserve System, January 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1521 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

St. Clair Agency, Inc.; Formation of a Bank Holding Company

St. Clair Agency, Inc., St. Clair, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent of the voting shares of St. Clair State Bank, St. Clair, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

St. Clair Agency, Inc., St. Clair, Minnesota, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to continue to engage in the activities of selling general insurance in a town with a population of less than 5,000 persons. These activities would be performed by Applicant in St. Clair, Minnesota and the geographic areas to be served are St. Clair, Minnesota and surrounding areas within a 15 mile radius of St. Clair, Minnesota. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party

commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. not later than February 13, 1984.

Board of Governors of the Federal Reserve System, January 13, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1519 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

WCN Bancorp, Inc., et al., Acquisition of Bank Shares by Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *WCN Bancorp, Inc.,* Wisconsin Rapids, Wisconsin; to acquire 80 percent or more of the voting shares or assets of The Wood County National Bank of Wisconsin Rapids, Wisconsin Rapids, Wisconsin. Comments on this application must be received not later than February 7, 1984.

B. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *First Laurel Security Co.,* Laurel, Nebraska; to acquire 100 percent of the voting shares or assets of Security State Bank, Allen, Nebraska. Comments on this application must be received not later than February 13, 1984.

2. *Hastings State Company,* Hastings, Nebraska; to acquire 100 percent of the voting shares or assets of First Savings Company of Hastings, Inc., Hastings, Nebraska. Comments on this application must be received not later than February 13, 1984.

C. **Board of Governors of the Federal Reserve System** (William W. Wiles, Secretary) Washington, D.C. 20551:

1. *River Forest Bancorp.* River Forest, Illinois; to acquire 80 percent of the voting shares or assets of Lincoln National Bank, Chicago, Illinois. This application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Chicago. Comments on this application must be received not later than February 13, 1984.

Board of Governors of the Federal Reserve System, January 13, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1520 Filed 1-18-84; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Consumer Participation: Notice of Open Meetings; Correction

AGENCY: Food and Drug Administration.

ACTION: Notice; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a notice that announced the February 3, 1984 consumer exchange meeting of FDA's Boston District Office. The notice published in the **Federal Register** of January 3, 1984 (49 FR 155).

SUPPLEMENTARY INFORMATION: In FR Doc. 83-34762, appearing at page 155 in the issue of Tuesday, January 3, 1984, beginning in the third column on page 155 and ending in the first column on page 156, the last paragraph beginning with "BOSTON DISTRICT OFFICE" is corrected to read as follows:

"BOSTON DISTRICT OFFICE, chaired by Frederick R. Carlson, District Director. The topics to be discussed are: Drug Use and the Elderly, Tamper-Resistant Packaging Update, Direct-to-Consumer Advertising of Prescription Drugs Update.

DATE: Friday, February 3, 1984, 9:30 a.m. to 12 m.

ADDRESS: Conference Room, Food and Drug Administration, 585 Commercial St., Boston, MA 02109.

FOR FURTHER INFORMATION CONTACT: Carolyn L. Hommel, Consumer Affairs Officer, Food and Drug Administration, 585 Commercial St., Boston, MA 02109, 617-223-5857.".

Dated: January 12, 1984.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 84-1399 Filed 1-16-84; 8:45 am]

BILLING CODE 4160-01-M

Medical Radiation Advisory Committee; Request for Nominations for Membership

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting nominations for membership on the Medical Radiation Advisory Committee. Three vacancies will occur on June 30, 1984.

DATE: Nominations must be received by February 21, 1984.

ADDRESS: Nominations and curricula vitae must be sent to Kay A. Levin, National Center for Devices and Radiological Health (HFK-50), Food and Drug Administration, 12720 Twinbrook Parkway, Rockville, MD 20852, 301-443-3516.

FOR FURTHER INFORMATION CONTACT: Gordon C. Johnson, National Center for Devices and Radiological Health (HFK-200), Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910, 301-427-7034.

SUPPLEMENTARY INFORMATION: The function of the Medical Radiation Advisory Committee is to advise the Secretary of Health and Human Services, Assistant Secretary for Health, and the Commissioner of Food and Drugs in the formulation of policy and development of a coordinated program relating to the medical application of radiation directed at obtaining the maximum diagnostic information and therapeutic benefits per unit of radiation exposure through optimum utilization of professional and technical resources and radiation related equipment.

The committee meets approximately twice a year and has advised FDA on programs related to the medical and dental use of radiation, diagnostic imaging and therapeutic radiation devices, training and education of medical radiation users, and the development of policy statements on the effective use of medical radiation.

Among its current activities, the committee reviews radiological training and education programs, advises on radiation devices guidelines and standards, and considers efficacy in relation to the selection and character of medical and dental uses of radiation.

The committee consists of 13 members, including the chair selected by the Secretary from among authorities in the fields of medicine, dentistry, public health, physics, engineering, and related health sciences who are knowledgeable about the theory, applications, and use of radiation in the healing arts. For the 1984 membership, the Medical Radiation Advisory Committee will have particular need for candidates with knowledge of medical diagnosis and decisionmaking, diagnostic imaging technology, and health care delivery. Members are invited to serve for overlapping terms of 4 years. Effective July 1, 1984, there will be a total of three vacancies on this committee. Interested persons are invited to submit names of qualified candidates and accompanying curriculum vitae and pertinent information.

In a previous notice published in the **Federal Register** of March 9, 1982 (47 FR 10086), FDA requested nominations of qualified persons to replace members whose terms expired on June 30, 1982. Eligible individuals nominated in response to that notice who were not selected will be reconsidered for the subject vacancies.

FDA has a special interest in assuring that women, minority groups, and the physically handicapped are adequately represented on advisory committees and therefore extends particular encouragement to nominations for appropriately qualified female, minority, and physically handicapped candidates.

Any interested person may nominate one or more qualified persons for membership. A complete curriculum vitae of the nominee shall be included. A business address and telephone number where the person can be reached during the day should be included. Nominations shall state that the nominee is aware of the nomination, is willing to serve as a member of the committee, and appears to have no conflict of interest that would preclude committee membership. Potential candidates will be asked by FDA to provide detailed information concerning such matters as financial holdings, consultancies, and research grants or contracts to permit evaluation of possible sources of conflict of interest.

Dated: January 12, 1984.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 84-1401 Filed 1-18-84; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Environment and Energy

[Docket No. NI-118]

Intended Environmental Impact Statements

The Department of Housing and Urban Development gives notice that an Environmental Impact Statement (EIS) is intended to be prepared under HUD programs as described in the appendix Locust Grove Farm, Deptford Township, Gloucester County, New Jersey. This Notice is required by the Council on Environmental Quality under its rules (40 CFR 1500).

Interested individuals, governmental agencies, and private organizations are invited to submit information and comments concerning the are to the specific person or address indicated in the appropriate part of the appendix.

Particularly solicited is information on reports or other environmental studies planned or completed in the project areas, issues and data which the EIS should consider, recommended mitigating measures and alternatives, and major issues associated with the proposed project. Federal agencies having jurisdication by law, special expertise or other special interests should report their interests and indicate their readiness to aid the EIS effort as a "cooperating agency."

Each Notice shall be effective for one year. If one year after the publication of a Notice in the **Federal Register** a Draft EIS has not been filed on a project, then the Notice for that project shall be cancelled. If a Draft EIS is expected more than one year after the publication of the Notice in the **Federal Register** then a new and updated Notice of Intent will be published.

Dated: January 16, 1984.

Francis G. Haas,

Deputy Director, Office of Environment and Energy.

Appendix

EIS on Locust Grove Farm, Deptford Township, Gloucester County, New Jersey

The Department of Housing and Urban Development intends to prepare an Environmental Impact Statement (EIS) for the subject project on the Locust Grove Farm at Deptford Township, New Jersey. The Department hereby solicits comments and information for consideration in this EIS.

Description: Deptford Investment Corporation has filed an application for the Department of Housing and Urban Development to accept Locust Grove Farm for Mortgage Insurance under Section 203(b) of Title II of the National Housing Act of 1934, as amended. It is a residential planned community of 4,498 dwellings on 448 acres (including 63.5 acres of open space) on the south side of Turkey Hill Road between Caulfield Avenue (Route 645) and Almonesson Road (Route 621).

Need: An EIS is proposed due to HUD threshold requirements, impact of the project upon wetlands and possible archeological finds in the project area.

Alternatives: At this time the HUD alternatives include: accept the project as proposed; accept the project with conditions or modifications; or no project. The "no project" alternative would mean that the project could be developed without HUD participation and not be subject to Federal environmental laws and regulations.

Scoping: No formal scoping is anticipated for this project. It is the intent of this Notice to be considered a part of the process used for scoping the Environmental Impact Statement. Any responses to this Notice will be used to help determine significant environmental issues, and to identify data which the EIS should address.

Comments: Comments should be sent within 21 days following publication of the Notice in the **Federal Register** to: Elmer L. Roy, Manager, HUD Office, 519 Federal Street, Parkade Building, Camden, New Jersey 08103. The commercial telephone number of this office is (609) 757-5107 and the FTS number is 8-488-5081.

[FR Doc. 84-1455 Filed 1-18-84; 8:45 am]

BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA-8599]

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Secs. 14(h)(5) and 14(h)(7) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(h)(5), 1613(h)(7)) (ANCSA), will be issued to Debra Jean (Titus) Wallace, for approximately 160 acres. The lands involved are within the Seward Meridian, Alaska:

T. 1 N., R. 1 W.

The decision to issue conveyance will be published once a week, for four (4) consecutive weeks, in the ANCHORAGE DAILY NEWS upon issuance of the decision. For information

on how to obtain copies, contract the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in 43 Code of Federal Regulation (CFR), Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of the decision by personal service or certified mail, return receipt requested, shall have thirty days from the receipt of the decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of the decision by regular mail which is not certified, return receipt requested, shall have until February 21, 1984 to file an appeal.

Any party known or unknown who is adversely affected by the decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Retained Lands Unit, Easements Division of Land and Water Management, Alaska Department of Natural Resources, Pouch 7–005, Anchorage, Alaska 99510

Debra Jean (Titus) Wallace, P.O. Box 10068, Klatt Station, Anchorage, Alaska 99502

Chugach Natives, Inc., 903 West Northern Lights Blvd., Suite 201, Anchorage, Alaska 99503

Barbara A. Lange,

Section Chief, Branch of ANCSA Adjudication.

[FR Doc. 84–1414 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–JA–M

[AA–8608]

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Secs. 14(h)(5) and 14(h)(7) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(h)(5), 1613(h)(7)), (ANCSA), will be issued to Donald Hooper Wallace, Jr., for approximately 160 acres. The lands involved are within the Seward Meridian, Alaska:

T. 1 N., R. 1 W.

The decision to issue conveyance will be published once a week, for four (4) consecutive weeks, in the Anchorage Daily News upon issuance of the decision. For information on how to obtain copies, contact the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of the decision by personal service or certified mail, return receipt requested, shall have thirty days from the receipt of the decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate parties who failed or refused to sign their return receipt, and parties who received a copy of the decision by regular mail which is not certified, return receipt requested, shall have until February 21, 1984 to file an appeal.

Any party known or unknown who is adversely affected by the decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of an requirements for filing an appeal may be obtained from the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Retained Lands Unit, Easements Division of Land and Water Management, Alaska Department of Natural Resources, Pouch 7–005, Anchorage, Alaska 99510

Donald Hooper Wallace, Jr., 4020 McPhee 6t6, Anchorage, Alaska 99504

Chugach Natives, Inc., 903 West Northern Lights Blvd., Suite 201, Anchorage, Alaska 99503

Barbara A. Lange,

Section Chief, Branch of ANCSA Adjudication.

[FR Doc. 84–1415 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–JA–M

[F–14907–A Through F–14907–I]

Alaska Native Claims Selection; NANA Regional Corp.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that the decision to issue conveyance to NANA Regional Corporation, Inc. as successor in interest to Noatak Napaaktukmeut Corporation published in the **Federal Register** on January 4, 1983 is modified as to pages 344 and 345.

The time limits for filing an appeal are:

1. Parties receiving service of this modified decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this modified decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have

been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this modified decision by regular mail which is not certified, return receipt requested, shall have until February 21, 1984 to file an appeal.

Copies can be obtained by contacting the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the party to be served with a copy of the notice of appeal is: NANA Regional Corporation, Inc., Successor in Interest to Noataka Napaaktukmeut Corporation, P.O. Box 49, Kotzebue, Alaska 99752.

Except as modified by this decision, the decision of December 30, 1982, stands as written.

Barbara A. Lange,

Section Chief, Branch of ANCSA Adjudication.

[FR Doc. 84-1416 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-84-M

Montana; Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Pub. L. 97-451, a petition for reinstatement of oil and gas lease M 56563, Toole County, Montana, was timely filed and accompanied by the required rental accruing from the date of termination, December 1, 1983.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rental at a rate of $10 per acre and royalty at a rate of not less than 16⅔ percent computed on a sliding scale based upon the average production per well per day, at a rate which shall be not less than 4 percentage points greater than the competitive royalty schedule attached to the lease. Payment of a $500 administration fee has been made.

Having met all the requirements for reinstatement of the lease as set out in Sec. 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), the Bureau of Land Management is proposing to reinstate the lease, effective as of the date of termination, subject to the original terms and conditions of the lease, the increased rental and royalty rates cited above, and reimbursement for cost of publication of this Notice.

Dated: January 10, 1984.

Cynthia L. Embretson,

Chief, Fluids Adjudication Section.

[FR Doc. 84-1471 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-84-M

Nevada; Filing of Plats of Survey

January 10, 1984.

1. The Plats of Survey of lands described below were officially filed at the Nevada State Office, Reno, Nevada, effective at 10:00 a.m., on January 3, 1984.

Mount Diablo Meridian, Nevada

T. 1 S., R. 40 E.,
Group No. 600.

T. 2 S., R. 40 E.,
Group No. 600.

T. 34 N., R. 52 E.,
Supplemental Plat.

The above surveys were accepted December 16, 1983.

The purpose of this notice is to inform the public and interested State and local government officials of the filing of plats of survey. Inquires concerning these surveys shall be addressed to the Nevada State Office, Bureau of Land Management, 300 Booth Street, P.O. Box 12000, Reno, Nevada 89520.

Wm. J. Malencik,

Deputy State Director, Operations.

[FR Doc. 84-1468 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-84-M

Nevada; Filing of Plat of Survey and Order Providing for Opening of Lands

January 10, 1984.

1. The Plat of Survey of lands described below will be officially filed at the Nevada State Office, Reno, Nevada, effective at 10:00 a.m., on March 5, 1984.

Mount Diablo Meridian, Nevada

T. 1 S. R. 40½ E.

2. The land within the above township is mountainous in the western half with elevations between 5,300 and 5,950 ft. above sea level and gently rolling in the eastern half with elevations between 4,800 and 5,300 ft. above sea level. The soil is gravelly with volcanic rocks in the mountains and gravelly with some sand in the eastern part. The undergrowth consists of sagebrush and scattered cacti.

Access to the township is provided by trail roads crossing from east to west, extending only to the foothills.

Prinicpal users of the area consist of mining enthusiasts, as there is evidence of numerous prospects throughout the township.

There are no improvements within the township.

3. Subject to valid existing rights, the provisions of existing withdrawals and classifications, and the requirements of applicable law, the lands are hereby open to such applications and petitions as may be permitted. All such valid applications received at or prior to 10:00 a.m. on March 5, 1984, shall be considered as simultaneously filed at the time. Those received thereafter shall be considered in order of filing.

Inquires concerning these lands shall be addressed to the Nevada State Office, Bureau of Land Management, 300 Booth Street, P.O. Box 12000, Reno, Nevada 89520.

Wm. J. Malencik

Deputy State Director, Operations.

[FR Doc. 84-1469 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-84-M

[M-57784]

Realty Action; Exchange of Public Lands in Custer County, Montana

AGENCY: Bureau of Land Management, Miles City District, Interior.

ACTION: Notice.

SUMMARY: The following described public lands have been determined to be suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

	Acres
T. 9 N., R. 50 E., PMM,	
Sec. 24, W½	320.00
T. 9 N., R. 51 E., PMM,	
Sec. 28, lots 2-5, 8,9, NE¼	244.53
Sec. 32, lots, 1,4,5	83.53
Sec. 33, lot 5, N½SE¼, SE¼SE¼	151.29
Total	799.35

In exchange for these lands, the Federal Government will acquire scattered tracts of non-federal land in Custer County from Buford Griffin, described as follows:

	Acres
T. 9 N., R. 50 E., PMM,	
Sec. 27	640.00
T. 9 N., R. 51 E., PMM,	
Sec. 22, SE¼	320.00
Sec. 25, NW¼	160.00
Sec. 34, W½SE¼	80.00
T. 9 N., R. 52 E., PMM,	
Sec. 30, lots 1-3, E½NW¼, NE¼SW¼, W½SE¼	318.27
Total	1,518.27

The purpose of this exchange is to aggregate the existing isolated public lands into an area which will be accessible to the public. The exchange is consistent with the Bureau's planning and has been discussed with Custer County Commissioners (on May 4, 1983) and officials of the State of Montana. They agreed there is no need for a public hearing. The public interest will be served by making the exchange.

The value of the lands to be exchanged is approximately equal and the acreage will be adjusted or money will be used to equalize the values.

SUPPLEMENTARY INFORMATION: The publication of this notice segregates the public lands described above from settlement, sale, location and entry under the public land laws, including the mining laws, but not from exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976.

The exchange will be made subject to:

1. A reservation to the United States of a right-of-way for ditches or canals in accordance with 43 U.S.C. 945.

2. The reservation to the United States of all minerals in the federal land being transferred.

3. All valid existing rights (e.g. rights-of-way, easements, and leases of record.)

4. The reservation of a road easement to the United States, 30 feet total width, 3,240 feet in length, along an existing road within T. 9 N., R. 51 E., PMM, Sec. 28: NE¼.

DATE: For a period of 45 days from the date of this notice, interested parties may submit comments to the Bureau of Land Management at the address shown below. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department of Interior.

FOR FURTHER INFORMATION CONTACT: Miles City District Office, P.O. Box 940, Garryowen Road, Miles City, Montana 59301.

Dated: January 11, 1984.

Ray Brubaker,

District Manager.

[FR Doc. 84-1479 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-DN-M

Realty Action; Sale of Public Lands in Lincoln County, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action, sale of public lands in Lincoln County, Idaho.

DATE: The bid opening will be held on Friday, March 30, 1984, beginning at 10:00 a.m.

SUMMARY: Based on public supported land use plans the following described land has been examined, and identified as suitable for disposal by public sale under Section 203 of the Federal Land Policy and Management Act (FLPMA) of 1976 (90 Stat. 2750, U.S.C. 1713), at no less than the appraised fair market value which will be available in the Shoshone District Office after March 1, 1984.

Parcel No.	Legal description	Acres
I-18298, Parcel 1.	T. 5 S., R. 18 E., Boise Meridian, Idaho, Sec. 4: NW¼SE¼SW¼.	10.0
I-20425, Parcel 2.	T. 5 S., R. 18 E., Boise Meridian, Idaho, Sec. 9: N½NW¼NW¼-NW¼; SW¼NW¼NW¼NW¼.	7.5

Sealed bids are being solicited for each parcel offered for sale. Acceptable bids must be at the appraised value or higher.

Sale Parcel I-18298 will be offered for *Direct Sale* to Gordon Connell, based on historic use and value added improvements. Failure of the proponent to submit the required amount within 30 days from the date of the sale will result in cancellation of the sale to him. This parcel would then be withdrawn from further sale offerings and remain under BLM control.

Sale Parcel I-20425 will be offered for sale through Competitive Bidding. "Sealed bids only will be accepted" and no bids will be accepted for less than the appraised value. Bids must include all the lands contained in the parcel.

The patent for each parcel will be subject to the following conditions:

1. A right-of-way for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

2. All minerals including Oil & Gas shall be reserved to the United States, as required by Section 209(a) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1719.

3. All valid existing rights and reservations of record on the date of patenting.

ADDRESS: The bid opening will be held at the Shoshone District Office, Bureau of Land Management, 400 West F Street, P.O. Box 2B, Shoshone, Idaho 83352. Additional information concerning this land and terms and conditions of sale and bidding instructions can be obtained from Ervin Cowley at the above address, or by calling (208) 886-2206.

SUPPLEMENTARY INFORMATION: For a period of 45 days from the date of this notice, interested parties may submit comments to the Shoshone District Manager regarding the proposed action. Any adverse comments will be evaluated by the District Manager, who may vacate or modify this realty action and issue a final determination. In the absence of any action by the District Manager, this realty action will become the final determination of the Department of Interior.

FOR FURTHER INFORMATION CONTACT: Charles J. Haszier, District Manager, Shoshone District Office, 400 West F Street, Shoshone, Idaho 83352; 208-886-2208.

Dated: January 13, 1984.

Charles J. Haszier,

District Manager.

[FR Doc. 84-1486 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-84

[W-81467]

Wyoming: Realty Action; Proposed Noncompetitive Sale of Public Lands in Johnson County, Wyoming—Amendment

Summary

This notice amends a previous Notice of Realty Action to add an omitted additional patent reservation in the Proposed Noncompetitive Sale of Public Lands published in the **Federal Register**, Vol. 48, No. 155, page 36345, issue of August 10, 1983 (FR Doc. 83-21748).

The omitted patent reservation is as follows:

A flood plain restriction is imposed under Section 3(d) of Executive Order 11988 of May 24, 1977, under Section 4 of Executive Order 11990 of May 24, 1977, and under Section 208 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713 (1976), which constitutes a covenant that the land may not be further developed or expanded for residential building for public service installations or for similar type use and structures needing flood protection. If municipal sewage facilities become available to the land, the existing septic tank leach field system will be replaced and if the existing structures are ever destroyed or moved, no new structures will be erected on the site.

For a period of 45 days from the date of this notice, interested parties may submit comments to the Bureau of Land Management, Casper District Office, 951 Rancho Road, Casper, Wyoming 82601. Any adverse comments will be evaluated by the district manager who may vacate or modify this realty action and issue a final determination. In absence of any action by the district manager, this realty action will become a final determination.

James W. Monroe,

District Manager.

[FR Doc. 84-1473 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-22-M

[AZAZ012000004]

Realty Action; Sale of Public Lands in Mohave County, Arizona; Correction

In FR Doc 83–30738, page 51983, published Tuesday, November 15, 1983, the heading should read Noncompetitive Sale of Public Land in Mohave Co., instead of "competitive sale".

Dated: January 12, 1984.

G. William Lamb,

District Manager.

[FR Doc. 84–1418 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–84–M

[Group 670]

California; Filing of Plat of Survey

January 11, 1984.

1. This plat of survey of the following described land will be officially filed in the California State Office, Sacramento, California, immediately:

Mount Diablo Meridian, Sonoma County

T. 11 N., R. 9 W.

2. This plat, representing the dependent resurvey of a portion of the subdivisional lines, and certain boundaries of mineral surveys in T. 11 N., R. 9 W., Mount Diablo Meridian, under Group No. 670, California, was accepted December 5, 1983.

3. The plat will immediately become the basic record for describing the land for all authorized purposes. The plat has been placed in the open files and is available to the public for information only.

4. This survey was executed to meet certain administrative needs of this Bureau.

5. All inquiries relating to this land should be sent to the California State Office, Bureau of Land Management, Federal Office Building, 2800 Cottage Way, Room E–2841, Sacramento, California 95825.

Herman J. Lyttge,

Chief, Records and Information Section.

[FR Doc. 84–1397 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–84–M

[N–38893]

Realty Action; Noncompetitive Sale of Public Lands in Humboldt County, Nevada

The following land has been examined and identified as suitable for disposal by direct sale under Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750); 43 U.S.C. 1713) at no less than fair market value:

Mount Diablo Base & Meridian

T. 35 N., R. 38 E.,
Sec. 6, N1/2N1/2N1/2NE1/4NW1/4SW1/4, N1/2N1/2N1/2NE1/4SW1/4.

The above-described land comprising 6.25 acres, is being offered as a direct sale to District Court Judge Richard J. Legarza, who will act as intermediary and deed the property to the individual landowners as the property is paid for. This land disposal effort by the Bureau of Land Management will solve a surveying error that affects several property owners in the Grass Valley Road vicinity.

The sale is consistent with the Bureau of Land Management's planning system and has been an item of discussion with landowners. Bureau policy is that public lands will be disposed of in an attempt to achieve resolution of inadvertent trespass actions involving substantial improvements on the public lands. The public interests will be served by offering these lands for direct sale to the District Court Judge. The proposed sale has been reviewed by the Humboldt County commissioners. The land will not be offered for sale until 60 days after the date of this notice.

The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect, mine, and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.

And will be subject to:

1. Those rights for powerline purposes which have been granted to Sierra Pacific Power Company, its successors or assigns, by Permit No. Nev-057840, under the Act of March 4, 1911, 36 Stat. 1253, 43 U.S.C. 961.

2. Those rights for roadway purposes which have been granted to the Humboldt County Commissioners, their successors or assigns, by Permit No. N–37919, under the Act of October 21, 1976, 90 Stat. 2776, 43 U.S.C. 1761.

3. Those rights granted by oil and gas lease N–34359, made under Section 29 of the Act of February 25, 1920, 41 Stat. 437, and the Act of March 4, 1933, 47 Stat. 1570. This patent is issued subject to the right of the prior permittee or lessee to use so much of the surface of said land as is required for oil and gas exploration and development operations, without compensation to the patentee for damages resulting from proper oil and gas operations, for the duration of oil and gas lease, N–34359, and any authorized extension of that lease. Upon termination or relinquishment of said oil and gas lease, this reservation shall terminate.

Detailed information concerning the sale is available for review at the Winnemucca District Office, Bureau of Land Management, 705 East Fourth Street, Winnemucca, Nevada 89445.

For a period of 45 days from the date of publication in the **Federal Register**, interested parties may submit comments to the State Director at P.O. Box 12000, Reno, Nevada 89520. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a final determination. If no action is taken by the State Director, this realty action will become a final determination of the Department of the Interior.

Dated: January 10, 1984.

Robert J. Neary,

Acting District Manager.

[FR Doc. 84–1390 Field 1–19–84; 8:40 am]

BILLING CODE 4310–84–M

Realty Action; Sale of Public Land in Gilliam County, Oregon

The following described land has been identified as suitable for disposal by sale under 43 CFR Part 2750 (90 Stat. 2743, 43 U.S.C. 1713), at no less than the appraised fair market value.

Parcel No.	Legal description	Acreage	Fair market value
1	T. 1 S., R. 19 E., Will. Mer., Sec. 29, NE¼NW¼.	40	$2,100
2	T. 1 S., R. 19 E., Will. Mer., Sec. 32, SE¼NE¼.	40	2,300
3	T. 2 S., R. 19 E., Will. Mer., Sec. 23, SW¼SE¼.	40	5,000
4	T. 1 S., R. 21 E., Will. Mer., Sec. 35, NE¼SE¼.	40	2,000
5	T. 1 S., R. 22 E., Will. Mer., Sec. 12, NE¼SE¼.	40	2,800
6	T. 1 S., R. 22 E., Will. Mer., Sec. 32, SW¼SW¼.	40	2,600
7	T. 2 S., R. 22 E., Will. Mer., Sec. 32, NE¼NE¼.	40	2,400
8	T. 3 S., R. 22 E., Will. Mer., Sec. 4, SW¼NW¼.	40	2,800

The parcels are difficult and uneconomic to manage as part of the public lands and are not suitable for management by another federal agency. There are no significant resource values which will be affected by this disposal and the sale of these parcels will allow agricultural development of suitable portions. Physical access is by foot to Parcels No. 1, 2, 3 and 5. Parcels No. 4, 6, 7 and 8 have roads to them but only Parcels No. 6 and 8 have legal access. The sale is consistent with BLM plans

for disposal of these tracts and the public interest is served by offering this land for sale.

Sealed bids are being solicited for each parcel and no oral bidding will take place.

No tract will be sold for less than the appraised fair market value. Designated bidders must submit a sealed bid for at least the appraised value, to exercise their right to meet the high sealed bid.

The sale will be held on March 21, 1984, at 10:00 AM in the Prineville District Office, 184 E. 4th Street. At that time, all sealed bids will be opened and the apparent high bidders declared.

All parcels are being offered for sale through modified competitive bidding with the exception of Parcels No. 6 and 8 which will be sold under competitive bidding procedures. The following designated bidders have preference right to meet the high bid:

Parcel No. 1: Gordon and Elaine Moore
Parcel No. 2: Gordon and Elaine Moore, Art Van Guilder
Parcel No. 3: Dough and Edith Shull
Parcel No. 4: John Weimar
Parcel No. 5: Herbert and May Ekstrom, William Zinter
Parcel No. 7: Bill Hill and Patty McCoin

Modified competitive bidding procedures are being used to recognize the needs of adjoining landowners and historical use by these landowners. Preference to meet the high selling bid is authorized under Section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713; 43 CFR 2711.3–2(a)(2).

Federal law requires that individuals be 18 years of age or over and a U.S. citizen, and corporations be subject to the laws of any State of the United States.

Sealed or written bids will be considered only if received by the Bureau of Land Management, P.O. Box 550, Prineville, Oregon 97754, prior to 4:00 PM, Tuesday, March 20, 1984. A separate written bid must submitted for each parcel desired.

All sealed bids will be opened and publicy declared at 10:00 AM, March 21, 1984, in the Prineville District Office.

If two or more envelopes containing valid bids for Parcels Nos. 6 and 8 are of the same amount, the determination of which is to be considered the qualifying bid shall be by drawing. The same procedure shall apply to designated bidders, bidding on Parcels Nos. 1, 2, 3, 4, 5 and 7. However, should the high sealed bid be received from an individual who is not acting in the capacity of a designated bidder, all designated bidders will be notified through registered mail that they have 30 days to either meet the high bid or submit a second sealed bid of greater value. Failure to agree to meet the high bid within the 30 day period immediately following the sale, shall consititute a waiver of all preference rights. All sealed bids received from designated bidders exercising their right to meet the high bid will be opened and the high bidder declared immediately following the 30 day period. If two or more bids of equal amounts are received from the designated bidders, the qualifying bid shall then be determined by drawing, immediately following the opening of the sealed bids.

2. The BLM may accept or reject any all offers, or withdraw any land or interest in land from sale if, in the opinion of the authorized officer, consumation of the sale would not be fully consistent with the Federal Land Policy and Management Act or other applicable laws.

3. A reservation to the United States for ditches and canals constructed by the authority of the United States Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945).

4. A bid will also constitute an application for conveyance of the entire mineral estate except for oil and gas which will be reserved to the United States. The mineral interests being offered for conveyance have no known mineral value. The declared high bidder will be required to deposit a $50.00 nonreturnable filing fee (43 CFR 2720.1–2(c)).

5. The sale will be subject to all valid existing rights.

Those parcels not sold pursuant to this Notice of Realty Action will continue to be available for sale on a sealed bid basis. All sealed bids for available parcels will be opened at 10:00 AM on the first Wednesday of each month and must be received in the Prineville Office by 4:00 PM the last working day prior to the monthly drawing. Priority will not be given to first filed bids.

Detailed information concerning the sale, including the planning documents, environmental assessment and the record of public involvement, is available for review at the District Office, Bureau of Land Management, P.O. Box 550, Prineville, Oregon 97754. For a period of 45 days after the issuance of this notice, the public and interested parties may submit comments to the District Manager, at the above address. Any adverse comments received as a result of the Notice of Realty Action or notification to the congressional committees and delegations pursuant to Pub. L. 97–394, will be evaluated by the District Manger who may vacate or modify this realty action and issue a final determination. In the absense of any action by the District Manager, this realty action will become a final determination of the Department of the Interior. Interested parties should continue to check with the District Office to keep themselves advised of any changes.

James L. Hancock,

Associate District Manager.

[FR Doc. 84–1389 Filed 1–17–84; 8:45 am]

BILLING CODE 4310–33–M

[OR 36619 (WA)]

Realty Action; Sale Public Land in Chelan County, Washington

The following described land has been examined and identified as suitable for disposal by sale under Section 203 of the Federal Land Policy and Management Act of 1976, (90 Stat. 2750, 43 U.S.C. 1713), at no less than the appraised fair market value:

WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON

Parcel No.	Legal description	Acreage	Value
1	T. 28 N., R. 21 E., Sec. 14, W½SE¼.	80.00	$28,000
2	T. 28 N., R. 21 E., Sec. 24, SW¼NE¼.	40.00	21,400
3	T. 28 N., R. 22 E., Sec. 19, Lot 3.	25.51	8,200
4	T. 28 N., R. 22 E., Sec. 23, SE¼SE¼.	40.00	20,000
5	T. 28 N., R. 22 E., Sec. 26, NE¼SW¼.	40.00	20,000

The sale will be held on March 21, 1984, at 10:00 a.m. at the Bureau of Land Management, Spokane District Office, East 4217 Main Avenue, Spokane, Washington 99202.

These isolated parcels are difficult and uneconomic to manage as part of the public lands and are not suitable for management by another federal agency. There are no significant resource values which will be affected by this disposal. Legal access is available to Parcels #2 and #3 by county road. There is no legal access to Parcels #1, #4 and #5. The sale is consistent with the BLM's planning for the land involved and the public interest would be served by offering this land for sale.

The patent issued to all the parcels will be subject to:

1. A reservation to the United States for ditches and canals (43 U.S.C. 945).

2. A reservation to the United States for all mineral rights (43 U.S.C. 1719).

Additionally:

a. Patents to Parcels #1, #2 and #3 will be subject to the transmission line

right-of-way SP 020026 granted to Chelan County P.U.D. No. 1.

b. Patent to Parcel #3 will be subject to a reservation to the United States for the pumping station and associated facilities right-of-way OR 8729 (WA).

c. All other easements, encumbrances, reservations, and restrictions of record.

The above described land will be offered for sale by sealed bids only, using competitive bidding procedures (43 CFR 2711.3–1). No bid will be accepted for less than the appraised value, and bids for a parcel must include all the land in the parcel. Federal law requires that individuals be 18 years of age or over and U.S. citizens, and corporations be subject to the laws of any State of the United States.

Bids must be made by the principal or his duly qualified agent, by sealed bids mailed or delivered to the Spokane District Office. Bids must be received at the Bureau of Land Management, Spokane District, at the above address, before 10:00 a.m., March 21, 1984, to be considered. Each sealed bid must be accompanied by postal money order, bank draft, or cashier's check, made payable to the Bureau of Land Management for not less than one-fifth of the amount of each bid. The sealed envelope must be marked in the lower left-hand corner as follows: "Public Sale Bid Parcel No. , Serial No. OR 36619. Sale held March 21, 1984."

If two or more envelopes are received containing valid bids of the same amount for the same parcel, the successful bid shall be determined by drawing. The highest qualifying sealed bid on each parcel will be the sale price. The successful bidder will be required to pay the remainder of the sale price within 30 days. Failure to submit the full sale price within 30 days shall cancel sale of the specific parcel and the bidder's deposit will be forfeited. All unsuccessful bids will be returned.

If any of the parcels are not sold on March 21, 1984, they will remain available for sale on a continuing basis until removed from market. Bids will be solicited on these parcels at the Bureau of Land Management, Spokane District Office during regular business hours. All sealed bids received will be opened the first Wednesday of each month. To be considered, bids must be received by 10:00 a.m. on the day of the bid opening.

Detailed information concerning the sale, including the planning documents, environmental assessment, land report, and fair market appraisal, is available for review at the Bureau of Land Management, Spokane District Office, at the above address.

For a period of 45 days after the date of issuance of this notice, the public and interested parties may submit comments to the Spokane District Manager, at the above address. Any adverse comments received as a result of the Notice of Realty Action or notification to the Congressional committees and delegations pursuant to Pub. L. 97–394 will be evaluated by the District Manager who may vacate or modify this realty action and issue a final determination. In the absence of any action by the District Manager, this realty action will become a final determination of the Department of the Interior. Interested parties should continue to check with the District Office to keep themselves advised of changes.

Date of Issue: January 10, 1984.

Jerry L. Kidd,

Acting District Manager.

[FR Doc. 84–1395 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–84–M

[W–81072]

Realty Action Sales of Public Lands in Lincoln County, Wyoming

January 11, 1984.

The following described lands have been determined to be suitable for disposal by sale pursuant to Section 203 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713, at no less than the fair market value ($379,000.00).

Sixth Principial Meridian, Wyoming

T. 20 N., R. 117 W.,
Sec. 14: E½, SW¼NW¼, SW¼.
Containing 520 acres.

The land is to be sold noncompetitively to The Pittsburg and Midway Coal Mining Company, at the appraised fair market value. The purpose of this sale is to provide land for the placement of out of pit material removed during mining operations.

The sale will be made on approximately March 15, 1984.

The sale of these lands will serve important public objectives which cannot be achieved on lands other than public land. These objectives outweigh the values derived by livestock grazing which is the present and projected use of the land.

The Direct sales method has been selected because the subject parcel is an integral part of a project of public importance and speculative bidding would jeopardize the timely completion and economic viability of the project. The existing adjacent energy producing resources would not be recovered, thus the existing business would be threatened if the tract were purchased by any other party.

The environmental assessment written for this action considered alternative sites which were rejected because of greater environmental and economic negative effects. The sale is consistent with the Pioneer Trails Management Framework Plan which has been reviewed by the public, with input from local, county and state government officials.

The terms and conditions applicable to the sale are:

1. The total purchase price for the land will be paid at the time of the sale.

2. The patent will contain a reservation for ditches and canals.

3. All minerals will be reserved to the United States.

4. The Pittsburg and Midway coal Mining Company shall take the real estate subject to the continued use for a two-year period of the allottes within the Cumberland-Uinta Grazing Allotment. The purchaser is entitled to receive annual grazing fees, in an amount not to exceed that which would be authorized under the Federal grazing fee published annually in the **Federal Register.**

5. The patent will be subject to all valid existing rights.

6. Federal law requires that the patentee be a U.S. citizen, or in the case of corporations, be authorized to own real estate in the State in which the sale is offered. Proof of this requirement has been established.

Detailed informatin concerning the sale is available for review at the Bureau of Land Management, Kemmerer Resource Area Office, 415 U.S. Highway 30 North, Diamondville, Wyoming 83101.

For a period of forty-five (45) days from the date of this notice, interested parties may submit comments to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, Wyoming 82902. Any adverse comments will be evaluated by the District Manager who may vacate or modify this realty action. In the absence of any action by the District Manager, this realty action will become a final determination of the Department of the Interior.

Don Sweep,

District Manager, Rock Springs District.

[FR Doc. 84–1388 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–22–M

Conveyance and Order Providing for Opening of Public Lands; Phillips County, Montana

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of Conveyance and Order Providing for Opening of Public Lands in Phillips County, Montana.

SUMMARY: Notice is hereby given that pursuant to Section 206 of the Act of October 21, 1976 (43 U.S.C. 1716 (1976)), the following described land was conveyed to Michael K. Morrison and Paula Morrison:

Principal Meridian, Montana

T. 34 N., R. 29 E.,
Sec. 2, SE¼; and
Sec. 14, NE¼.
Containing 320 acres.

All of the oil and gas deposits were reserved to the United States.

In exchange for above land, the United States acquired the following described land in Phillips County, Montana:

Principal Meridian, Montana

T. 33 N., R. 28 E,
Sec. 5, lots 1, 2, 3 and 4, and S½N½.
Containing 313.72 acres.

This order restores the lands acquired by the United States to the operation of the public land laws generally.

Dates: At 9 a.m. on March 5, 1984, the lands shall be open to the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All applications received at or prior to 9 a.m. on March 5, 1984, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

January 13, 1984.

John A. Kwiatkowski,

Deputy State Director Division of Lands and Renewable Resources.

[FR Doc. 84-1393 Filed 1-1-84; 8:45 am]

BILLING CODE 4310-84-M

Susanville District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, in accordance with Public Law 94-579 (FLPMA), that a meeting of the Susanville District Grazing Advisory Board will be held on March 5, 1984.

The meeting will begin at 10:00 a.m. at the Surprise Resource Area Office of the Bureau of Land Management, 602 Cressler Street, Cedarville, California. The agenda will include a discussion of predator control, Cooperative Management Agreements, Advisory Board funds, wild horses, 1984 project progress report, 1985 project priorities, wilderness studies, and other items as appropriate.

The meeting is open to the public. Interested persons may make oral statements to the board between 3:30 p.m. and 4:30 p.m. on March 5, 1984 or file a written statement for the board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 1090, Susanville, California 96130, by February 27, 1984. Depending upon the number of persons wishing to make oral statements, a per person list limit may be established.

Summary minutes of the board meeting will be maintained in the District Office, and will be available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

C. Rex Cleary,

District Manager.

[FR Doc. 84-1398 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-40-M

Minerals Management Service

Environmental Documents Prepared for Proposed Oil and Gas Operations on the Alaska Outer Continental Shelf

AGENCY: Minerals Management Service, Interior

ACTION: Notice of availability of environmental documents prepared for Outer Continental Shelf (OCS) mineral prelease and exploration proposals on the Alaska OCS.

SUMMARY: The Minerals Management Service (MMS), in accordance with Federal regulations (40 CFR, Sections 1501.4 and 1506.6) that implement the National Environmental Policy Act (NEPA), announces the availability of NEPA-related environmental assessments (EA's) and findings of no significant impact (FONSI's) prepared by the MMS for the following oil and gas prelease and exploration activities proposed on the Alaska OCS. The listing includes all proposals for which environmental documents were prepared by the Alaska OCS Region in the 3-month period preceding this notice.

Activity/Operator: Exploration Drilling Program (Fur Seal Island) for Beaufort Sea (Harrison Bay area); Texaco USA, as operator for itself and others.

Location: Texaco USA is proposing to build a gravel island located at the common boundary of Leases OCS-Y 0344, 0345, 0352, and 0353, situated about 28 miles northwest of Oliktok Point. From this island location, Texaco proposes to drill up to five exploratory wells. The first well will be drilled into Lease OCS-Y 0353. Depending upon the results of drilling, testing, and evaluation of this well, subsequent wells will be drilled into other leases. The location of the gravel island is described as follows:

Lease and Well Nos.: OCS-Y 0344, OCS-Y 0345, OCS-Y 0352, OCS-Y 0353 No. 1.

Latitude/Longitude: 70°38'18.97"N, 150°47'39.55"W.

Environmental Assessment: No. AK-83-04.

FONSI Date: December 16, 1983.

Activity/Operator: Exploration Drilling Program for Norton Basin; Exxon Company USA, as operator for itself and Elf Aquitaine, Inc.

Location: Exxon Company USA proposes to drill up to 16 exploratory wells from a jackup drilling rig at locations 45 to 83 miles south of Nome. Depending upon the results of drilling, testing, and evaluation of the initial well, subsequent wells may be drilled at other locations. Potential sites are described as follows:

Lease	Location	Latitude	Longitude
OCS-Y 0404	2423'FWL 1556'FSL	63.81018N	164.86494W.
OCS-Y 0406	4621'FWL 4435'FNL	63.79395N	164.97136W.
OCS-Y 0414	2170'FEL 2816'FNL	63.71188N	164.72198W.
OCS-Y 0414	5548'FEL 6066'FSL	63.69314N	164.74299W.
OCS-Y 0415	5245'FWL 7826'FSL	63.69782N	164.67841W.
OCS-Y 0415	1208'FWL 1078'FSL	63.67945N	164.70143W.
OCS-Y 0433	1975'FEL 4975'FSL	63.47346N	164.33781W.
OCS-Y 0434	1193'FWL 4334'FNL	63.49097N	164.31796W.
OCS-Y 0430	4504'FEL 6859'FSL	63.52124N	164.25564W.
OCS-Y 0430	5259'FWL 75'FSL	63.50293N	164.29283W.
OCS-Y 0430	6849'FWL 4186'FNL	63.53430N	164.28231W.
OCS-Y 0398	5123'FWL 5615'FSL	63.90462N	164.08800W.
OCS-Y 0398	2936'FEL 7484'FSL	63.90943N	164.04005W.
OCS-Y 0399	2645'FWL3485'FNL	63.92233N	164.00503W.
OCS-Y 0399	7655'FEL 638'FNL	63.92971N	163.97073W.
OCS-Y 0393	1111'FEL 2735'FSL	63.93876N	163.92978W.

Environmental Assessment: No. AK–83–05.

FONSI Date: December 28, 1983.

SUPPLEMENTARY INFORMATION: The MMS prepares EA's and FONSI's for proposals which relate to exploration for oil and gas resources on the Alaska OCS.

The EA's examine the potential environmental effects of activities described in the proposals and present MMS conclusions regarding the significance of those effects. EA's are used as a basis for determining whether or not approval of the proposal constitutes major Federal actions that significantly affect the quality of the human environment in the sense of NEPA Section 102(2)(C). A FONSI is prepared in those instances where the MMS finds that approval will not result in significant effects on the quality of the human environment. The FONSI briefly presents the basis for that finding and includes a summary or copy of the EA.

The FONSI and associated EA for the activities listed above are available for public inspection between the hours of 8 a.m. and 4 p.m., Monday through Friday (excluding lunch hour, 11:30 a.m. to 12:30 p.m.) at: Minerals Management Service, Alaska OCS Region, Office of the Regional Supervisor, Field Operations, 800 A Street, Suite 205, Anchorage, Alaska 99501, Phone: (907) 261–2255.

Persons interested in reviewing specific environmental documents, or obtaining information about EA's and FONSI's prepared for activities on the Alaska OCS, are encouraged to contact the above listed MMS office.

This notice constitutes the public notice of availability of environmental documents required under the NEPA regulations.

Irven F. Palmer, Jr.,

Acting Regional Manager.

[FR Doc. 84–1413 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–MR–M

National Outer Continental Shelf Advisory Board, Pacific Regional Technical Working Group Committee; Meeting

AGENCY: Minerals Management Service, Pacific OCS Region, Interior.

ACTION: National Outer Continental Shelf Advisory Board, Pacific Regional Technical Working Group Committee; notice and agenda for meeting.

SUPPLEMENTARY INFORMATION: This notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Pub. L. 92–463.

The Pacific Regional Technical Working Group Committee of the National OCS Advisory Board is scheduled to meet from 9 a.m. to 4 p.m., February 28 and 29, 1984, at the Federal Building, 1340 West Sixth Street, Room 254–6, Los Angeles, California.

The Agenda for the meeting covers the following topics: (a) status of leases and exploration/development; (b) status of Lease Sale No. 73; (c) Lease Sale No. 73 Memorandum of Agreement with the State of California; (d) Upcoming lease offerings under the current 5–year schedule; (e) Gorda Ridge Polymetallic Sulphide Minerals Lease Offering; and f) Environmental Studies.

The meeting is open to the public. Interested persons may make oral or written presentations to the committee. Such requests should be made no later than February 13, 1984, to: Fred Jacobs, Pacific OCS Office, 1340 West Sixth Street, Room 275, Los Angeles, California 90017, (213) 688–3389. Requests to make oral statements should be accompanied by a summary of the statement to be made.

Minutes of the meeting will be available for public inspection and copying at the following locations:

Pacific OCS Region, 1340 West Sixth Street, Room 275, Los Angeles, CA 90017; and

Office of Offshore Information Services, Minerals Management Service, Department of the Interior, Washington, DC 20240

Dated: January 1, 1984.

James W. Sutherland,

Acting Deputy Regional Manager, Pacific OCS Region.

[FR Doc. 84–1394 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–MR–M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Mobil Producing Texas & New Mexico, Inc. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 6273, Block 128, East Breaks Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Regional Manager, Gulf of Mexico Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, phone (504) 838–0519.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: January 10, 1984.

John L. Rankin,

Regional Manager, Gulf of Mexico Region.

[FR Doc. 84–1475 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–MR–M

Outer Continental Shelf; Oil, Gas, and Sulphur Operations; Plan of Development and Production; Superior Oil Co.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of receipt of a proposed Plan of Development/Production (POD/P).

SUMMARY: Notice is hereby given that the Superior Oil Company has submitted a POD/P describing the activities it proposes to conduct on Lease OCS 0797, Block 105, Eugene Island Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Intracoastal City, Louisiana.

DATE: The subject POD/P was deemed submitted on January 13, 1984. Comments must be received within 15 days of the date of this Notice or 15 days after the Coastal Management Section receives a copy of the plan from the Minerals Management Service.

ADDRESSES: A copy of the subject POD/P is available for public review at the Office of the Regional Manager, Gulf of Mexico Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday). A copy of the POD/P

and the accompanying Consistency Certification are also available for public review at the Coastal Management Section Office located on the 10th Floor of the State Lands and Natural Resources Building, 625 North 4th Street, Baton Rouge, Louisiana (Office Hours: 8 a.m. to 4:30 p.m., Monday through Friday). The public may submit comments to the Coastal Management Section, *Attention OCS Plans*, Post Office Box 44396, Baton Rouge, Louisiana 70805.

FOR FURTHER INFORMATION CONTACT: Mr. Warren Williamson, Minerals Management Service, Gulf of Mexico Region; Rules and Production; Plans, Platform and Pipeline Section, Exploration/Development Plans Unit; phone (504) 838–0817.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the POD/P and that it is available for public review. Additionally, this Notice is to inform the public, pursuant to § 930.61 of Title 15 of the CFR, that the Coastal Management Section/Louisiana Department of Natural Resources is reviewing the POD/P for consistency with the Louisiana Coastal Resources Program.

Revised rules governing practices and procedures under which the Minerals Manaagement Service makes information contained in POD/Ps available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1974, (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: January 10, 1984.

John L. Rankin,

Regional Manager, Gulf of Mexico Region.

[FR Doc. 84–1470 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–MR–M

Outer Continental Shelf; Oil, Gas, and Sulfur Operations; Plan of Development and Production; Texas U.S.A.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed Plan of Development/ Production (POD/P).

SUMMARY: Notice is hereby given that Texaco U.S.A. has submitted a POD/P describing the activities it proposes to conduct on Lease OCS 0310, Block 242, South Marsh Island Area, Offshore Louisiana. Proposed plans for the above area provide for the development and production of hydro-carbons with support activities to be conducted from onshore bases located at Louisa and Morgan City, Louisiana.

DATE: The subject POD/P was deemed submitted on January 13, 1984.

ADDRESS: A copy of the subject POD/P is available for public review at the Office of the Regional Manager, Gulf of Mexico Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday).

FOR FURTHER INFORMATION CONTACT: Mr. Michael Joseph, Minerals Management Service; Gulf of Mexico Region; Rules and Production, Plans, Platform and Pipeline Section; Exploration/Development Plans Unit; phone (504) 838–0867.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the POD/P and that it is available for public review.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in POD/Ps available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: January 13, 1984.

John L. Rankin,

Regional Manager, Gulf of Mexico Region.

[FR Doc. 84–1474 Filed 1–18–84; 8:45 am]

BILLING CODE 4310–MR–M

Outer Continental Shelf; Oil, Gas, and Sulfer Operations; Plan of Development and Production; Texas Eastern Exploration Co.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed Plan of Development/ Production (POD/P).

SUMMARY: Notice is hereby given that Texas Eastern Exploration Company, has submitted a POD/P describing the activities it proposes to conduct on Lease OCS–G 4093, Block 463, West Cameron Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Sabine Pass, Texas.

DATE: The subject POD/P was deemed submitted on December 13, 1983. Comments must be received within 15 days of the date of this Notice or 15 days after the Coastal Management Section receives a copy of the plan from the Minerals Management Service.

ADDRESSES: A copy of the subject POD/P is available for public review at the Office of the Regional Manager, Gulf of Mexico Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday). A copy of the POD/P and the accompanying Consistency Certification are also available for public review at the Coastal Management Section Office located on the 10th Floor of the State Lands and Natural Resources Building, 625 North 4th Street, Baton Rouge, Louisiana (Office Hours: 8 a.m. to 4:30 p.m., Monday through Friday). The public may submit comments to the Coastal Management Section, *Attention OCS Plans*, Post Office Box 44396, Baton Rouge, Louisiana 70805

FOR FURTHER INFORMATION CONTACT: Mr. Hossein Hekmatdoost, Minerals Management Service, Gulf of Mexico Region; Rules and Production; Plans, Platform and Pipeline Section, Exploration/Development Plans Unit; phone (504) 838–0873.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the POD/P and that it is available for public review. Additionally, this Notice is to inform the public, pursuant to § 930.61 of Title 15 of the CFR, that the Coastal Management Section/Louisiana Department of Natural Resources is reviewing the POD/P for consistency with the Louisiana Coastal Resources Program.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in POD/P available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: January 13, 1984.

John L. Rankin,

Regional Manager, Gulf of Mexico Region.

[FR Doc. 84-1476 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-MR-M

National Park Service

Cape Cod National Seashore, South Wellfleet, Massachusetts, Cape Cod National Seashore Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770 (5 U.S.C. App. 1 section 10)), that a meeting of the Cape Cod National Seashore Advisory Commission will be held on Friday, February 3, 1984.

The Commission was established pursuant to Public Law 91-383 to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the development of Cape Cod National Seashore.

At the 1:30 PM meeting the Commission will consider the following:

1. Revisions to 36 CFR.
2. Contracting Out.
3. Private Sector Support.

The meeting is open to the public. It is expected that 30 persons will be able to attend the session in addition to the Commission members.

Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the official listed below at least seven days prior to the meeting.

Further information concerning this meeting may be obtained from Herbert Olsen, Superintendent, Cape Cod National Seashore, South Wellfleet, MA 02663, telephone (617) 349-3785. Minutes of the meeting will be available for public information and copying two weeks after the meeting at the Office of the Superintendent, Cape Cod National Seashore, So. Wellfleet, Massachusetts.

Dated: January 10, 1984.

Herbert Olsen,

Superintendent, Cape Cod National Seashore.

[FR Doc. 84-1411 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-70-M

Mining Plan of Operations at Gates of the Arctic National Park and Preserve; Availability

Notice is hereby given that pursuant to the provisions of section 2 of the Act of September 28, 1976, 16 U.S.C. 1901 et seq., and in accordance with the provisions of § 9.17 of 36 CFR Part 9A, Cinco Mining has filed plans of operations on lands embracing the mining claim groups on Bonanza Creek, Conglomerate Creek, Mascot Creek and Washington Creek within Gates of the Arctic National Park and Preserve. These plans are available for inspection during normal business hours at the Alaska Regional Office, National Park Service, 2525 Gambell Street, Anchorage, Alaska.

Robert Peterson,

Acting Regional Director, Alaska Region.

[FR Doc. 84-1410 Filed 1-18-84; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 30366]

Rail Carriers; the Baltimore and Ohio Railroad Co.; Discontinuance of Service Exemption; York County, PA

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from formal review under 49 U.S.C. 10903 *et seq.* the discontinuance of service by The Baltimore and Ohio Railroad Company over 0.32 miles of railroad of the Western Maryland Railway Company, between Point of Switch 851+85.5 and Valuation Station 868+96 in York County, PA, subject to conditions for protection of employees.

DATES: This exemption is effective on February 20, 1984. Petitions to stay must be filed by January 30, 1984. Petitions for reconsideration must be filed by February 8, 1984.

ADDRESSES: Send pleadings referring to Docket No. 30366 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: Rene J. Gunning, Suite 2204, 100 North Charles Street, Baltimore, MD 21201

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423 or call 289-4357 (DC Metropolitan area) or toll free (800) 424-5403.

Decided: January 12, 1984.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-1424 Filed 1-18-84; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30335]

Rail Carriers; Blue Rock Transportation Co.; Exemption From 49 U.S.C. Subtitle IV

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from 49 U.S.C. Subtitle IV the operation by the Blue Rock Transportation Company of approximately 4.24 miles of railroad between milepost 249.2 near Thrifton and milepost 245.01, near the Blue Rock quarry of American Aggregates Corporation in Fayette, Ross and Highland Counties, OH.

DATES: This exemption is effective on February 21, 1984. Petitions for reconsideration must be filed by February 8, 1984. Petitions to stay the effective date must be filed by January 30, 1984.

ADDRESS: Send pleadings referring to Finance Docket No. 30335 to:Q02

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: A. Charles Tell, Baker & Hostetler, 100 East Broad Street, Columbus, OH 43215 (614) 220-1541

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423 or call 289-4357 (DC Metropolitan area) or toll free (800) 424-5403.

Decided: January 12, 1984.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-1421 Filed 1-18-84; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30347]

Rail Carriers; Border Pacific Railroad, Inc., Exemption From 49 U.S.C. 10901, 10746, and 11301

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts the Border Pacific Railroad, Inc., from the provisions of 49 U.S.C. 10901, 10746, and 11301 in connection with respectively: (1) acquisition and operation of 31.6 miles of track between milepost 73.6 at Rio Grande City, TX, and milepost 42.0 at Mission, TX, and the acquisition of operating rights over 2 miles of track between milepost 42.0 and milepost 40.0 at Mission; (2) transportation of certain industrial sand owned by an affiliate; and (3) issuance of 1000 shares of $1 par stock and assumption of an obligation with respect to a promissory note for an amount not exceeding $430,000.

DATES: This exemption is effective on January 16, 1984. Petitions to reopen must be filed by February 8, 1984.

ADDRESSES: Send pleadings referring to Finance Docket No. 30347 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423
(2) Petitioner's representative: Stephen A. Nauheim, 1708 New Hampshire Avenue, N.W., Washington, DC 20009

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer (202) 275–7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room, 2227, Interstate Commerce Commission, Washington, DC 20423 or call 289–4357 (DC Metropolitan area) or toll free (800) 424–5403.

Decided: January 12, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett and Gradison.

James H. Bayne,

Acting Secretary.

[FR Doc. 84–1423 Filed 1–18–84; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on January 10, 1984, a proposed consent decree in *United States* v. *Hooker Chemicals & Plastics Corp., et al., (S-Area Landfill),* Civil Action No. 79–988 was lodged with the United States District Court for the Western District of New York. The proposed consent decree concerns containment and remediation of hazardous chemicals disposed of in the S-Area Landfill site in Niagara Falls, New York.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. and should refer to *United States, the State of New York,* v. *Hooker Chemicals and Plastics Corp., et al., (S-Area Landfill),* DOJ Ref. 90–7–1–41.

The proposed consent decree may be examined at the office of the United States Attorney, 502, U.S. Courthouse, Buffalo, New York 14202, and at the Region II Office of the Environmental Protection Agency, 26 Federal Plaza, Room 900, New York, New York 10278. Copies of the proposed consent decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1517, 9th & Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. In requesting a copy, please enclose a check in the amount of $23.40, (10 cents per page reproduction cost) payable to the Treasurer of the United States.

Mary L. Walker,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 84–1396 Filed 1–18–84; 8:45 am]

BILLING CODE 4410–01–M

Proposed Stipulation of Facts and Judgment Order To Require Defendant to Cease Illegal Emissions of Volatile Organics From Its Paint Baking Ovens in Cincinnati, Ohio

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a proposed stipulation of facts and judgment order in *United States of America* v. *F. H. Lawson Co.,* Civil No. C–1–83–0717, were lodged with the United States District Court for the Southern District of Ohio on December 23, 1983.

The proposed judgement order requires defendant to reformulate the paints used in its metal fabrication processes to ensure that its facility is operated in compliance with volatile organic emission limitations under the Clean Air Act, 42 U.S.C. 7401 *et seq.* The order requires compliance with those limitations by December 31, 1983 and also imposes a civil penalty for past violations.

The proposed stipulation of facts and judgment order may be examined at the office of the United States Attorney, Room 220, U.S. Post Office and Courthouse Building, Fifth and Walnut Streets, Cincinnati, Ohio 45202; at the Region V Office of the Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois; and at the Office of the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1515, Tenth and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed stipulation of facts and judgment order may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. Please forward a check in the amount of $1.20 ($.10 per page) for each copy requested.

The Department of Justice will receive written comments relating to the proposed stipulation of facts and judgement order for a period of thirty days from the date of this notice. Comments should be directed to the Assistant Attorney General for the Land and Natural Resources Division of the Department of Justice, Tenth and Pennsylvania Avenue, N.W., Washington, D.C. 20530 and should refer to *United States of America* v. *F. H. Lawson Co.,* D.J. Ref. 90–5–2–1–456.

F. Henry Habicht, II

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 84–1392 Filed 1–17–84; 8:45 am]

BILLING CODE 4410–01–M

LEGAL SERVICES CORPORATION

Announcement of Availability of Funds To Develop and Implement IOLTA Programs

AGENCY: Legal Services Corporation.

ACTION: Notice.

SUMMARY: The Legal Services Corporation (LSC) announces the continued availability of funds for grants to develop and implement Interest on Lawyers' Trust Accounts (IOLTA) Programs. All applications received before the date of this announcement will be considered. LSC

has extended its previous deadline of December 31, 1983, for acceptance of applications. LSC has given prior informal notice to eligible parties.

DATE: All applications for grant funds must be received on or before April 30, 1984.

FOR FURTHER INFORMATION CONTACT: Heidi J. Ackerman, Assistant Director, Office of Program Development, Legal Services Corporation, 733 Fifteenth Street, NW., Washington, D.C. 20005; (202) 272–4340.

SUPPLEMENTARY INFORMATION: The LSC grants are intended to assist in the development and implementation of state-wide IOLTA programs. LSC intends these grants to foster IOLTA programs which will serve as a source of private sector funding to supplement federal funding for the direct delivery of civil legal services to poor persons.

LSC has made available up to $550,000 to States for IOLTA development and implementation grants. Developmental grants range from $1,000 to $2,500 and are for States in the process of planning IOLTA programs. Implementation grants range from $10,000 to $25,000 and are limited to States with IOLTA programs approved by their enacting authority. A state that has received a developmental grant may be eligible for an implementation grant.

All IOLTA program grant proposals must be submitted to LSC's Office of Program Development.

John C. Meyer,

Deputy General Counsel.

[FR Doc. 84–1385 Filed 1–18–84; 8:45 am]

BILLING CODE 6820–35–M

SECURITIES AND EXCHANGE COMMISSION

Forms Under Review by Office of Management and Budget

Agency Clearance Officer—Kenneth A. Fogash (202) 272–2700

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549

Extension—Regulation B and Related Forms, No. 270–102

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for an extension of clearance Regulation B under the Securities Act of 1933 (the "1933 Act") (17 CFR 230.300 thru 17 CFR 230.346) and the schedules and forms for offering sheets pertaining to fractional undivided interests in oil and gas rights offered pursuant to the exemption under Regulation B (17 CFR 239.101). Regulation B and the schedules and forms thereunder provide a basis for the exemption from registration under the 1933 Act for certain fractional undivided interests in oil and gas rights.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory Affairs, NEOB, Room 3235, Washington, D.C. 20503.

Dated: January 13, 1984.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84–1536 Filed 1–18–84; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 20562; File No. SR–MSTC–83–19]

Self-Regulatory Organizations; Order Approving Proposed Rule Change of Midwest Securities Trust Co.

January 13, 1984.

On October 31, 1983, the Midwest Securities Trust Company ("MSTC") submitted a proposed rule change[1] to the Commission pursuant to Section 19(b)(2) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(2), and Rule 19b–4 thereunder. The proposed rule change would amend MSTC's Bylaws to confrom with the Act and the Division of Market Regulation's standards for full registration of clearing agencies.

The proposed rule change would amend MSTC's Bylaws in several respects. The change would: (i) Define the powers of the Board of Directors; (ii) eliminate the classes of directors and expand the Board from 13 to 17 directors; (iii) establish a nominating committee to select candidates with a view towards providing fair representation of a cross-section of MSTC's participants; and (iv) set forth the composition and responsibilities of the compensation, finance and nominating committees.

During the course of the full registration review process, this rule change was specifically considered by the Commission and the Commission indicated its preliminary belief that it was consistent with the provisions of the Act and the Division's Standards concerning full registration of clearing agencies. For the reasons discussed in the Full Registration Order,[2] the Commission finds that the proposed rule change is consistent with the Act and the rules thereunder applicable to registered clearing agencies, and in particular the requirements of Section 17A of the Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change be, and is hereby approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84–1534 Filed 1–18–84; 8:45 am]

BILLING CODE 8010–01–M

[1] File No. SR–MSTC–83–19, notice of which was given in Securities Exchange Act Release No. 20452 (December 6, 1983), 48 FR 55940 (December 16, 1983). No comments were received regarding this proposed rule change.

[2] *See* Securities Exchange Act Release No. 20221 (September 23, 1983), 48 FR 45167 (October 3, 1983).

[Release No. 20563; File No. SR–NSCC–83–11]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by National Securities Clearing Corp.

January 13, 1984.

On July 22, 1983, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1) and Rule 19b–4 thereunder, the National Securities Clearing Corporation ("NSCC") filed a proposed rule change with the Securities and Exchange Commission that would amend NSCC Rule 4, section 2, relating to the use and investment of members' cash contributions to NSCC's clearing fund. Notice of the proposed rule change was published in Securities Exchange Act Release No. 20152 (September 2, 1983), 48 FR 40809 (September 9, 1983). The Commission has not received any comments on the proposal.

I. Description

The proposed rule change would enable NSCC to invest the cash portion of NSCC members' clearing fund contributions in certificates of deposit or similar deposits (collectively "CD's") issued by banks and insured by the Federal Deposit Insurance Corporation ("FDIC"). The proposed rule change further provides that NSCC cannot invest more than $100,000 per member, or other maximum FDIC insurance limit,[1] in any one approved bank

[1] The $100,000 per member restriction for investment in a single FDIC-insured bank is necessary to stay within the FDIC's current deposit insurance limits. NSCC, however, would be able to deposit $100,000 for each of a number of members in one FDIC-insured bank. NSCC also could deposit the entire cash portion of a member's clearing fund deposit in a number of FDIC insured banks in increments of $100,000 per bank.

("FDIC-insured bank"). Currently, NSCC may invest the cash portion of its clearing fund only in securities issued, or guaranteed as to principal interest, by the United States or its agencies. NSCC also could pledge CD's as collateral for loans for approved purposes, as currently authorized under NSCC Rule 4 for other clearing fund assets.

A. FDIC's Requirements for Pass-Through Insurance

Based on correspondence between NSCC and the FDIC concerning the proposed rule change, and descriptions of NSCC's clearing fund and financial protective mechanisms, including insolvency procedures, the FDIC determined that pass-through insurance would be available for NSCC members' cash clearing fund contributions [2] deposited in FDIC-insured banks. The availability of such insurance, however, would be contingent on satisfaction of, and continued compliance with, certain FDIC requirements.[3] In its correspondence, NSCC informed the FDIC that NSCC (1) maintains a clearing fund to guarantee settlement for its members; (2) administers clearing fund assets, which it places in custody accounts at FDIC-insured banks; (3) deposits in separate bank accounts its retained earnings and fees received from members; and (4) records those earnings and fees on NSCC's books separate from members' clearing fund custody accounts. NSCC assured the FDIC that each member's *pro rata* ownership of deposited clearing fund contributions could be traced, [4] and that each member would have an ascertainable interest in such funds. NSCC also informed the FDIC that a solvent member's level of clearing fund deposits ultimately would not be reduced to satisfy obligations of a defaulting member, although NSCC might make direct assessments against solvent members or initially withdraw funds from the members' clearing fund accounts that the members would be required to replace.[5]

Based on these facts, the FDIC decided that insurance would be available to each NSCC clearing member on a pass-through basis when an FDIC-insured bank holding clearing fund cash deposits (*i.e.*, CD's) closes because of financial or operational difficulties, providing the following three conditions are met. First, the account records of the closed depository bank must clearly indicate that the custodian bank or NSCC made these deposits in its capacity as a fiduciary and that these deposits are segregated from any other funds that the custodian bank or NSCC has deposited with that depository bank (12 CFR 330.1(b)(1)). Second, the account records of the custodian bank or NSCC, maintained in good faith and in the regular course of business, must indicate the name and ascertainable *pro rata* interest of the owner of any portion of the custodial deposit (12 CFR 330.101). Third, the beneficial interest of each member also must be determinable without evaluation of contingencies (12 CFR 330.1(c)).[6]

[2] The non-cash portion of NSCC's clearing fund, which consists of certain U.S. Government securities and letters of credit, was specifically excluded from insurance coverage.

[3] *See* letter dated June 22, 1983, to J. Eugene Marans, Esq., of Cleary, Gottlieb, Steen & Hamilton ("NSCC's outside counsel") (Exhibit 1 to File No. SR–NSCC 83–11) from Barbara Meese, Attorney, of the FDIC's Office of General Counsel (the "FDIC letter").

[4] The FIDC makes pass-through insurance coverage of trust or custodial interests contingent upon fulfillment of the recordkeeping requirements of § 330.1(b) (12 CFR 330.1 (b) (1982)). Such compliance ensures that the interests of beneficial owners, *i.e.*, NSCC's members, can be ascertained from the records of the custodian bank or the fund administrator, *i.e.*, NSCC.

[5] In its letter, the FDIC stated that pass-through insurance would not be available if the funds of one member could be used to satisfy the liabilities of another. NSCC assured the FDIC that NSCC would use the following procedures in case of loss or liability. First, NSCC would proceed directly against the defaulting member and also would use any clearing fund assets that the member had deposited in the clearing fund to satisfy the loss. If the member's clearing fund contribution is below the required amount under NSCC Rule 4, NSCC would require that member to contribute additional clearing fund assets to bring its deposit up to that level. If the member fails to eliminate the deficiency, NSCC could take disciplinary action against the member. If the failing member became insolvent or if the loss or liability was not attributable to any particular member, NSCC would apply its operating revenues and then its retained earnings to the loss. To satisfy any remaining liability or loss, NSCC, as a final resort, would make a *pro rata* assessment of the other members. At that point, NSCC would have the option of assessing the *pro rata* charges (1) against the solvent members directly, or (2) against the members' deposits in the clearing fund. Under the first approach, clearing fund assets of such a member would not be drawn down at all. Under the second approach, clearing fund assets would be initially drawn down to satisfy the loss or liability, but the withdrawal would be covered by subsequent additional member deposits as required by NSCC Rule 4, §5. Consequently under either option, any particular member's interest in the clearing fund ultimately would not be reduced to satisfy another member's loss or liability. *See* the FDIC letter, *supra* note 3. Furthermore, a member subject to a *pro rata* assessment could withdraw from NSCC membership upon timely notice and thus limit its liability under that assessment to its required clearing fund deposit as computed immediately before the assessment. *See* NSCC Rule 4, §8. In any event, while several NSCC members have become insolvent in the last few years, NSCC never has had to make a *pro rata* assessment.

[6] *Id.* at 3.

II. NSCC's Rationale

NSCC seeks both to gain a higher rate of return for members on their cash clearing fund contributions and to safeguard those contributions in accordance with the requirements of Section 17A of the Act. NSCC believes that investment of members' funds in insured CD's may generate a higher yield than investment in government securities. As a user-governed self-regulatory organization, NSCC believes it should maximize the yield from investment of members' contributions to the extent consistent with maintaining the safety and liquidity of those funds. As provided by NSCC Rule 4, NSCC pays the interest earned from the investment of a member's cash contributions directly to that member. Consequently, payment of interest from NSCC's investment of a member's cash contribution to that member increases the member's income and, in effect reduces the member's net fees for NSCC's services. Furthermore, NSCC believes that investment of members' cash contributions in FDIC-insured CD's provides a high degree of safety and liquidity for such contributions, consistent with NSCC's regulatory responsibilities.

NSCC states that the proposed rule change is consistent with the Securities and Exchange Act of 1934, as amended, in that it would provide adequate protection for the safekeeping of funds in the possession and control of NSCC by assuring that FDIC pass-through insurance coverage would be available for such funds.

III. Discussion

The Commission is approving NSCC's proposal to invest in FDIC-insured CD's because such investment, while decreasing clearing fund costs for members, would be insured by the United States Government and would have appropriate liquidity for clearing fund purposes. Moreover, the Commission believes that NSCC's use of those CD's as security for loans for authorized purposes is reasonable and also consistent with NSCC's current practices and Commission orders.[7]

Section 17A(b)(3)(f) of the Act requires NSCC "to assure the safeguarding of securities and funds which are in . . . [its] custody or control . . . or for which it is responsible." To guide clearing agencies in complying with Section 17A, the Commission published the Division of Market

[7] *See* Securities Exchange Act Release No. 19230 (November 10, 1982), 47 FR 51969 (November 18, 1982).

Regulation's (the "Division") standards for clearing agencies.[8] In relevant part, the Registration Standards require that a clearing agency have a clearing fund which "is in cash or highly liquid securities and . . . is limited in the purposes for which it may be used."[9] To ensure the integrity of the clearing fund and the ready availability of assets to NSCC in the case of member default, the Registration Standards limit the investments that a clearing agency may make with the cash portion of its clearing fund "to United States Government obligations or any other investments which provide safety and liquidity of the principal invested."[10] In addition, a clearing agency should make such investments "in light of the clearing agency's fiduciary responsibilities."[11]

The Commission believes that NSCC's investment in FDIC-insured CD's would assure the safety of the clearing fund. Investing in CD's under certain circumstances can be considered to be a conservative, safe investment strategy. Because the proposed CD's would be fully insured by a federal government agency, the Commission is of the view that the safety of NSCC's CD investment strategy in all respects approximates the safety of direct United States Government obligations. Second, the FDIC, as well as other federal and state bank agencies, approve, inspect, and regulate the banks that would be issuing the FDIC-insured CD's. The Commission believes that such regulatory oversight should help to assure the financial integrity of NSCC's deposits.

NSCC also must ensure that its investment of members' cash contributions provides a ready source of funds to satisfy the obligations of defaulting members or to serve other clearing fund needs. If a participant becomes insolvent and cannot meet its settlement obligations, and if payment on letters of credit pledged by members is delayed by issuing banks, NSCC must have access to other sufficient liquid assets that could be used to satisfy the defaulting participant's settlement obligations.[12] Accordingly, it is critical that NSCC, as well as any other clearing agency, maintains sufficient liquid collateral to ensure the ready availability of needed cash.[13]

The Commission believes that NSCC's proposed investment in FDIC-insured CD's ensures the continued liquidity of members' cash clearing fund contributions. First, if an FDIC-insured bank that had issued CD's to NSCC failed, NSCC could expect the FDIC to honor the CD's within several business days.[14] Absent the occurrence of a default by an NSCC member, this brief time period could run without any effects on NSCC.[15] Second, even if such a default were to occur at the same time the CD issuing bank fails, the Commission believes that the risk of a delay is immaterial because NSCC has undertaken to spread its CD investments among several banks to reduce the risk of cash flow problems from payment delay on the obligations of a single failed bank. Indeed, the proposal requires NSCC to invest a member's cash contributions in excess of $100,000 in more than one bank.[16] Even in case of an unexpected cash need, NSCC could terminate CD's prior to the designated maturity date, although NSCC would be forced to forfeit as a penalty the interest earned on the redeemed CD's in excess of the standard short-term rate. Third, as discussed below, NSCC under its Rules could choose to pledge longer-term CD's not issued by the failing bank or other clearing fund assets as collateral for short-term loans to provide immediate cash to satisfy NSCC's obligations. Thus, despite the potential for some delay in FDIC payment in certain circumstances, the Commission believes that investment in FDIC-insured CD's in the controlled form provided by NSCC, assures a continued high level of liquidity for the cash portion of NSCC's clearing fund.

The Commission also is approving NSCC's proposal to pledge CD's for authorized purposes, as it is currently authorized to pledge other clearing fund assets.[17] The Commission has determined previously that pledging clearing fund assets in lieu of making *pro-rata* assessments against solvent members[18] is a responsible practice.[19] Pledging clearing fund assets does not reduce the level of those assets and enables NSCC to obtain funds expeditiously to protect itself and its member's against financial exposure, thereby increasing the clearing fund's liquidity.

The Commission notes, however, that NSCC should be scrupulous in complying with the FDIC's requirements for pass-through protection of NSCC's CD investments. If NSCC were to fail to comply with those requirements, those investments in the Commission's view would become unsafe because members' contributions no longer would be insured by the FDIC. In that circumstance, NSCC immediately would have to convert the CD's into other acceptable types of clearing fund investments, such as U.S. Government securities.

IV. Conclusion

Based on the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered clearing agencies and, in particular, the requirements of Section 17A of the Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-1535 Filed 1-18-84; 8:45 am]

BILLING CODE 8010-01-M

[8] *See* Securities Exchange Act Release No. 16900 (June 17, 1980), 45 FR 41920 (June 23, 1980) ("Registration Standards").

[9] *Id.* at 41929.

[10] *Id.*

[11] *Id.* In its Release ordering the full registration of NSCC and other clearing agencies, the Commission noted that registered clearing agencies must continue to comply with the requirements of Section 17A(b) of the Act and the Division's Registration Standards, including the Standards discussed above. Securities Exchange Act Release No. 20221 (September 23, 1983), 48 FR 45167, 45171 (October 3, 1983).

[12] *See* Securities Exchange Act Release No. 19422 (January 2, 1983), 48 FR 2481 (January 19, 1983).

[13] In fact, in 1981 NSCC increased the portion of a member's clearing fund obligation that must be paid in cash from $10,000 of $50,000 if the clearing member relies on letters of credit to satisfy any part of its clearing fund obligations. *See* NSCC Procedures, Section XIV.

[14] The FDIC has authority to honor the obligations of a failed insured bank either through direct payment to depositors or through assuming bank's purchase of the assets and liabilities of the failed bank. *See* 12 U.S.C. 1821 and 1823. In most cases, FDIC honors the accounts of failed banks through purchase and assumption agreements under which accounts, including CD obligations, in effect are honored on the next business day.

[15] A similar risk of payment delay exists if a bank in which NSCC has deposited cash were to fail, although NSCC currently does not restrict cash deposits in any one bank to $100,000 per market.

[16] One NSCC member has a cash contribution of approximately $4.7 million, wich would require investment in about 47 banks if NSCC invested the total sum in CD's.

[17] NSCC rule 4 sets forth the purposes for which the pledging of clearing fund assets is authorized. Under Rule 4 NSCC is also required to repay loans made as a result of losses or liabilities of NSCC within 30 days.

[18] *Pro-rata* assessments against the fund also have the effect of reducing the aggregate good capital available for broker-dealer members to meet the requirements of the Commission's Net Capital Rule (Rule 15c3-1, 17 CFR 240.15c3-1).

[19] *See* note 4, *supra.*

[Release No. 20561; SR-PSE-83-21]

Self-Regulatory Organizations; Pacific Stock Exchange, Inc.; Order Approving Proposed Rule Change

January 13, 1984.

The Pacific Stock Exchange, Inc. ("PSE"), 618 South Spring Street, Los Angeles, CA 90014, submitted on November 28, 1983, copies of a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b–4 thereunder. PSE proposes to permit the use of hand signals on the options floor of the PSE in certain limited circumstances. Specifically, hand signals would be allowed (1) to request and relay information concerning current quotations and market size; and (2) to relay information changing the limits of, decreasing the size of, or cancelling orders. According to the PSE the proposed rule change is necessary to facilitate communications on the options floor.

Notice of the proposed rule change, together with the terms of substance of the proposed rule change, was given by the issuance of a Commission Release (Securities Exchange Act Release No. 20457, December 7, 1983) and by publication in the **Federal Register** (48 FR 55660, December 14, 1983). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6, and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change is approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84–1533 Filed 1–18–84; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[License No. 09/09–0184]

Grocers Capital Company, Inc.; Application for Approval of Conflict of Interest Transaction Between Associates

Notice is hereby given that Grocers Capital Company, Inc. (Grocers), 2601 S. Eastern Avenue, Los Angeles, California 90040, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application with the Small Business Administration pursuant to § 107.903 of the Regulations governing small business investment companies (13 CFR 107.903 (1984)) for approval of a conflict of interest transaction.

Grocers proposes to loan $50,000 to Big D Ranch Markets, Inc., 6191 Atlantic Avenue, Long Beach, California 90805. The proceeds of the loan will be used to purchase equipment or inventory from Grocers Equipment Company (G.E.C.) and/or Certified Grocers of California, Ltd. (Certified), Associates of the Licensee.

All of Grover's stock is owned by subsidiaries of Certified, a retailer owned grocery cooperative. G.E.C., a subsidiary of Certified, is a 41 percent shareholder of Grocers and is defined as an Associate by § 107.3 of the SBA Rules and Regulations.

As a result, Grocer's financing to Big D Ranch Markets, Inc. (Big D) falls within the purview of §§ 107.3 and 107.903(b)(5) of the SBA Regulations. Grocer's loan to Big D requires prior written approval of SBA.

Notice is hereby given that any person may, not later than fifteen (15) days from the date of publication of this Notice, submit written comments to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice will be published in a newspaper of general circulation in Long Beach, California area.

(Catalog of Federal Domestic Assistance Program No. 59.011. Small Business Investment Companies)

Dated: January 13, 1984.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 84–1540 Filed 1–18–84; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF STATE

Participation of Private-Sector Representatives on U.S. Delegations

As announced in Public Notice No. 623 (43 FR 37783), August 24, 1978, the Department is submitting its October–December 1983 list of U.S. accredited Delegations which included private-sector representatives.

Publication of this list is required by Article IV (c) (4) of the guidelines published in the **Federal Register** on August 24, 1978.

Dated: January 6, 1984.

Kevin E. Carroll,

Director, Office of International Conferences.

United States Delegation to the Eighth Assembly of Parties, International Telecommunications Satellite Organization (INTELSAT), Washington, D.C., October 3–7, 1983

Representative

The Honorable William Schneider, Jr., Under Secretary for Security Assistance, Science and Technology, Department of State.

Alternate Representative

The Honorable Diana Lady Dougan, Ambassador, Coordinator for International Communication and Information Policy, Department of State

John T. Gilsenan, Office of Internation Communications Policy, Bureau of Economic and Business Affairs, Department of State

Advisers

Willard Demory, Federal Communications Commission

Willard R. Nichols, Assistant to the Chairman, Federal Communications Commission

Raul Rodriguez, National Telecommunications and Information Administration, Department of Commerce

Jack D. Smith, Chief, Common Carrier Bureau, Federal Communications Commission

Francis Urbany, National Telecommunications and Information Administration, Department of Commerce

Private Sector Adviser

Andrea D. Maleter, Communications Satellite Corporation, Washington, D.C.

United States Delegation to the 5th Session, General Assembly and Executive Council, World Tourism Organization (WTO), New Delhi, October 3–14, 1983

Representative

Paul J. Byrnes, Director, Office of Technical Specialized Agencies, Bureau of International Organization Affairs, Department of State

Alternate Representative

Jean O'Brien, Senior Policy Analyst, United States Travel and Tourism Administration, Department of Commerce

Advisers

Thomas A. Johnson, Office of the Legal Adviser, Department of State
James E. Leader, Labor Attache, United States Embassy, New Delhi

Private Sector Adviser

Chuck Y. Gee, Dean, School of Travel Industry Management, University of Hawaii, Honolulu, Hawaii

United States Delegation to the Meeting of Experts from Tea-Exporting Countries on Minimum Export Standards, Second Session, and Meeting of the Intergovernmental Group of Experts on Tea, Fourth Session, Geneva, October 3–14, 1983

Representative

Joan Plaisted, Office of the U.S. Trade Representative, Geneva

Alternate Representative

Jack Ferraro, U.S. Mission, Geneva

Private Sector Advisers

Alan G. Davies, Plant Manager, Tetley Incorporated, Williamsport, Pennsylvania (October 3–7)
Bruce Lister, Chief of Research, The Nestle Company, White Plains, New York (October 3–7)

United States Delegation to the Meeting of Working Party III/4 of the International Telephone and Telegraph Consultative Committee, International Telecommunication Union (ITU), Geneva, October 5–7, 1983

Representative

Earl S. Barbely, Director, Office of International Communications Policy, Bureau of Economic and Business Affairs, Department of State

Adviser

Wendell Harris, Common Carrier Bureau, Federal Communications Commission

Private Sector Advisers

Wendell E. Lind, American Telephone and Telegraph Company, Bedminister, New Jersey
John O'Boyle, ITT World Communications, Inc., Secaucus, New Jersey
Denis W. O'Shea, IBM Corporation, Armonk, New York
Peter L. Scott, American Telephone and Telegraph Company, Morris Plains, New Jersey
Federick W. Voege, Western Union Telegraph Company, Upper Saddle River, New Jersey
Joseph O. Wellington, Communications Satellite Corporation, Washington D.C.

United States Delegation to the Twelfth Session of the Subcommittee on Bulk Chemicals, International Maritime Organization (IMO) London, October 10–14, 1983

Representative

Fritz Wybenga, Marine Technical and Hazardous Materials Division, United States Coast Guard, Department of Transportation

Alternate Representative

Emmanuel P. Pfersich, Marine Technical and Hazardous Materials Division, United States Coast Guard, Department of Transportation

Advisers

Harvey Clew, Shipping Attache, United States Embassy, London
Michael D. Morrissette, Marine Technical and Hazardous Materials Division, United States Coast Guard, Department of Transportation
Philip P. Wieczynski, Lieutenant Commander, Marine Technical and Hazardous Materials Division, United States Coast Guard, Department of Transportation

Private Sector Advisers

Frederick R. Adamchak, Senior Petroleum Engineer, Marathon Oil Company, Findlay, Ohio
Robert H. Conn, Jr., Marine Engineer, Shell Oil Company, Houston, Texas

United States Delegation to the Committee on Fisheries (15th Session) and World Conference on Fisheries Management and Development, Food and Agriculture Organization (FAO), Rome, October 10–19, 1983

Representative

William G. Gordon, Assistant Administrator for Fisheries, National Oceanographic and Atmospheric Administration, Department of Commerce

Alternate Representative

James A. Storer, Director, Office of Fisheries Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State

Advisers

Jack T. Brawner, Director, Southeast Regional Office, National Marine Fisheries Service, St. Petersburg, Florida
Prudence Fox, Chief, International Fisheries Development and Services Division, National Marine Fisheries Service, Department of Commerce
Michael Metelits, U.S. Mission to the United Nations Agencies for Food and Agriculture, Rome

Private Sector Advisers

James Salisbury, Vice-Chairman, New England Council, Gloucester, Massachusetts
Wadsworth Y. H. Yee, Chairman, Western Pacific Council, Honolulu, Hawaii

United States Delegation to the Committee for Coordination of Joint Prospecting for Mineral Resources in South Pacific Offshore Areas (CCOP/SOPAC), Economic and Social Commission for Asia and the Pacific (ESCAP), Nuku'alofa, October 11–19, 1983

Representative

Robert Rowland, Deputy Chief, Office of Energy and Marine Geology, Geological Survey, Department of the Interior

Alternate Representative

Russell J. Surber, Deputy Chief of Mission, United States Embassy, Suva

Adviser

H. Gary Greene, Branch of Pacific Marine Geology, Gelogical Survey, Department of the Interior

Private Sector Adviser

Charles Helsley, Director, Hawaiian Institute of Geophysics, University of Hawaii, Honolulu, Hawaii

United States Delegation to the United Nations Conference on an International Code of Conduct on the Transfer of Technology, United Nations Conference on Trade and Development (UNCTAD), Genva, October 17 to November 4, 1983

Representative

John P. Riley, Deputy Director, Office of Business Practices, Bureau of Economic and Business Affairs, Department of State

Alternate Representative

Dieter Hoinkes, United States Patent and Trademark Office, Department of Commerce

Adviser

Jon Berlin, United States Mission, Geneva
Stephen Bond, United States Mission, Geneva
W. David Braun, Foreign Commerce Section, Antitrust Division, Department of Justice
George Dempsey, United States Mission, Geneva
Richard P. Schepard, Special Consultant, Department of State

Private Sector Advisers

David G. Gill, U.S. Council for International Business, New York, New York
Robert E. Muir, Caterpillar Tractor Company, Peoria, Illionis

United States Delegation to the Third Assembly of Parties, International Maritime Satellite Organization (INMARSAT), London, October 18–20, 1983

Representative

Earl S. Barbely, Director, Office of International Communications Policy, Bureau of Economic and Business Affairs, Department of State

Advisers

John T. Gilsenan, Office of International Communications Policy, Bureau of Economic and Business Affairs, Department of State
Robert McIntire, Federal Communications Commission
Edward O'Connor, Transportation Attaché, United States Embassy, London
Raul Rodriguez, National Telecommuincations and Information, Administration, Department of Commerce

Private Sector Adviser

Robert D. Bourne, Communications Satellite Corporation, Washington, D.C.

United States Delegation to the International Institute for Cotton (IIC) and International Cotton Advisory Committee (ICAC) Meetings, Memphis, Tennessee, October 22–29, 1983

Representative

Everett G. Rank, Administrator, Agricultural Stabilization and Conservation Service, Department of Agriculture

Alternate Representatives

John A. Barcas, Tropical Products Division, Bureau of Economic and Business Affairs, Department of State
Gordon H. Lloyd, Tobacco, Cotton, and Seeds Division, Foreign Agricultural Service, Department of Agriculture

Advisers

Charles V. Cunningham Agricultural Stabilization and Conservation Service, Department of Agriculture
Leonard Mobley, Industry Assessment Division, Office of Textiles, Department of Agriculture

Private Sector Advisers

David Cox, Vice President, Cotton Incorporated, Raleigh, North Carolina
Peter E. Hirschfeld, President, Cotton Council International, Washington, D.C.
Kevin L. McDermott, Chief Economist, AMCOT, Inc., Bakersfield, California
Herman F. Riddle, President, American Cotton Shippers Association, Memphis, Tennessee
Marion Rhodes, President Emeritus, New York Cotton Exchange, New York, New York
Earl Sears, Executive Vice President and Secretary, National Cotton Council, Memphis, Tennessee

United States Delegation to the Chemicals Group/Management Committee Meeting, Organization for Economic Cooperation and Development (OECD), Paris, October 25–26, 1983

Representative

Marsha Williams, Acting Director, Office of Toxic Substances, Environmental Protection Agency

Alternate Representative

Robert Reinstein, Director, Energy and Chemical Trade Policy, Office of the U.S. Trade Representative, Executive Office of the President

Private Sector Advisers

Donald D. McCollister, Director, International Regulatory Affairs for Health and Environmental Sciences, The DOW Chemical Company, Midland, Michigan
S. Jacob Scherr, Attorney, Natural Resources Defense Council, Washington, D.C.

United States Delegation to the 30th Annual Meeting of the International North Pacific Fisheries Commission (INPFC), Anchorage, Alaska, October 30–November 4, 1983

Commissioners

The Honorable Elmer E. Rasmusen, Chairman, National Bank of Alaska, Anchorage, Alaska
The Honorable Dayton L. Alverson, Managing Partner, Natural Resources Consultants, Inc., Seattle, Washington
The Honorable Robert W. McVey, Regional Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska
The Honorable Robert M. Thorstensen, Chairman, Icicle Seafoods, Seattle, Washington

Advisers

Christine L. Dawson, Office of Fisheries Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State
Douglas W. McCaleb, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Private Sector Advisers

Robert Moss, Chairman, Advisory Committee, Commercial Fisherman, Homer, Alaska
Robert Alverson, Fishing Vessel Owner's Association, Seattle, Washington
Joan Bergy, Consumer Product Safety Commission, Seattle, Washington
Al Burch, Fisherman, Kodiak, Alaska
David Cline, National Audubon Society, Anchorage, Alaska
Joe Easley, Pacific Regional Fishery Management Council, Coos Bay, Oregon
William Deshler, Pacific Pearl Seafoods, Seattle, Washington
Bart Eaton, Fisherman, Issaquah, Washington
Jessie Foster, Fisherman, Quinhagek, Alaska
John Gilbert, Bumble Bee Seafoods, Seattle, Washington
John Hanson, Fisherman, Alakanuk, Alaska
Gordon Jensen, Alaska Board of Fisheries, Petersburg, Alaska
Richard B. Lauber, Association of Pacific Fisheries, Juneau, Alaska
Charles H. Meacham, Anchorage, Alaska
Henry Mitchell, Bering Sea Fisherman's Association, Anchorage, Alaska
Robert Mulcahy, Alaska State Legislature, Juneau, Alaska
Walter Smith, Alaska Fisherman's Union, Everett, Washington
Keith Specking, North Pacific Fishery Management Council, Juneau, Alaska
Jeff Stephan, United Fishermen's Marketing Association, Kodiak, Alaska
Clement Tillion, Fisherman, Homer, Alaska

United States Delegation to the Annual Meeting of the International Commission for the Conservation of Atlantic Tuna (ICCAT), Madrid, October 31–November 15, 1983

Commissioners

The Honorable Carmen J. Blondin, Deputy Assistant Administrator for Fisheries Resource Management, National Oceanic and Atmospheric Administration, Department of Commerce
The Honorable Frank B. Carlton, Savannah, Georgia
The Honorable John McGowan, Astoria, Oregon

Advisers

Brian S. Hallman, Office of Oceans and Fisheries Affairs, Bureau of Oceans

and International Environmental and Scientific Affairs, Department of State
Michael Parrack, National Marine Fisheries Service, National Oceanic and Oceanic Atmospheric Administration, Department of Commerce, Miami, Florida
Barbara Rothschild, Office of International Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce
Gary T. Sakagawa, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Congressional Adviser

The Honorable Edwin B. Forsythe, United States House of Representatives

Congressional Staff Advisers

William H. MacKenzie, Minority Professional Staff, Merchant Marine and Fisheries Committee, United States House of Representatives
George J. Mannina, Jr., Chief Minority Counsel, Merchant Marine and Fisheries Committee, United States House of Representatives

Private Sector Advisers

Gordon C. Broadhead, Living Marine Resources, Inc., San Diego, California
Anthony Nizetich, Star Kist Foods, Terminak Island, California
John Stokes, Newbury, Massachusetts

United States Delegation to the International Telecommunication Union (ITU), Working Parties XVII/1,2,3, and Their Special Rapporteurs' Groups, Vienna, November 2–11, 1983

Representative

This de Has, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, Department of Commerce, Boulder, Colorado

Adviser

Robert Fenichel, National Communications System, Department of Defense

Private Sector Advisers

Lawrence Smith, Information Systems, American Telephone and Telegraph Company, Morristown, New Jersey
Dale Walsh, General Datacom, Danbury, Connecticut

United States Delegation to the Study Group 1, International Radio Consultative Committee, International Telecommunication Union (CCIR/ITU), Geneva, November 2–18 1983

Delegate

William F. Utlaut, Director, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, Department of Commerce, Boulder, Colorado

Advisers

Leslie A. Berry, Mathematician, Spectrum Division, National Telecommunications and Information Administration, Department of Commerce
David J. Cohen, Electronics Engineer, National Telecommunications and Information Administration, Annapolis, Maryland
William L. Kilpatrick, Chief, Equipment Construction and Installation Branch, Federal Communications Commission, Powder Springs, Georgia
William A. Luther, International Advisor, Field Operations Bureau, Federal Communications Commission
Paul A. Major Electronic Engineer, U.S. Army Communications-Electronics Command, Fort Monmouth, New Jersey
Robert J. Mayher, Chief, Spectrum Engineering and Analysis Division, National Telecommunications and Information Administration, Department of Commerce
Richard E. Shrum, Deputy Director, Office of International Communications Policy, Bureau of Economic and Business Affairs

Private Sector Adviser

Paul D. Newhouse, Scientific Adviser, Illinois Institute of Technology Research Institute, Annapolis, Maryland

United States Delegation to the Study Group 5, International Radio Consultative Committee, International Telecommunication Union (ITU/CCIR), Geneva, November 2–22, 1983

Chairman

Harold T. Dougherty, Consultant, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, Department of Commerce, Boulder, Colorado

Advisers

John F. Cavanagh, Branch Head, Dahlgren Laboratory, Naval Surface Weapons Center, Department of the Navy, Dahlgren, Virginia
William A. Daniel, Staff Engineer, Research Division, Federal Communications Commission, Washington, D.C.
William E. Frazier, Staff Engineer, Federal Systems, National Telecommunications and Information Administration, Department of Commerce, Annapolis, Maryland
Richard E. Shrum, Deputy Director, Office of International Communications Policy, Bureau of Economic and Business Affairs, Department of State

Private Sector Advisers

David V. Rogers, Member, Technical Staff, ComSat Laboratories, Clarksburg, Maryland
Howard J. Sartori, Telecommunications Consultant, Arco Oil and Gas Company, Dallas, Texas
Ernest K. Smith, Spectrum Engineer, Jet Propulsion Laboratory, California Institute of Technology, Pasadena, California

United States Delegation to the Twelfth Session of the Administrative and Legal Committee, International Union for the Protection of New Plant Varieties (UPOV), Geneva, November 7–10, 1983

Representative

Stanley D. Schlosser, Office of Legislation and International Affairs, Patent and Trademark Office, Department of Commerce

Private Sector Advisers

Leo Donahue, Executive Director, National Association of Plant Patent Owners, Washington, D.C.
William Schapaugh, Executive Director, American Seed Trade Association, Washington, D.C.

United States Delegation to the 13th Session of the Assembly, International Maritime Organization (IMO), London, November 7–18, 1983

Representative

James S. Gracey, Admiral, Commandant, United States Coast Guard, Department of Transportation

Alternate Representative

William Sergeant, Deputy Director for Transportation and Telecommunications Agencies, Bureau of International Organization Affairs, Department of State

Advisers

Harvey Clew, Shipping Attache, United States Embassy, London
Timothy Josiah, Lieutenant Commander, Office of Marine Environment and

Sytems, United States Coast Guard, Department of Transportation
Clyde T. Lusk, Jr., Rear Admiral, Chief, Office of Merchant Marine Safety, United States Coast Guard, Department of Transportation
Robert L. Markle, Merchant Vessel Inspection Division, United States Coast Guard, Department of Transportation
Daniel F. Sheehan, Office of Merchant Marine Safety, United States Coast Guard, Department of Transportation
Paul E. Versaw, Captain, Chief, International Affairs Staff, United States Coast Guard, Department of Transportation
Gerard P. Yoest, International Affairs Staff, United States Coast Guard, Department of Transportation

Private Sector Adviser

Donald C. Hintze, Captain (Ret.), National Ocean Industries Association, Washington, D.C.

United States Delegation to the Meeting of the Committee on Administration, Meeting of the International Natural Rubber Organization (INRO), Kuala Lumpur, November 8–11, 1983

Representative

Robert Pastorino, Chief, Industrial and Strategic Materials Division, Bureau of Economic and Business Affairs, Department of State

Advisers

James Gagnon, United States Embassy, Kuala Lumpur
Seward L. Jones, Office of International Sector Policy, International Resources Division, Department of Commerce
Donald M. Phillips, Director of Commodity Policy, Office of the U.S. Trade Representative, Executive Office of the President

Private Sector Adviser

Howard Chapel, Goodyear Orient Private Ltd., Singapore

United States Delegation to the Civil Aviation Planning Committee (CAPC), North Atlantic Treaty Organization (NATO), Brussels, November 9–10, 1983

Representative

George W. Barry, Office of Emergency Transportation, Department of Transportation

Advisers

Frederic Ackerson, Civil Emergency Planning Officer, U.S. Mission to NATO, Brussels
Joel A. Hawkins, Lt. Colonel, USAF, Office of Joint Chiefs of Staff, J–4, Department of Defense
Philip E. Lauden, Colonel, USAF, Headquarters, Military Airlift Command (XPW), Scott Air Force Base, Illinois

Private Sector Adviser

Frank P. Motola, North Merrick, New York

United States Delegation to the International Telecommunications Union (ITU), CCITT Working Party XI/6, Geneva, November 9–18, 1983

Representative

Thijs de Haas, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, Department of Commerce, Boulder, Colorado

Adviser

Frank McClelland, National Communications System, Department of Defense

Private Sector Advisers

Thomas E. Browne, American Telephone and Telegraph Company, Basking Ridge, New Jersey
Rolfe Buhrke, Bell Laboratories, American Telephone and Telegraph Company, Naperville, Illinois
Eric Scace, GTE Telenet, Vienna, Virginia

United States Delegation to the Meeting of the Inro Council, Committee on Buffer Stock Operations, Committee on Statistics, and Committee on Other Measures, International Natural Rubber Organization (INRO), Kuala Lumpur, November 10–18, 1983

Representative

Donald M. Phillips, Director of Commodity Policy, Office of the U.S. Trade Representative, Executive Office of the President

Alternate Representative

Robert Pastorino, Chief, Industrial and Strategic Materials Division, Bureau of Economic and Business Affairs, Department of State

Advisers

James Gagnon, United States Embassy, Kuala Lumpur
Seward L. Jones, Office of International Sector Policy, International Resources Division, Department of Commerce

Private Sector Adviser

Howard Chapel, Goodyear Orient Private Ltd., Singapore

United States Delegation to the Insurance Committee and Joint Working Group of the Insurance Committee on Invisible Transactions, Organization for Economic Cooperation and Development (OECD), Paris, November 15–18, 1983

Representative

Brant Free, Director, Office of Service Industries, Department of Commerce

Private Sector Advisers

Ronald K. Shelp, Vice President, American International Underwriters Corporation, New York, New York
Arthur S. Underwood, Vice President, Meade Reinsurance Company, Paris, France

United States Delegation to the International Telecommunications Union (ITU), CCITT Working Teams 2, 3, 4, and Working Party XVIII/2 Geneva, November 21–December 2, 1983

Representative

Thijs de Haas, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, Department of Commerce, Boulder, Colorado

Adviser

Wendell Harris, Common Carrier Bureau, Federal Communications Commission

Private Sector Advisers

Robert Amy, IBM Corporation, Research Triangle Park, North Carolina
Warren S. Gifford, Bell Laboratories, American Telephone and Telegraph Company, Holmdel, New Jersey
Virgil Johannes, Bell Laboratories, American Telephone and Telegraph Company Holmdel, New Jersey
Demosthenes Kostas, GTE Service Corporation, Stamford, Connecticut

United States Delegation to the Study Group 2 International Radio Consultative Committee, International Telecommunication Union (ITU/CCIR), Geneva, November 21–December 7, 1983

Chairman

Harold G. Kimball, Director, Communications and Data Systems Division, Office of Space Tracking and Data Systems, National Aeronautics and Space Administration

Advisers

John Kiebler, Senior Communications Engineer, Communications Division,

National Aeronautics and Space Administration
Donald Miller, Chief, Systems Planning Group, National Oceanic and Atmospheric Administration, Department of Commerce
Richard Shrum, Deputy Director, Office of International Communications Policy, Bureau of Economic and Business Affairs, Department of State
A. R. Thompson, Scientist, National Radio Astronomy Observatory, Associated Universities, Inc., Socorro, New Mexico

Private Sector Advisers

Norman de Groot, Superviser, Spectrum Management Group, Jet Propulsion Laboratory, California Institute of Technology, Pasadena, California
John J. Kelleher, Private Consultant, Annandale, Virginia
Paul Locke, Senior Associate, National Scientific Laboratories, Systematics General Corporation, Sterling, Virginia
John Postelle, Senior Engineer, National Scientific Laboratories, Systematics General Corporation, Sterling, Virginia

United States Delegation to the Study Group 7, International Radio Consultative Committee, International Telecommunication Union (ITU/CCIR), Geneva, November 23–December 2, 1983

Delegate

Hugh S. Fosque, Director of Advanced Systems, Office of Space Tracking and Data Systems, National Aeronautic and Space Administration

Advisers

Roger E. Beehler, Chief, Time/Frequency Services, National Bureau of Standards, Department of Commerce, Boulder, Colorado
Harris Stover, Defense Communications Engineering Center, Defense Communications Agency, Reston, Virginia
Gernot M. R. Winkler, Director, Time Service Division, U.S. Naval Observatory, Washington, D.C.

Private Sector Advisers

Lauren J. Rueger, Head, Advanced Technology Planning Office, Space Department, Applied Physics Laboratory, The Johns Hopkins University, Laurel, Maryland
Richard L. Sydnor, Group Supervisor, Time and Frequency Systems Research, Telecommunications Science and Engineering Division, Pasadena, California

United States Delegation to the International Wheat Council, London, November 29–December 1, 1983

Representative

The Honorable Daniel G. Amstutz, Under Secretary for International Affairs and Commodity Programs, Department of Agriculture

Alternate Representatives

Gerald J. Monroe, Director, Office of Food Policy and Programs, Bureau of Economic and Business Affairs, Department of State
Donald J. Novotny, Director, Grain and Feed Division, Foreign Agricultural Service, Department of Agriculture
Frank J. Piason, Deputy Director for Marketing, Grain and Feed Division, Foreign Agricultural Service, Department of Agriculture

Advisers

Michael Goldman, Food Policy Division, Bureau of Economic and Business Affairs, Department of State
Cleveland Marsh, Agricultural Attaché, United States Embassy, London
Turner Oyloe, Agricultural Counsellor, United States Embassy, London

Private Sector Adviser

Nelson Denlinger, Vice President, U.S. Wheat Associates, Washington, D.C.

United States Delegation to the Special Session of the Committee for Information, Computer, and Communications Policy, Organization for Economic Cooperation and Development (OECD), London, November 30—December 2, 1983

Representative

The Honorable Diana Lady Dougan Coordinator for International Communication and Information Policy, Department of State

Alternate Representative

The Honorable Abraham Katz, U.S. Representative to the Organization for Economic Cooperation and Development, Paris

Advisers

James L. Gorman, Transportation and Telecommunications Affairs, Bureau of Economic and Business Affairs, Department of State
Lucy Hummer, Office of the Legal Adviser, Department of State
Kenneth Leeson, Office of the Coordinator for International Communication and Information Policy, Department of State
Edward O'Connor, U.S. Embassy, London
Teresita Schaffer, Director, Office of International Trade, Bureau of Economic and Business Affairs, Department of State
Frank Urbany, National Telecommunications and Information Administration, Department of Commerce

Congressional Staff Adviser

Jane Bortnick, Congressional Research Service, Library of Congress

Private Sector Advisers

Ronald W. Brown, Legal Counsel for Consumer Affairs, International Telephone and Telegraph, New York, New York
Lloyd Kaufman, Computer and Business Equipment Manufacturer's Association (CBEMA), Washington, D.C.
Charles Miller, American Telephone and Telegraph, Washington, D.C.
Kathleen M. White, Assistant Vice President, Citibank, New York, New York

United States Delegation to the 19th Session of the Marine Environment Protection Committee (MEPC), International Maritime Organization (IMO), London, December 5–9, 1983

Representative

Bobby F. Hollingsworth, Rear Admiral, Chief, Office of Marine Environment and Systems, United States Coast Guard, Department of Transportation

Alternate Representative

Roger T. Rufe, Commander, Assistant Chief, Environmental Response Division, Office of Marine Environment and Systems, United States Coast Guard, Department of Transportation

Congressional Adviser

The Honorable William O. Lipinski, United States House of Representatives

Advisers

Joseph J. Angelo, Marine Systems Evaluation Branch, United States Coast Guard, Department of Transportation
Robert C. Blumberg, Deputy Director, Office of Oceans and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State
Harvey Clew, Shipping Attache, United States Embassy, London
Timothy W. Josiah, Lieutenant Commander, Chief, Environmental Coordination Branch, United States Coast Guard, Department of Transportation

Ernest J. Williams, Commander, Chief, Port Safety Enforcement Branch, United States Coast Guard, Department of Transportation

Private Sector Adviser

Joseph J. Cox, Director of Marine Affairs, American Institute of Merchant Shipping, Washington, D.C.

United States Delegation to the Committee on Tungsten, United Nations Conference on Trade and Development (UNCTAD), Geneva, December 12–16, 1983

Representative

Frederick Siesseger, Director, International Resources Division, Department of Commerce

Alternate Representative

James Reilly, Industrial and Strategic Materials Division, Bureau of Economic and Business Affairs, Department of State

Advisers

Jack G. Ferraro, United States Mission, Geneva
Joan Plaisted, Office of the U.S. Trade Representative, Geneva

Private Sector Advisers

Louis Brooks, Managing Director, Union Carbide Corporation, London
C. Eric Ho, President, AMAX Tungsten, Greenwich, Connecticut

[FR Doc. 84-1465 Filed 1-18-84; 8:45 am]
BILLING CODE 4710-19-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 84-007]

Polar Icebreaker Requirements Study

AGENCY: Coast Guard, DOT.

ACTION: Request for Public Comment.

SUMMARY: The U.S. Coast Guard is conducting a Polar Icebreaker Requirements Study. The study is to determine national requirements for icebreaking ships capable of operating in the polar regions. The Coast Guard requests comments from commercial ship owners and operators on their capabilities for providing traditional escort, rescue, and research icebreaking services to the government. This information will provide background for the study.

DATE: To insure full consideration, comments should be received on or before March 5, 1984.

ADDRESS: Comments should be mailed to: Executive Secretary, Polar Icebreaker Requirements Study, U.S. Coast Guard Headquarters (G-OIO), Room 3106, 2100 Second St., SW, Washington, DC 20593. Documents filed are available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: CDR W. A. Caster, USCG, U.S. Coast Guard Headquarters (G-OIO), Room 3106, 2100 Second Street, SW., Washington, DC 20593. Phone (202) 426-1870. Office hours: 7:15 am–3:45 pm.

SUPPLEMENTARY INFORMATION: The Polar Icebreaker Requirements Study will evaluate the capabilities of the private sector for providing traditional escort, rescue, and research icebreaking services to the government. This request does not constitute a proposal. The Coast Guard will not pay for any costs incurred as the result of firms submitting comments. Comments submitted to the Coast Guard will not be returned.

Notification of this study will also be published in the Commerce Business Daily in January 1984.

The completed study may be obtained upon request from: U.S. Coast Guard Headquarters (G-OIO), Room 3106, 2100 Second St., SW, Washington, DC 20593.

Dated: January 9, 1984.

N. C. Venzke,

Rear Admiral, U.S. Coast Guard, Chief, Office of Operations.

[FR Doc. 84-1460 Filed 1-18-84; 8:45 am]
BILLING CODE 4910-14-M

Federal Aviation Administration

National Airspace Review; Meeting

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of Task Group 1-1 of the Federal Aviation Administration (FAA) National Airspace Review Advisory Committee. The agenda for this meeting is as follows: A review of special use airspace categories under Part 73 and related procedures is necessary for adequacy and redefinition.

DATE: Beginning Monday, February 13, 1984, at 11 a.m. continuing daily, except Saturdays, Sundays, and holidays, not to exceed two weeks.

ADDRESS: The meeting will be held at the Federal Aviation Administration, conference room 7A/B, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: National Airspace Review Program Management Staff, room 1005, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591, 426-3560. Attendance is open to the interested public, but limited to the space available. To insure consideration, persons desiring to make statements at the meeting should submit them in writing to the Executive Director, National Airspace Review Advisory Committee, Associate Administrator for Air Traffic, AAT-1, 800 Independence Avenue, SW., Washington, D.C. 20591, by February 6. Time permitting and subject to the approval of the chairman, these individuals may make oral presentations of their previously submitted statements.

Issued in Washington, D.C., on January 12, 1984.

Karl D. Trautmann,

Manager, Special Projects Staff, Air Traffic Service.

[FR Doc. 84-1409 Filed 1-18-84; 8:45 am]
BILLING CODE 4910-13-M

National Highway Traffic Safety Administration

Safety Defect Investigation of Custom Wheels Manufactured by Fenton Manufacturing Corp.; Public Proceeding Cancelled

The National Highway Traffic Safety Administration has cancelled the public proceeding announced in the **Federal Register** of November 30, 1983 (48 FR 54159) regarding its initial determination of a safety-related defect in certain custom wheels manufactured from 1974 through 1982 by the Fenton Manufacturing Corporation of Pacific Palisades, California. The meeting was to be held at 10 a.m. on January 17, 1984, in Room 2230 of the Department of Transportation Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Sec. 152, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1412); delegation of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on January 13, 1984.

George L. Parker,

Associate Administrator for Enforcement.

[FR Doc. 84-1443 Filed 1-18-84; 8:45 am]
BILLING CODE 4910-59-M

Research and Special Programs Administration

Grants and Denials of Applications for Exemptions

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Notice of grants and denials of applications for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the exemptions granted in December 1983. The modes of transportation involved are identified by a number in the "Nature of Exemption Thereof" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions.

RENEWAL AND PARTY TO EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
2805-X	DOT-E 2805	Union Carbide Corporation, Danbury, CT	49 CFR 172.101, 173.315(a)(1)	To authorize shipment of liquefied ethylene in non-DOT specification insulated cargo tanks. (Mode 1.)
3128-X	DOT-E 3128	U.S. Department of Defense, Washington, DC.	49 CFR 173.304, 175.3	To authorize use of non-DOT specification cylinders, for transportation of a Class C explosive and a liquefied nonflammable gas. (Modes 1, 2, 3, and 4.)
3569-X	DOT-E 3569	NL McCullough/NL Industries, Inc., Houston, TX.	49 CFR 173.246, 172.101 column 4, 175.3.	To authorize use of non-DOT specification nonrefillable cylinders for transportation shipment of a liquid oxidizer. (Modes 1, 2, 3, and 4.)
3630-X	DOT-E 3630	Ashland Services Company, Dublin, OH	49 CFR 177.839(a), 177.839(b)	To become a party to Exemption 3630. (Mode 1.)
4291-X	DOT-E 4291	Kerr-McGee Chemical Corporation, Oklahoma City, OK.	49 CFR 173.239a(a)(2)	To authorize use of a non-DOT specification aluminum portable tank, for transportation of a certain ozidizer. (Modes 1 and 2.)
4453-X	DOT-E 4453	Alamo Explosives Company, Inc., Houston, TX.	49 CFR 173.114a(h)(3)	To authorize use of non-DOT specification bulk, hopper-tank, for transportation of blasting agent, n.o.s., or ammonium nitrate-fuel oil mixtures. (Mode 1.)
4453-X	DOT-E 4453	Maynes Explosives Company, Lee's Summit, MO.	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-tank, for transportation of blasting agent, n.o.s., or ammonium nitrate-fuel oil mixtures. (Mode 1.)
4453-X	DOT-E 4453	Austin Powder Company, Cleveland, OH	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-tank, for transportation of blasting agent, n.o.s., or ammonium nitrate-fuel oil mixtures. (Mode 1.)
4453-X	DOT-E 4453	Atlas Powder Company, Dallas, TX	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-tank, for transportation of blasting agent, n.o.s., or ammonium nitrate-fuel oil mixtures. (Mode 1.)
4884-P	DOT-E 4884	Air Products and Chemicals, Inc., Pensacola, FL.	49 CFR 173.302(a)(1), 175.3, 178.61	To become a party to Exemption 4884. (Modes 1, 2, 3, 4, and 5.)
5112-X	DOT-E 5112	Department of Defense, Washington, DC	49 CFR 173.62(a), 177.834(L)(1), 177.835(k).	To authorize use of specially designed Kettle drum type aluminum containers, for transportation of Class A explosives. (Mode 1.)
5243-X	DOT-E 5243	Hercules, Incorporated, Wilmington, DE	49 CFR 173.103(a), 173.66(g)(1), 177.835(g).	To authorize modified DOT specification packaging for the transportation of Class C or Class A explosives. (Modes 1, 2, and 3.)
5243-X	DOT-E 5243	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE.	49 CFR 173.103(a), 173.66(g)(1), 177.835(g).	To authorize modified DOT specification packaging for the transportation of Class C or Class A explosives. (Modes 1, 2, and 3.)
5736-X	DOT-E 5736	Northern Petrochemical Company, Morris, IL.	49 CFR 172.101, 173.314(c)	To authorize use of non-DOT specification tank car tanks for transportation of a flammable gas. (Modes 2 and 3.)
5948-X	DOT-E 5948	Department of Energy, Washington, DC	49 CFR 173.398(c)	To authorize shipment of radioactive waste materials in ATMX 500 or 600 rail cars. (Mode 2.)
5967-X	DOT-E 5967	Rocket Research Corp., Redmond, WA	49 CFR 173.304(a)(2), 175.3, 178.44	To authorize an alternate gas generator assembly similar to the one presently authorized. (Modes 1, 2, 4, and 5.)
61113-X	DOT-E 6113	Valley Gas Company, Cumberland, RI	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank, for transportation of certain flammable gases. (Mode 1.)
6250-X	DOT-E 6250	U.S. Department of Defense, Washington, DC.	49 CFR 173.101, 173.102, 173.69, 173.79, 173.87, 173.92, 173.94, 176.83, 177.848.	To authorize transport of partially dis-assembled aircraft with explosive components (ejection seat and canopy related devices) remaining installed. (Modes 1 and 3.)
6267-X	DOT-E 6267	Georgia-Pacific Corp., Montebello, CA	49 CFR 173.217(a)	To authorize use of DOT and non-DOT specification doubled-faced fiberboard boxes, for shipment of certain oxidizing materials. (Modes 1, 2, and 3.)
6538-P	DOT-E 6538	Optimus, Incorporated, Bridgeport, CT	49 CFR 173.304(d)(3)(ii), 178.33	To become a party to Exemption 6538. (Modes 1 and 3.)
6543-P	DOT-E 6543	Rohn and Haas Co., Philadelphia, PA	49 CFR 173.119, 173.135(a)(6), 173.136(a)(5), 173.245, 173.247, 173.271, 175.3.	To become a party to Exemption 6543. (Modes 1, 2, 3, and 4.)
6563-X	DOT-E 6563	Mada Medical Products, Inc., Carlstadt, NJ.	49 CFR 173.302(a)(1), 175.3	To authorize shipment of certain nonflammable gases, in non-DOT specification steel cylinders, made in compliance with DOT Specification 3E with certain exceptions. (Modes 1, 2, 3, 4, and 5.)
6563-X	DOT-E 6563	Bemco Inc., Chatham, Ontario, Canada	49 CFR 173.302(a)(1), 175.3	To authorize shipment of certain nonflammable gases, in non-DOT specification steel cylinders, made in compliance with DOT Specification 3E with certain exceptions. (Modes 1, 2, 3, 4, and 5.)
6700-X	DOT-E 6700	Container Corporation of America, Wilmington, DE.	49 CFR 178.19, Part 173, Subpart F	To authorize manufacture, marking, and sale of non-DOT specification polyethylene drums, for transportation of corrosive liquids and an oxidizer. (Modes 1, 2, and 3.)
6759-P	DOT-E 6759	Buckley Power Company, Englewood, CO	49 CFR 173.87, 177.835(g)(2)	To become a party to Exemption 6759. (Mode 1.)
6801-X	DOT-E 6801	Phillips Petroleum Company, Bartlesville, OK.	49 CFR 173.119(a)(7), 173.119(e)(1)	To authorize use of a one-gallon glass bottle, packed in a DOT Specification 12B fiberboard box, for shipment of certain flammable liquids. (Mode 1, and 2.)
6816-X	DOT-E 6816	U.S. Department of Defense, Washington, DC.	49 CFR 173.53(p)	To authorize shipment of completely assembled liquid and solid fueled missiles in packaging prescribed in 173.57(a). (Modes 1, 2, and 3.)
6824-X	DOT-E 6824	Georgia-Pacific Corp., Montebello, CA	49 CFR 173.217(a)	To authorize packagings not provided for in the Hazardous Materials Regulations, for shipment of certain oxidizing materials. (Modes 1, 2, and 3.)
6913-X	DOT-E 6913	Conoco, Inc., Houston, TX	49 CFR 173.315(a)(1)	To authorize transport of vinyl chloride in a non-DOT specification cargo tank. (Mode 1.)
6927-P	DOT-E 6927	Bromine Compounds Ltd., Beer-Sheva, Israel.	49 CFR 173.353	To become a party to Exemption 6927. (Modes 1 and 3.)
6978-X	DOT-E 6978	Liquid Energy Corporation, The Woodlands, TX.	49 CFR 173.315(a)(1), 173.315(c)(1)	To authorize use of an insulated DOT Specification MC-331 cargo tank, for transportation of a flammable compressed gas. (Mode 1.)
6984-P	DOT-E 6984	Buckley Powder Company, Englewood, CO.	49 CFR 173.103(a)(1), 173.66(g), 177.835(g)(2)(i).	To become a party to Exemption 6984. (Mode 1.)
7052-P	DOT-E 7052	TNR Technical, Farmingdale, NY	49 CFR 172.101, 175.3	To become a party to Exemption 7052. (Modes 1, 2, 3, and 4.)
7205-X	DOT-E 7205	U.S. Department of Defense, Washington, DC.	49 CFR 46 CFR 146.29-99	To authorize certain stowage deviations in the transportation of military explosives by vessel. (Mode 3.)

RENEWAL AND PARTY TO EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
7280-X	DOT-E 7280	U.S. Department of Defense, Washington, DC.	49 CFR 176.905(c), 176.905(d)	To authorize fuel tanks to be ¾ full instead of ¼ full and vehicles to be transported with battery cables connected if the holds or compartments of a vessel in which vehicles are loaded are mechanically ventilated. (Mode 3.)
7536-X	DOT-E 7536	U.S. Department of Defense, Washington, DC.	49 CFR 146.29-41	To authorize an increase to the maximum allowable draft weights for five and ten ton rated booms, for shipment of military explosives. (Mode 3.)
7605-X	DOT-E 7605	U.S. Department of Defense, Washington, DC.	49 CFR 173.101, 173.102, 173.113, 173.87, 173.92, 175.3, 176.83, 177.848.	To authorize transport of certain explosives contained in a partially dis-assembled aircraft or canopy assembly. (Modes 1, 3, and 4.)
7616-X	DOT-E 7616	Missouri Pacific Railroad Company, Omaha, NE.	49 CFR 172.204(a), 172.204(d)	To authorize carrier to certify the shipping papers on behalf of the shipper when transporting certain hazardous materials by rail. (Mode 2.)
7616-X	DOT-E 7616	Union Pacific Railroad Company, Omaha, NE.	49 CFR 172.204(a), 172.204(d)	To authorize carrier to certify the shipping papers on behalf of the shipper when transporting certain hazardous materials by rail. (Mode 2.)
7616-X	DOT-E 7616	The Kansas City Southern Railway Co., Kansas City, MO.	49 CFR 172.204(a), 172.204(d)	To authorize carrier to certify the shipping papers on behalf of the shipper when transporting certain hazardous materials by rail. (Mode 2.)
7616-X	DOT-E 7616	The Western Pacific Railroad Company, Omaha, NE.	49 CFR 172.204(a), 172.204(d)	To authorize carrier to certify the shipping papers on behalf of the shipper when transporting certain hazardous materials by rail. (Mode 2.)
7835-X	DOT-E 7835	Liquid Air Corporation, San Francisco, CA.	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7835-X	DOT-E 7835	Airco Industrial Gases, Riverton, NJ	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7835-X	DOT-E 7835	Scientific Gas Products, Inc., South Plainfield, NJ.	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7835-X	DOT-E 7835	Liquid Carbonic Corporation, Chicago, IL	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7835-X	DOT-E 7835	Matheson Gas Products, Inc., Secaucus, NJ.	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7835-X	DOT-E 7835	Air Products and Chemicals, Inc., Allentown, PA.	49 CFR 177.848, Part 107 Appen. B(1)	To authorize transport of compressed gas cylinders bearing the flammable gas label, the oxidizer label, or the poison gas label and tank car tanks bearing the poison gas label on the same vehicle. (Mode 1.)
7876-P	DOT-E 7876	J. T. Baker Chemical Company, Philipsburg, NJ.	49 CFR 173.299(a), 175.3	To become a party to Exemption 7876. (Modes 1, 2, 3, and 4.)
7907-X	DOT-E 7907	Hercules, Incorporated, Wilmington, DE	49 CFR 173.127, 173.184, 178.224	To renew and to authorize the use of DOT-E 7768 polyethylene drums, for shipment of nitrocellulose, wet with not less than 20 percent water, classed as a flammable solid. (Modes 1 and 2.)
8129-P	DOT-E 8129	McCloskey Varnish Comapany, Philadelphia, PA.	49 CFR 177.834(k), Part 173, Subparts D, E, F, H, Subparts K, L, M, O.	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Harvey Mudd College, Claremont, CA	49 CFR 177.834(k), Part 173, Subparts D, E, F, H, Subparts K, L, M, O.	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Tonawanda Tank Transprt Service, Inc., Buffalo, NY.	49 CFR 177.834(k), Part 173, Subparts D, E, F, H, Subparts K, L, M, O.	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Waste Conversion, Inc., Hatfield, PA	49 CFR 177.834(k), Part 173, Subparts D, E, F, H, Subparts K, L, M, O.	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	General Electric, San Jose, CA	49 CFR 177.834(k), Part 173, Subparts D, E, F, H, Subparts K, L, M, O.	To become a party to Exemption 8129. (Mode 1.)
8206-X	DOT-E 8206	Rexnord, Inc., Milwaukee, WI	49 CFR 173.245(a)(17), 175.3, 178.131	To authorize shipment of certain corrosive liquids, n.o.s., in two one-quart tin cans, overpacked in a modified 26-gage, unlined DOT Specification 37A five-gallon drum, also containing a one-gallon tin can of non-hazardous resin mix. (Modes 1, 2, 3, and 4.)
8207-X	DOT-E 8207	Rexnord, Inc., Milwaukee, WI	49 CFR 173.245(a)(17), 175.3, 178.131	To authorize shipment of certain corrosive liquids, n.o.s., in a one-quart tin can, placed in a molded polyethylene liner, overpacked in a modified 28 guage, unlined DOT Specification 37A 2-gallon drum, also containing a non-hazardous resin mix. (Modes 1, 2, 3, and 4.)
8279-X	DOT-E 8279	Hamler Industries, Inc., Chicago Heights, IL.	49 CFR 178.337-17	To authorize use of a DOT Specification MC-330 cargo tank with a reproduced identification plate, for shipment of nonflammable gases. (Mode 1.)
8309-X	DOT-E 8309	Carrier Corporation, Syracuse, NY	49 CFR 173.306(e)(ii)	To authorize shipment of refrigerating machines having two charged vessels containing more than 2,000 pounds of Freon (Group I refrigerant) but not more than 10,000 pounds. (Modes 1, 2, and 3.)
8348-X	DOT-E 8348	Frell, Inc., Corpus Christi, TX	49 CFR 173.119(a), 173.119(m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.348-5.	To authorize manufacture, marking and sale of non-DOT specification cargo tanks complying generally with DOT Specification MC-312 except for bottom outlet valve variation, for transport of flammable or corrosive waste, liquids or semi-solids. (Mode 1.)
8354-X	DOT-E 8354	Fauvet-Girel, Paris, France	49 CFR 173.123, 173.315	To authorize use of a non-DOT specification portable tank, for transportation of certain liquefied petroleum gasses and other gases classed as flammable liquids and flammable gases. (Modes 1, 2, and 3.)
8378-P	DOT-E 8378	Cooper Biomedical, Inc., Malvern, PA	49 CFR 173.268, 175.3	To become a party to Exemption 8378. (Modes 1, 2, 4.)
8386-X	DOT-E 8386	J. J. Mauget Co., Burbank, CA	49 CFR 172.101, 172.400	To authorize transport of a Class B poison in special pressure sealed polyethylene capsules without the POISON label. (Mode 1.)
8445-P	DOT-E 8445	Waste Conversion, Inc., Hatfield, PA	49 CFR Part 173, Subpart D, E, F, & H	To become a party to Exemption 8445. (Mode 1.)
8509-P	DOT-E 8509	LCP Chemicals & Plastics, Inc., Edison, NJ.	49 CFR 173.263(a)(9), 179.201-1	To become a party to Exemption 8509. (Mode 2.)

RENEWAL AND PARTY TO EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8548-X	DOT-E 8548	Solvent Service, Inc., San Jose, CA	49 CFR 173.119(a), 173.119(m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5.	To manufacture, mark and sell certain non-DOT specification cargo tanks complying with DOT Specification MC-307/MC-312 except for bottom outlet valve variations for transportation of flammable, corrosive waste liquid or semi solids. (Mode 1.)
8554-P	DOT-E 8554	W. S. Hatch Company, Woods Cross, UT	49 CFR 173.114a, 173.154, 173.93	To become a party to Exemption 8554. (Mode 1.)
8660-X	DOT-E 8660	Hach Company, Ames, IA	49 CFR 172.400, 172.402(a)(2), 172.402(a)(3),173.126, 173.138, 173.237, 173.246.	To authorize shipment of hazardous materials, which are required to bear the POISON label, to be shipped without the label when packaged, in a specially designed composite type. (Mode 1.)
8691-P	DOT-E 8691	Welland Chemical Ltd., Sarnia, Ontario, Canada.	49 CFR 173.333	To become a party to Exemption 8691. (Modes 1, 2, and 3.)
8693-X	DOT-E 8693	Matheson Gas Products, Inc., Gloucester, MA.	49 CFR 173.230	To authorize water as an additional mode of transportation. (Modes 1 and 3.)
8708-X	DOT-E 8708	Great Lakes Chemical Corp., El Dorado, AR.	49 CFR 173.357(b)(2)	To authorize use of non-DOT specification steel drums (overpacked, palletized and containerized), for shipment of a Class B poison. (Modes 1 and 3.)
8720-X	DOT-E 8720	Applied Environments Corporation. Woodland Hills, CA.	49 CFR 173.302(a), 175.3	To authorize manufacture, marking and sale of non-DOT specification welded high pressure non-refillable cylinders, for shipment of nonflammable and nonliquefied gases. (Modes 1, 2, and 4.)
8725-X	DOT-E 8725	CNG Fuel Cylinder Corporation, Long Beach, CA.	49 CFR 173.302(a)	To aduthorize manufacture, marking and sale of non-DOT Specification fiber reinforced plastic hoop wrapped cylinders, for shipment of certain compressed gases. (Mode 1.)
8732-X	DOT-E 8732	ICI Americas, Incorporated, Wilmington, DE.	49 CFR 173.245	To authorize use of a DOT Specification MC-303 and MC-306 cargo tanks, made of aluminum or steel for transportation of a corrosive material. (Mode 1.)
8732-X	DOT-E 8732	Delta Solvents & Chemicals Co., Longview TX.	49 CFR 173.245	To authorize use of a DOT Specification MC-303 and MC-306 cargo tanks, made of aluminum or steel for transportation of a corrosive material. (Mode 1.)
8732-X	DOT-E 8732	Ashland Services Company, Dublin, OH	49 CFR 173.245	To authorize use of a DOT Specification MC-303 and MC-306 cargo tanks, made of aluminum or steel for transportation of a corrosive material. (Mode 1.)
8732-X	DOT-E 8732	Union Carbide Corporation, Danbury, CT	49 CFR 173.245	To authorize use of a DOT Specification MC-303 and MC-306 cargo tanks, made of aluminum or steel for transportation of a corrosive material. (Mode 1.)
8736-X	DOT-E 8736	Pressure Transport, Inc., Austin, TX	49 CFR 173.301(d)(2), 173.302(a)(3)	To renew and to better identify the flammable, noncorrosive gases. (Mode 1.)
8767-X	DOT-E 8767	Hydraulic Research-Textron, Pacomia, CA.	49 CFR 173.302(a), 175.3	To authorize manufacture, marking and sale of non-DOT specification welded high pressure non-refillable cylinders, for shipment of nonflammable, nonliquefied gases. (Modes 1, 2, and 4.)
8792-X	DOT-E 8792	Digital Equitment Corporation, Norhtborough, MA.	49 CFR Parts 100-199	To authorize rail as an additional mode of transportation. (Modes 1, 2, and 3.)
8814-X	DOT-E 8814	Structural Composites Industries, Inc., Pomona, CA.	49 CFR 173.302(a)(1), 175.3	Request modifiction in method used to determine bending stresses in cylinders. (Modes 1, 2, 3, and 4.)
8870-X	DOT-E 8870	Everpure, Inc., Westmont, IL	49 CFR 172.101, 173.286, 175.3	To authorize water as an additional mode of transportation. (Modes 1, 2, 3, 4, and 5.)
8871-X	DOT-E 8871	Chase Bag Co., Oak Brook, IL	49 CFR 173.182, 173.217, 173.245(b)	To authorize trichloro-s-triazinetrione, dry, oxidizer as an additional commodity. (Modes 1, 2, and 3.)
8915-X	DOT-E 8915	Union Carbide Corporation, Danbury, CT	49 CFR 173.301(d), 173.302(a)(3)	To authorize water as an additional mode of transportation. Modes 1 and 3.)
8927-X	DOT-E 8927	HTL Industries, Inc., Duarte, CA	49 CFR 173.302(a), 175.3, 178.44	To modify certain physical test criteria and marking requirements. (Modes 1, 2, 4, and 5.)
8988-P	DOT-E 8988	Welex, Houston, TX	49 CFR 172.101, 173.110, 173.80	To become a party to Exemption 8988. (Modes 1 and 3.)
8988-P	DOT-E 8988	Schlumberger Offshore Services, Houston, TX.	49 CFR 172.101, 173.110, 173.80	To become a party to Exemption 8988. (Modes 1 and 3.)
8988-P	DOT-E 8988	The Dia-Log Company, Houston, TX	49 CFR 172.101, 173.110, 173.80	To become a party to Exemption 8988. (Modes 1 and 3.)
9034-P	DOT-E 9034	Union Carbide Corporation, Danbury, CT	49 CFR 173.302, 173.304, 173.328, 173.334, 175.3.	To become a party to Exemption 9034. (Modes 1, 2, 3, 4, and 5.)
9035-X	DOT-E 9035	Rohm and Haas Co., Philadelphia, PA	49 CFR 173.245	Request increase in water capacity of portable tanks from 2,000 to 2,500 gallons. (Mode 1.)
9073-X	DOT-E 9073	Natico, Inc., Chicago, IL	49 CFR 178.116-6(a)	To authorize water as an additional mode of transportation. (Modes 1, 2, and 3.)
9140-X	DOT-E 9140	Crown Rotational Molded Products, Inc., Marked Tree, AR.	49 CFR 173.119, 173.256, 173.266, 178.19, 178.253, Part 173 Subpart F.	To authorize water as an additional mode of transportation. (Modes 1, 2, and 3.)

NEW EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8736-N	DOT-E 9155	Pressure Transport, Inc., Austin, TX	49 CFR 173.301(d)(2), 173.302(a)(3)	To authorize use of DOT Specification 3AAX cylinders made of 4130X steel, for transportation of a refinery source natural gas. (Mode 1.)
9105-N	DOT-E 9105	Sea-Land Service, Inc., Elizabeth, NJ	49 CFR 176.76(g)(3)	To authorize below deck stowage of DOT Specification IM 101 and IM 102 portable tanks containing a flammable liquid. (Mode 3.)
9106-N	DOT-E 9106	Kitty Hawk Airways, Inc., Dallas, TX	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), Part 107, Appendix B.	To authorize carriage of certain Class A, B and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment. (Mode 4.)
9108-N	DOT-E 9108	The Ensign-Bickford Company, Simsbury, CT.	49 CFR 173.77	To authorize transport of an initiating explosive in a plastic bag, packed in a DOT Specification 12H fiberboard box. (Mode 1.)
9115-N	DOT-E 9115	Mauser Packaging, Ltd., New York, NY	49 CFR Part 173, Subpart H	To authorize manufacture, marking and sale of DOT Specification 34 polyethylene drums, for shipment of various Class B poison liquids. (Modes 1, 2, and 3.)
9120-N	DOT-E 9120	Dresser Industries, Inc., Houston, TX	49 CFR 173.304(a), 173.34(d), 175.3	To authorize use of a non-DOT specification pressure vessel, for transportation of certain flammeble gases. (Modes 1, 2, 3, and 4.)
9127-N	DOT-E 9127	FMC Corporation, Livonia, MI	49 CFR 173.217(a)(8)	To authorize shipment of trichloro-s-triazinetrione dry, classed as an oxidizer, in two polyethylene containers of 20 pounds capacity each, overpacked in DOT Specification 12B fiberboard boxes. (Mode 1.)

NEW EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
9129-N	DOT-E 9129	Weldex Corporation, Grafton, MA	49 CFR 173.34, Part 107 Appendix B	To authorize repairing, rebuilding, retesting, marking and sale of any DOT Specification 4B, 4BA and 4BW low pressure steel cylinders. (Modes 1, 2, 3, 4,and 5.)
9135-N	DOT-E 9135	Morton Thiokol, Inc., Elkton, MD	49 CFR 173.92	To authorize shipment of rocket motors having excessive gross weight, in a non-DOT specification metal shipping container. (Mode 1.)
9139-N	DOT-E 9139	Davidson Specialty Chemicals Company, Baltimore, MD.	49 CFR 173.233	To authorize shipment of activated nickel catalyst, in DOT Specification 6D metal drum equipped with spring-loaded type vent. (Mode 1.)
9142-N	DOT-E 9142	EVA Eisenbahn-Verkehrsmittel GmbH, Dusseldort, West Germany.	49 CFR 173.315, 178.245	To authorize use of a non-DOT Specification IMO Type 5 portable tank, for transportation of liquefied compressed gases. (Modes 1, 2, and 3.)
9143-N	DOT-E 9143	McCarthy Tank and Steel Company, Bakersfield, CA.	49 CFR 173.119, 173.245, 173.343-5, 173.346, 178.340-7, 178.342-5.	To authorize manufacture, marking and sale of non-DOT specification cargo tanks complying in general with DOT Specification MC-307/312 except for bottom outlet valve variations for shipment of waste flammable, corrosive or poison B liquids or semi-solids. (Mode 1.)
9171-N	DOT-E 9171	Starstruck, Inc., Redwood City, CA	49 CFR 172.101, 172.402, 173.134, 173.86.	To authorize shipment of a launch vehicle assembly containing hazardous materials. (Modes 1 and 3.)

EMERGENCY EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 9187-N	DOT-E 9187	Baker Sand Control, Houston, TX	49 CFR 172.101, 175.320(a)	To authorize transport of Class A explosives on cargo aircraft only. (Mode 4.)
EE 9190-N	DOT-E 9190	Pennwalt Corporation, Buffalo, NY	49 CFR 173.101, 177.821(c)	To authorize shipment of methyl ethyl peroxide solution with an active oxygen content greater than 9%, in DOT Specification 2E bottles packed in DOT Specification 12B fiberboard boxes. (Mode 1.)

WITHDRAWALS

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
9044-N	O'Neal, Jones & Feldman, Inc., Saint Louis, MO	49 CFR 172.400, 173.25(a), 175.30(a)(3)	To authorize shipment of limited quantities of a poison B liquid, n.o.s. in specially designed composite type packaging without labelling. (Modes 1, 4, and 5.)
9087-N	O. I. Corporation, College Station, TX	49 CFR 173.245	To authorize shipment of chromic acid solution, containing less than 35 percent chromic acid by weight, classed as corrosive liquid, n.o.s. contained in glass ampules packed in styrofoam containers surrounded with a polyethylene pad, overpacked in a fiberboard box. (Mode 1.)
9137-N	Federal Express Corporation, Memphis, TN	49 CFR 172.406(e), 172.500(a), 172.504, 172.512(b).	To transport various hazardous materials packed in a freight container to which is affixed one "DANGEROUS" placard instead of four placards prescribed for the classification/s of the material. (Modes 1 and 4.)

DENIALS

8773-N	Request by Applied Technology, Inc., Barnwell, SC to authorize the transportation of radioactive materials aboard motor vehicle when the combined transport index exceeds 50 and/or the separation criteria cannot be met; to extend the operation of "exclusive use vehicle" to more than one consignor, and to allow more latitude in the instructional constraints therefore; and to allow relief from the radiation dose rate limit of 2 millirems/hour in any normal occupied position in the motor vehicle denied December 19, 1983.

Issued in Washington, D.C., on January 12, 1984.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 84-1509 Filed 1-18-84; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Public Information Collection Requirements Submitted to OMB for Review

Dated: January 13, 1984.

On January 13, 1984, the Department of the Treasury submitted the following public information collection requirement(s) to OMB (listed by submitting bureaus), for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained from the Treasury Department Clearance Officer, by calling (202) 535-6020. Comments regarding these information collections should be addressed to the OMB reviewer listed at the end of each bureau's listing and to the Treasury Department Clearance Officer, Room 7227, 1201 Constitution Avenue, N.W., Washington, D.C. 20220.

Internal Revenue Service

OMB Number: 1545-0241
Form Number: 6177
Type of Review: Extension
Title: General Assistance Program Determination

OMB Number: 1545-0036
Form Number: 952
Type of Review: Revision
Title: Consent to Fix Period of Limitation on Assessment of Income Taxes

OMB Number: 1545–0718
Form Number: 941–M
Type of Review: Revision
Title: Employer's Monthly Federal Tax Return
OMB Reviewer: Norman Frumkin (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

U.S. Customs Service

OMB Number: 1515–0060
Form Number: CF 1300
Type of Review: Revision
Title: Master's Oath of Vessel in Foreign Trade
OMB Number: 1515–0061
Form Number: CF 1304
Type of Review: Extension
Title: Crew's Effects Declaration
OMB Number: 1515–0052
Form Number: CF 4609
Type of Review: Extension
Title: Petitoin for Remission or Mitigation of Forfeitures and Penalties
OMB Number: 1515–0059
Form Number: CF 1303
Type of Review: Extension
Title: Ships' Stores Declaration
OMB Reviewer: Judy McIntosh (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

Cathy Thomas,
Departmental Reports Management Office.
[FR Doc. 84–1543 Filed 1–18–84; 8:45 am]
BILLING CODE 4810–25–M

Sunshine Act Meetings

Federal Register
Vol. 49, No. 13
Thursday, January 19, 1984

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 48 FR 56304.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11:00 a.m., January 20, 1984

CHANGES IN THE MEETING: The time of the meeting has been changed to 2 p.m.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 84-1583 Filed 1-17-84; 11:30 am]

BILLING CODE 6331-01-M

2

FEDERAL COMMUNICATIONS COMMISSION

FCC to Hold a Closed Commission Meeting Thursday, January 19, 1984.

The Federal Communications Commission will hold a Closed Meeting on the subject listed below on Thursday, January 19, 1984 following the Open Meeting, which is scheduled to commence at 9:30 A.M., in Room 856, at 1919 M Street, NW., Washington, D.C.

Agenda, Item No. and Subject

Hearing—1—Applications for Review of a Review Board Decision, FCC 83R-10, released February 11, 1983, granting the application of Alamo Broadcasting Corporation (Alamo) for a new UHF television station in the San Antonio, Texas, comparative UHF proceeding (Docket Nos. 81-647, 648 and 649).

This item is closed to the Public because it concerns Adjudicatory Matters (See 47 CFR 0.603(j)).

The following persons are expected to attend:

Commissioners and their Assistants
Managing Director and members of his staff
General Counsel and members of his staff
Chief, Office of Public Affairs and members of his staff

Action by the Commission January 11, 1984. Commissioners Fowler, Chairman; Quello, Dawson, Rivera and Patrick voting to consider this item in Closed Session.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: January 13, 1984.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 84-1541 Filed 1-17-84; 9:55 am]

BILLING CODE 6712-01-M

3

FEDERAL COMMUNICATIONS COMMISSION

FCC to Hold Open Commission Meeting, Thursday, January 19, 1984.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, January 19, 1984, which is scheduled to commence at 9:30 A.M., in Room 856, at 1919 M Street, NW., Washington, D.C.

Agenda, Item No. and Subject

General—1—*Title:* Amendment of the regulations to expand the notification and verification equipment authorization procedures. *Summary:* This Report and Order places certain categories of equipment under the notification procedures. That equipment is used and verification under rule Parts 5, 15, 21, 73, 74, 78 and 94.

General—2—*Title:* Requirements for Licensed Operators in Various Radio Services; Docket 83-322; RM-3292, RM-2643. *Summary:* The Commission will consider comments filed in Docket 83-322 and adoption of a Report and Order concerning the requirements for licensed operators in the Experimental Broadcast, International Broadcast, and Auxiliary Broadcast Service; the Private Land Mobile, Fixed, and Personal Radio Services; and the Domestic Public Fixed and Cable Television Relay Services; as well as certain changes in commercial radio operator licensing procedures and policies.

Issued: January 13, 1984.

Private Radio—1—*Title:* Update of the Commission's rules governing requirements for radiotelegraph auto alarm receivers, automatic-alarm-signal keying devices and ship radar installations in the Maritime Mobile Service. *Summary:* The FCC will consider whether to adopt a Notice of Proposed Rule Making which proposes to amend its rules to revise the requirements applicable to radiotelegraph automatic alarm receivers, signal keying devices and ship radar installations to be used upon large oceangoing vessels.

Private Radio—2—*Title:* Amendment of Part 90 of the Commission's Rues and Regulations to reserve frequencies for emerency electrical alarm protection. *Summary:* The Commission will consider whether to adopt a *Notice of Proposed Rule Making* which proposes to modify certain rules regarding the use of frequencies by central station electrical protection companies.

Common Carrier—1—*Title:* Metromedia Telecommunications, Inc. *Summary:* The Commission will consider the Application for Review filed by Mobile Communications Corporation of America with respect to applications for 900 MHz local paging service.

Common Carrier—2—*Title:* In the Matter of MTS and WATS Market Structure CC Docket No. 78-72, Phase I. *Summary:* The Commission will consider issues raised in petitions for further reconsideration or clarification of the access charge rules.

Policy—1—*Title:* Deregulation of Radio. *Summary:* The Commission will consider what information regarding nonentertainment programming we should require radio broadcasters to keep and to make available to the public and the Commission in view of the new regulatory scheme for commercial radio.

This meeting may be continued the following work day to allow the commission to complete appropriate action.

Additional inforamtion concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 84-1542 Filed 1-17-84; 9:55 am]

BILLING CODE 6712-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Change in Subject Matter of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, January 16, 1984, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Memorandum re: Approval of Liquidation Asset Management Information System (LAMIS) Project.

By the same majority vote, the Board further determined that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: January 16, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 84-1672 Filed 1-17-84; 2:04 pm]

BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, January 16, 1984, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Application of Bank of Keystone, Keystone, Nebraska, an insured State nonmember bank, for consent to purchase certain assets of and assume the liability to pay certain deposits made in Arthur County Co-operative Credit Association, Arthur, Nebraska, and for consent to establish the sole office of Arthur County Co-operative Credit Association as a branch of Bank of Keystone.

Amendment to a condition imposed by the Board in approving the application of Diablo Bank (formerly Diablo State Bank), Danville, California, for consent to relocate its main office from 355 N. Hartz Avenue to 156 Diablo Road, Danville, California.

The Board further determined, by the same majority vote, that no earlier notice of these changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Dated: January 16, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 84-1673 Filed 1-17-84; 2:04 pm]

BILLING CODE 6714-01-M

6

FEDERAL ELECTION COMMISSION

FEDERAL REGISTER NO. 84-960

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, January 19, 1984, 10:00 a.m.

The following item has been carried over from the meeting of January 12: Draft Advisory Opinion #1983-36, J. Curtis Herge on behalf of NCPAC.

* * * * *

DATE AND TIME: Tuesday, January 24, 1984, 10:00 a.m.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED: Compliance. Litigation. Audits. Personnel.

* * * * *

DATE AND TIME: Thursday, January 26, 1984, 10:00 a.m.

PLACE: 1325 K Street, NW., Washington, D.C. (Fifth Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of Dates of Future Meetings
Correction and Approval of Minutes
Eligibility Report for Candidates to Receive Presidential Primary Matching Funds
Draft Advisory Opinion #1983-45, Harry Kresky on behalf of Dennis Serrette3
Draft Advisory Opinion #1983-46, Rebecca L. Burke on behalf of American Association of Nurse Anesthetists
Revised Fiscal Year 1984 Management Plan/ First Quarter Reallocations
December 1983/First Quarter Budget Execution Report
Routine Administrative Matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Information Officer, Telephone 202-523-4065

Marjorie W. Emmons,

Secretary of the Commission.

[FR Doc. 84-1674 Filed 1-17-84; 2:28 pm]

BILLING CODE 6715-01-M

7

FEDERAL RESERVE SYSTEM

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 49 FR 1447, January 11, 1984.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., Monday, January 16, 1984.

CHANGES IN THE MEETING: Addition to the following closed item(s) to the meeting: Proposed legislation regarding Federal Reserve System budgets.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board, (202) 452-3204.

January 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1514 Filed 1-16-84; 4:25 pm]

BILLING CODE 6210-01-M

8

FEDERAL RESERVE SYSTEM

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 49 FR 1447, January 11, 1984

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., Monday, January 16, 1984

CHANGES IN THE MEETING: One of the items announced for inclusion at this meeting was consideration of any agenda items carried forward from a previous meeting; the following such closed item(s) was added:

1. Federal Reserve Bank and Branch director appointments. (This item originally announced for a closed meeting on December 22, 1983.)
2. Supervisory and regulatory matter. (This item previously announced for a closed meeting on January 11, 1984.)

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: January 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-1515 Filed 1-16-84; 4:25 p.m.]

BILLING CODE 6210-01-M

9

LEGAL SERVICES CORPORATION

Appropriations and Audit Committee Meeting.

TIME AND DATE: It will commence at 2:00 P.M. and continue until all official business is completed; Friday, January 27, 1984.

PLACE: General Services Administration, Central Office Auditorium, 18th and "F" Streets, NW., Washington, D.C.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

1. Approval of Agenda
2. Approval of Draft Minutes of July 20, 1983 Appropriations and Audit Committee Meeting
3. Presentation of Corporation Audit for Fiscal Year 1983/Acceptance
4. Final Fiscal Year 1983 consolidated Operating Budget—Staff Report
5. Board Allocation of Fiscal Year 1983 Carryover Funds
6. Proposed Fiscal Year 1984 Consolidated Operating Budget Including Carryover
7. Staff Report on Selection of Auditor

CONTACT PERSON FOR MORE INFORMATION: Lea Anne Bernstein, Office of the President, (202) 272–4040

Date Issued: January 17, 1984.

Donald P. Bogard,

President.

[FR Doc. 84–1690 Filed 1–17–84; 3:43 pm]

BILLING CODE 6820–35

10

NATIONAL COUNCIL ON THE HANDICAPPED

TIME AND DATE:

9:00 a.m.—5:00 p.m., February 1, 1984
9:00 a.m.—5:00 p.m., February 2, 1984
9:00 a.m.—12:00 p.m., February 3, 1984

PLACE: La Bodega Room, Biltmore Hotel, 1260 Channel Drive, Santa Barbara, CA 93108.

STATUS: Open Meeting.

MATTERS TO BE CONSIDERED:

General Business including:
- Approval of minutes
- Input from consumers/policy issues
- Annual Report
- Program Review Reports
- 1984 NCH Goals

Presentations:
- Little People of America
- Robotics by Odetics, Inc.
- Media Presentation on Realities of Disability

PLEASE NOTE: Any person requiring an interpreter or other special services, please contact NCH Staff no later than Janaury 25, 1984.

CONTACT FOR MORE INFORMATION: Harvey C. Hirschi, Executive Director, NCH, 202–245–0752.

Harvey C. Hirschi,

Ex. Director, National Council on the Handicapped.

[FR Doc. 84–1671 Filed 1–17–84; 2:04 pm]

BILLING CODE 4000–01–M

11

NUCLEAR REGULATORY COMMISSION

DATE: Week of January 16, 1984 (Revised) and Week of January 23, 1984.

PLACE: Commissioners' Conference Room, 1717 H Street, N.W., Washington, D.C.

STATUS: Open and Closed.

MATTER TO BE DISCUSSED:

Week of January 16

Monday, January 16

10:00 a.m.
- Discussion of Corrosion in PORV's at TMI–1 (Public Meeting) (As Announced)

2:00 p.m.
- Discussion of Future Steps in TMI–1 Restart (Closed—Ex. 5 & 10) (As Announced)

Thursday, January 19

3:30 p.m.
- Affirmation/Discussion and Vote (Public Meeting) (New Item)
  - a. Policy Statement on Regionalization (Tentative)
  - b. NRC Response to Court Decision Vacating Interim Rule on Environmental Qualification Deadline (Tentative) (*Postponed* from January 12)

Week of January 23

Monday, January 23

1:30 p.m.
- Affirmation/Discussion and Vote (Public Meeting)
  - a. Modification of Commission Memorandum and Order Regarding Operation of Diablo Canyon Nuclear Power Plant

1:40 p.m.
- Discussion of Pending Investigations on Diablo Canyon (Open/Closed—Ex. 5 & 7)

Thursday, January 26

2:00 p.m.
- Status of Certain Enforcement Actions (Closed—Ex. 5 & 7)

3:30 p.m.
- Affirmation/Discussion and Vote (Public Meeting)
  - a. Modification of Commission Memorandum and Order Regarding Operation of Diablo Canyon Nuclear Power Plant (if necessary)

Friday, January 27

9:30 a.m.
- Briefing on Possible Uses of Special Nuclear Material Available in the Non-Power Reactor Community (Closed—Ex. 1)

11:15 a.m.
- Comments on Implications of a Proposed Rule Regarding Use of HEU in Domestic Research Reactors (Public Meeting)

2:00 p.m.
- Discussion of International Implications of Conversion of Domestic Research Reactors to LEU Use (Open/Closed to be determined)

3:30 p.m.
- Discussion of Physical Security at Domestic Research Reactors (Closed—Ex. 1)

ADDITIONAL INFORMATION: Briefing on BWR Pipe Replacement held on January 12 (title change). Steam Generator Generic Requirements scheduled for Friday, January 13, *Postponed.* Comments by Parties on Diablo Canyon Criticality and Low Power Operation scheduled for January 17, *postponed.* Discussion of Pending Investigations scheduled for January 17, *postponed.*

TO VERIFY THE STATUS OF MEETINGS CALL: (Recording)—(202) 634–1498.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634–1410.

Dated: January 12, 1984.

Walter Magee,

Office of the Secretary.

[FR Doc. 84–1699 Filed 1–17–84; 3:54 pm]

BILLING CODE 7590–01–M

12

POSTAL SERVICE

Notice of Vote to Close Meeting.

At its meeting on January 9–10, 1984, the Board of Governors of the United States Postal Service unanimously voted to close to public observation its meeting, scheduled for February 8, 1984, in Los Angeles, CA. The meeting will involve a discussion of possible strategies in anticipated collective bargaining negotiations, pursuant to chapter 12 title 39 United States Code, involving parties to the 1981 National Agreements, between the Postal Service and four labor organizations representing certain postal employees, which are scheduled to expire in July 1984.

The meeting is expected to be attended by the following persons: Governors Babcock, Camp, McKean, Peters, Ryan, Sullivan, Voss and Waldman; Postmaster General Bolger; Deputy Postmaster General Finch; Secretary of the Board Harris; General Counsel Cox; Senior Assistant Postmaster General Morris; and Counsel to the Governors Califano.

The Board is of the opinion that public access to any discussion of possible strategies that Postal Service management may decide to adopt, or the

positions it may decide to assert, in any collective bargaining sessions that may take place would be likely to frustrate action to carry out those strategies or assert those positions successfully. In making this determination, the Board is aware that the effectiveness of the collective bargaining process in labor-management relations has traditionally depended on the ability of the parties to prepare strategies and formulate positions without prematurely disclosing them to the opposite party. The public has a particular interest in the integrity of this process as it relates to the Postal Service, since the outcome of the negotiations between the Postal Service and the various postal unions, and consequently the cost, quality and efficiency of postal operations, may be adversely affected if the process is altered.

Accordingly, the Board of Governors has determined that, pursuant to section 552b(c)(3) of title 5, United States Code, and § 7.3(c) of title 39, Code of Federal Regulations, this portion of the meeting is exempt from the open meeting requirement of the Government in the Sunshine Act (5 U.S.C. 552(b)), because it is likely to disclose information prepared for use in connection with the negotiation of collective bargaining agreements under chapter 12 of title 39, United States Code, which is specifically exempted from disclosure by section 410(c)(3) of title 39, United States Code. The Board has determined further that, pursuant to section 552b(c)(9)(B) of title 5, United States Code, and § 7.3(i) of title 39, Code of Federal Regulations, the discussion is exempt, because it is likely to disclose information the premature disclosure of which is likely to frustrate signficantly proposed Postal Service action. Finally, the Board of Governors has determined that the public has an interest in maintaining the integrity of the collective bargaining process and that the public interest does not require that the Board's discussion of its possible collective bargaining strategies and positions be open to the public.

In accordance with section 552b(f)(1) of title 5, United States Code, and § 7.6(a) of title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in his opinion the meeting to be closed may properly be closed to public observation, pursuant to section 552b(c)(3), and (9)(B) of title 5 and section 410(c)(3) of title 39, United States Code, and section 7.3(c), and (i) of title 39, Code of Federal Regulations.

David F. Harris,

Secretary.

[FR Doc. 84-1444 Filed 1-17-84; 10:32 am]

BILLING CODE 7710-12-M

13

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of January 23, 1984, at 450 Fifth Street, NW., Washington, D.C.

A closed meeting will be held on Tuesday, January 24, 1984, at 9:30 a.m.

The Commissioners, Counsel to the Commissioners, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10).

Chairman Shad and Commissioners Longstreth, Treadway and Cox voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, January 24, 1984, 9:30 a.m., will be:

Settlement of administrative proceedings of an enforcement nature.
Institution of injunctive actions.
Formal orders of investigation.
Settlement of injunctive action.
Litigation matter.
Institution of administrative proceeding of an enforcement nature.

AT TIMES CHANGES IN COMMISSION PRIORITIES REQUIRE ALTERATIONS IN THE SCHEDULING OF MEETING ITEMS. FOR FURTHER INFORMATION AND TO ASCERTAIN WHAT, IF ANY, MATTERS HAVE BEEN ADDED, DELETED OR POSTPONED, PLEASE CONTACT: Bruce Kohn at (202) 272-3195.

George A. Fitzsimmons,

Secretary.

January 13, 1984.

[FR Doc. 84-1538 Filed 1-17-84; 9:31 am]

BILLING CODE 8010-01-M

14

SECURITIES AND EXCHANGE COMMISSION

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENTS: (To be published).

STATUS: Closed meeting.

PLACE: 450 Fifth Street, NW., Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Tuesday, January 10, 1984.

CHANGE IN THE MEETING: Additional items.

The following items will be considered at a closed meeting scheduled for Tuesday, January 17, 1984, following the 9:30 a.m. open meeting.

Settlement of injunctive action and institution of administrative proceeding of an enforcement nature.
Regulatory matter regarding financial institution.

Chairman Shad and Commissioners Treadway and Cox determined that Commission business required the above changes and that no earlier notice thereof was possible.

AT TIMES CHANGES IN COMMISSION PRIORITIES REQUIRE ALTERATIONS IN THE SCHEDULING OF MEETING ITEMS. FOR FURTHER INFORMATION AND TO ASCERTAIN WHAT, IF ANY, MATTERS HAVE BEEN ADDED, DELETED OR POSTPONED, PLEASE CONTACT: JoAnn Zuercher at (202) 272-2014.

George A. Fitzsimmons,

Secretary.

January 16, 1984.

[FR Doc. 84-1643 Filed 1-17-84; 1:30 pm]

BILLING CODE 8010-01-M

federal register

Thursday
January 19, 1984

Part II

Federal Communications Commission

47 CFR Part 2

Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979; Final Rule (2nd Report and Order)

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[Gen. Docket No. 80-739; FCC 83-511]

Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979

AGENCY: Federal Communications Commission.

ACTION: Final rule (2nd Report and Order).

SUMMARY: The Federal Communications Commission amends Part 2 of its Rules to implement domestically the Final Acts of the 1979 World Administrative Radio Conference. This action brings the Commission's Rules into conformity with international regulations. This provides domestic radio spectrum users with protection from harmful interference as provided by international regulations.

EFFECTIVE DATE: February 21, 1984.

ADDRESS: Federal Communications Commissions, 2025 "M" Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Mr. Fred Thomas/Mr. William Torak, Office of Science and Technology, 2025 "M" Street NW., Washington, D.C. 20554, (202) 653-8171/(202) 632-7025.

List of Subjects in 47 CFR Part 2

Frequency allocations, Treaties, Radio.

Second Report and Order

In the matter of amendment of Part 2 of the Commission's Rules regarding implementation of the final acts of the World Administrative Radio Conference, Geneva, 1979.

Adopted: November 8, 1983.
Released: December 8, 1983.

By the Commission: Commissioner Rivera absent.

Purpose

1. The purpose of this proceeding is to implement into Part 2 of the Commission's Rules and Regulations the Final Acts of the 1979 World Administrative Radio Conference (1979 WARC). This is necessary as the Final Acts of the 1979 WARC, which comprise an international treaty, became effective internationally on January 1, 1982, for administrations that have ratified the treaty. The United States ratified the treaty on September 6, 1983. Therefore, it now has the force of law in the United States and we are obliged to adhere to its provisions. Further, we take this opportunity to modify the format of § 2.106, Table of Frequency Allocations, to remove obsolete and outdated provisions from Part 2 of the Commission's Rules and to ensure that Part 2 is consistent with rules recently adopted in other proceedings.

Background

2. The 1973 Plenipotentiary Conference of the International Telecommunication Union (ITU) resolved that a World Administrative Radio Conference (WARC) should be convened in 1979 to revise, as necessary, the international Radio Regulations. The ITU Plenipotentiary noted that since 1959, the year of the last such general revision, various world administrative radio conferences had amended the Radio Regulations on specific points without having been able to harmonize the decisions taken because of the limited nature of their agendas. It also noted that as a result of technical advances, some of the Radio Regulations needed reconsideration. The Administrative Council of the ITU issued an initial agenda for the 1979 WARC in 1976. The 1979 WARC began on September 24, 1979 and concluded on December 6, 1979; of the then 154 member nations of the ITU, 150 were represented at the Conference. The Conference considered more than 15,000 individual proposals dealing with numerous aspects of world telecommunications.

3. The Commission's effort in preparation for the 1979 WARC began in late 1974 when an FCC Steering Committee, having overall management responsibility, and four specialized functional committees were established. Also, twenty-two industry advisory committees were created, each representing a particular radio service, in order to study spectrum requirements and to suggest appropriate changes to the Radio Regulations.

4. At about the same time, the National Telecommunications and Information Administration (NTIA), which at the time was the Office of Telecommunications Policy under the Executive Office of the President, established a preparatory infrastructure within the Interdepartment Radio Advisory Committee (IRAC) that was analogous to that of the Commission's. Throughout the preparation, coordination between the FCC and the Executive Branch took place.

5. In 1975, the Commission instituted a public proceeding, Docket 20271, which served as the vehicle by which comments and recommendations were obtained from the public regarding the proposals that the United States would make to the Conference. Nine Notices of Inquiry were issued between 1975 and 1978; of those, three were concerned primarily with the development of proposals for changes to the international Table of Frequency Allocations.[1]

6. Throughout the preparation period, many parties, which represented diverse interests and perspectives, contributed to the development of proposals by participating in the advisory committees and by responding to the Notices of Inquiry. A Report and Order (FCC 78-849, 44 FR 2683), which contained a comprehensive set of recommended proposals representing the combined thinking of the Commission and the Executive Branch, was issued in December 1978. The Department of State used those recommended proposals to develop the formal U.S. proposals that were submitted to the ITU for consideration by the 1979 WARC.

7. Of the more than 15,000 proposals considered by the 1979 WARC, over 900 had been submitted by the United States. Most of the U.S. proposals were attained, either in entirety or in substantial part. In January of 1980, we released a Public Notice (No. 25215) that reported general results of the 1979 WARC.

8. The Commission prepared for national implementation of the Final Acts by issuing five Notices of Inquiry (NOIs) and a Notice of Proposed Rule Making (NPRM).[2] These Inquiries and

[1] The Third Notice of Inquiry (FCC 76-1099, 41 FR 54309), Fifth Notice of Inquiry (FCC 77-349, 42 FR 27756) and Eight Notice of Inquiry (FCC 78-265, 43 FR 18748) solicited comments, and treated comments, regarding a revised international Table of Frequency Allocations.

[2] The First Notice of Inquiry was adopted by the Commission on November 25, 1980 (FCC 80-695, 46 FR 3060) and released on December 30, 1980. It proposed modifications to §§ 2.100 through 2.105, § 2.106 (Table of Frequency Allocations) up through 28 MHz, and the addition of § 2.107. The Second Notice of Inquiry was adopted by the Commission on May 21, 1981 (FCC 81-247, 46 FR 31693) and released on June 15, 1981. It proposed modifications to § 2.106 from 28 MHz through 1215 MHz. The Third Notice of Inquiry was adopted by the Commission on July 16, 1981 (FCC 81-323, 46 FR 40536) and released on August 7, 1981. It proposed modifications to § 2.1 (Definitions) and to § 2.106 from 1215 MHz through 40.5 GHz. The Fourth Notice of Inquiry was adopted by the Commission on October 1, 1981 (FCC 81-457, 46 FR 60221) and released on October 16, 1981. It proposed modifications to § 2.106, from 40.5 GHz through 400 GHz, and to Subpart C of Part 2, the Emission Designators. The Fifth Notice of Inquiry was adopted by the Commission on May 13, 1982 (FCC 82-213, 47 FR 25982) and released on June 7, 1982. The Notice of Proposed Rule Making was adopted by the Commission on November 18, 1982 (FCC 82-508, 48 FR 3790) and released December 30, 1982. It proposed modifications to Part 2 Subparts A and B (§§ 2.1 through 2.108).

the NPRM solicited public comment on proposed modifications to Part 2 of the Rules that we felt were necessary and appropriate to make Part 2 as consistent as possible with the Final Acts and to satisfy our domestic allocation needs. This Second Report and Order is limited in scope to the issues addressed in the NPRM with the exception of the band 11.7–12.2 GHz, which was addressed in the First Report and Order in this proceeding.[3] Further notices of proposed rule making and reports and orders will be issued to cover the implementation of remaining relevant provisions of the Final Acts of the 1979 WARC.

9. Parties filing Comments and Reply Comments to the Notice of Proposed Rule Making are listed in Appendix A.[4]

Intentions

10. The international treaty has the force of law in the United States, and we are obliged to adhere to its provisions. In our domestic implementation actions, we must take full account of the international provisions even though in some instances they do not fully agree with those that the United States had proposed. The treaty does provide some flexibility, however, through Radio Regulation No. 342 that states:

> Administrations of the Members shall not assign to a station any frequency in derogation of either the Table of Frequency Allocations given in this Chapter or the other provisions of these Regulations, except on the express condition that harmful interference shall not be caused to services carried on by stations operating in accordance with the provisions of the Convention and these Regulations.

This enables the enactment of domestic provisions different from international provisions in cases where the physical characteristics of the radio spectrum and of the domestic uses permit operations within the stated interference constraint. In a few instances, the United States had serious reservations about the allocation actions taken by the 1979 WARC. Therefore, the U.S. delegation made protocol statements which said the U.S. would not accept certain decisions of the Conference and which further stated the U.S. intentions in regard to those decisions; these are shown at Appendix B.

11. In conformity with a specific objective in Conference preparation, a number of the U.S. proposals were intentionally drawn to provide flexibility in making domestic regulatory decisions and were obtained at the 1979 WARC. In those cases, the Commission, in coordination with NTIA, which is responsible for developing provisions for the Government sector, proposed and discussed appropriate choices in the NOIs and the NPRM in this Docket.

12. In the NOIs and NPRM, the Commission proposed a new format for the Table of Frequency Allocations, § 2.106. We are adopting this new format, which includes for informational purposes the international table of Frequency Allocations for all Regions of the world as well as the domestic allocations observed by the Government sector. The new format also eliminates redundancy in the Table by replacing the columns previously headed "Class of Stations" and "Nature of Service/ Station" by a column headed "Rule Part(s)". This new column provides a cross reference to appropriate rule parts that contain the assignments of channels and other specific provisions pertaining to the different services. We also took the opportunity afforded by this general review to perform an overall "clean-up" of Part 2 of our domestic Rules and Regulations. Some of the existing provisions were functionally obsolete and served no useful purpose, while others required up-dating to make them current. The appropriate editorial modifications were discussed in the NOIs and NPRM. Finally, we have included modifications that were recently adopted in separate Commission proceedings. The result is a document which we believe is more simple, clear, accurate and timely. The applications and contents of the Table are described in § 2.105.

Discussion

13. We are adopting here essentially all of the revisions to Subpart A (Definitions) and Subpart B (Allocations, Assignments, and Use of Radio Frequencies) of Part 2 of our Rules which we proposed and discussed in the NPRM. However, we are making several appropriate changes as a result of the comments and reply comments received in response to the NPRM. We are also making several editorial changes in Part 2 to incorporate various Commission decisions made after the NPRM was issued. The revised Part 2 is contained in Appendix C. The following discussion will focus on the comments and replies and on other areas where we believe change from our proposal is appropriate.

Subpart A

14. Revisions to § 2.1 (Definitions) of the Rules were presented in the Third NOI and the NPRM. We are modifying our definitions to be consistent with the international definitions approved at the 1979 WARC. We are deleting definitions that are particular to, and contained in, Commission Rule Parts other than Part 2 and definitions that are common terms which can be readily found in dictionaries.

15. We received no comments in response to the NPRM on this section and will therefore adopt § 2.1 as proposed in the NPRM.

Subpart B

16. Amendments to Rule §§ 2.100–2.108 were proposed in the NPRM to bring these sections into compliance with the international Radio Regulations. These rule sections address topics such as the nomenclature and assignment of frequencies, government and non-government use of frequencies and the international Table of Frequency Allocations.[5]

17. There were no comments filed addressing §§ 2.100–2.105, 2.107 and 2.108. However, we are editorially modifying proposed § 2.105(d)(5) which addresses column 6 of the Table, "FCC USE DESIGNATORS, RULE PART(S)". We wish to clarify that the entries in this column are not allocations but are cross references to applicable rule parts and are provided for informational purposes only.

18. The following paragraphs will highlight the bands of the Table of Frequency Allocations in § 2.106 for which we receive specific comments in response to the NRPM and the bands which require editorial modification. We have modified the format of the Table as discussed in the NOIs and NPRM. The Table now includes, for informational purposes only, the international and Government allocations. Channelling plans have been removed from the allocation Table but may be found in the operating rules of each service. As discussed above, a cross reference to the applicable rule part(s) is located in column 6 of the Table.

19. In the bands between 10 and 490 kHz AAR requested that footnote US294 (see Appendix C), which identifies the operations of Power Line Carriers and which was adopted by the Commission in Docket 82–9 (released January 27, 1983), be included in the Table. This action in Docket 82–9 was taken by the Commission after the NPRM in the instant proceeding was adopted and, therefore, was not included in the proposal. We have added US294 to the

[3] The First Report and Order in this proceeding was adopted by the Commission on June 2, 1983, (FCC 83–272, 48 FR 27541) and released on June 10, 1983. It addressed the issues of the 11.7–12.2 GHz band.

[4] Parties filing comments to the NPRM will be referred to hereafter by the abbreviations listed after their names in Appendix A.

[5] See Appendix C of the NPRM for a complete listing of the proposed allocations.

revised Table in Appendix C to reflect this decision.

20. With respect to the 535–1605 kHz AM broadcasting band, AT&T requested that footnote NG128 be modified to allow Subsidiary Communications Authorizations (SCA) consistent with action taken in BC Docket 81–896. It requested the footnote be modified to permit AM broadcast licensees or permittees to transmit signals intended for utility load management. We are making the requested change to conform NG128 to the Commission's decision. We are also modifying the footnote to conform it to the Commission's First Report and Order in BC Docket 82–536,[6] broadening the permitted uses of subcarriers by FM broadcast stations. These modifications are incorporated in NG128 in Appendix C.

21. For the 1900–2000 kHz band, the commenters focused on the status of amateur users. The Commission proposed to allocate the band for Government and non-Government radiolocation use on a primary basis and for amateur use on a restrictive secondary basis as set forth in US290 and NG15. Comments were received from ARRL, CHESTER, HUTCHINSON and ONI. Reply Comments were filed by NOIA, ONI and RACAL–DECCA. ARRL, CHESTER, and HUTCHINSON claimed that this band is an important band to the amateur community and that it is imperative that an amateur allocation be maintained. CHESTER requested that amateurs be allowed to continue to operate on a secondary basis when radiolocation operations move into the band. ARRL, however, requested a primary amateur allocation and a secondary radiolocation allocation. ARRL claimed that radiolocation usage in this band is inefficient, that the spectrum requirements of radiolocation may not require the use of this band, particularly if LORAN–C or NAVSTAR navigation systems were used instead, and that a smaller allocation for rediolocation such as the allocation in Region 1 would be more appropriate. ARRL further noted that this band was allocated for amateur use prior to World War II but that the amateurs were preempted to provide spectrum for radionavigation. ARRL went on to argue that, since the radionavigation requirements no longer exist for this band, it should be returned for amateur use.

22. ONI, on the other hand, requested deleting the temporary amateur allocation in US290 (see Appendix C) to provide an exclusive allocation to the radiolocation service in the 1900–2000 kHz band. In the alternative, it requests at least modifying US290 to provide for a cut-off date of amateur operations once radiolocation operations begin in the band. It claimed that radiolocation operations will commence as soon as implementing rules are adopted, as the band is needed by radiolocation and current equipment can be tuned or easily modified to operate in this band. RACAL–DECCA supported this argument in its reply comments noting that it too is prepared to make use of this band once this rule making is completed. ONI went on to argue that amateur operations will be incompatible with radiolocation in this band and that there will be little opportunity for amateurs to use this band before the commencement of radiolocation operations.

23. In their reply comments NOIA, ONI and RACAL–DECCA refuted the claims made by ARRL. They claimed: (1) that radiolocation requirements have been increasing over the years and that this is well documented, (2) that radiolocation operations, due to improved engineering, have become increasingly efficient over the years, (3) that the radiolocation users' requirements for precision are greater than can be satisfied by existing navigation systems such as LORAN–C and NAVSTAR, (4) that the spectrum requirements for Region 1 are not analogous to the requirements of the United States and (5) that the spectrum needs of the United States prior to World War II are wholly irrelevant to the spectrum needs of the United States for the 1980's and 1990's. They further claimed that the proposed allocation of 100 kHz on an exclusive basis for both services represents a valid balancing of competing interests and provides the most efficient means of operation for both services, allowing maximum spectrum utilization and efficiency.

24. The purpose of allocating this band to the radiolocation service was to provide reaccommodation spectrum for radiolocation users that will have to move out of the 1605–1705 kHz band when AM broadcasting is implemented in that band. This is still a valid requirement and, therefore, we will adopt the primary radiolocation allocation that was proposed in the NPRM. However, as this allocation was made for reaccommodation purposes and not to provide additional spectrum for radiolocation needs and because this reaccommodation process should take a number of years, we feel that the amateurs can still make some use of the band for the near term without causing interference to radiolocation users. Finally, it is noted that the proposed amateur allocation is secondary and should provide adequate protection to the radiolocation service upon commencement of its operations. Therefore, we are also maintaining US290 as proposed.

25. As highlighted in the NPRM, we also were to re-evaluate the need to maintain NG15 in the 1900–2000 kHz band to protect continuing Region 2 LORAN–A operations. We have made the re-evaluation and found it is necessary to retain this footnote at least through January 1, 1984.

26. In the 10,100–10,150 kHz band, we included in the NPRM footnote US295, which was adopted by Order of the Commission on October 28, 1982 in RM–3855 (FCC 82–469). The footnote was provided to permit amateur use of the band on a secondary basis pending adoption of this Report and Order. Since this item provides for amateur operations on a primary basis in the 10,100–10,150 kHz band, the footnote is no longer necessary and has been deleted.

27. With respect to the 27.54–28.0 MHz band, which is allocated for Government fixed and mobile use on a primary basis, FIT requested a footnote to reflect non-Government use of certain frequencies on a secondary basis to government operations. This would reflect an IRAC agreement that allows FIT members access to this band. Its suggested text is as follows:

> NG———. Channels 27555, 27615, 27635, 27655, 27765, and 27860 KHz are available to eligibles in the Forest Products Radio Service on a secondary basis to Government operations including experimental stations. Operations in the Forest Products Radio Service on these channels will not exceed 150 watts and are limited to the states of Washington, Oregon, Maine, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas (eastern portion).

While all non-Government use of this band will continue to be coordinated through existing IRAC procedures, we believe the suggestion of FIT has merit. We will therefore adopt the footnote US298 to recognize this non-Government use.

28. The bands between 157.45 MHz and 162.0125 MHz were proposed for land mobile and maritime mobile use, and the 928–929 MHz, 947–960 MHz, and 2110–2200 MHz bands were proposed for fixed use. AAR is concerned that these bands are also specifically being allocated to the Domestic Public Land Mobile Service (DPLMS) because this

[6] The Commission adopted a Report and Order in BC Docket 82–536 on April 7, 1983 which was released May 19, 1983 (FCC 83–154, 48 FR 28445).

use is reflected in column 6 of the Table. However, column 6, like column 7 of the Table, is not an allocation. It provides a cross reference to applicable portions of the operating rules and identifies existing uses of the bands. For example, DPLMS (Part 22) use of the bands between 157.45 MHz and 162.0125 MHz is provided by § 22.601 of the Rules, which is why it is cross referenced in column 6. Therefore, there is no need to modify the Table.

29. The 216–220 MHz band, which had previously been limited to telemetry and radiolocation uses, was recently allocated to primary maritime mobile use with previous users retained generally on a secondary basis. However, maritime mobile use was restricted geographically by footnote NG121, which we proposed to retain. WATERCOM requested that footnote NG121 be deleted to allow broader maritime mobile operation. WATERCOM noted that the Commission is considering this issue in General Docket 81–822. However, Docket 81–822 was concluded by a Report and Order adopted by the Commission on April 14, 1982 (FCC 82–175, 47 FR 18881), which expanded the original operating area permitted by NG121 by addition of the Gulf Intracoastal Waterways. A further separate proceeding would have to be initiated to address the removal of NG121 as requested by WATERCOM, as this issue is outside the scope of this proceeding.

30. For the 220–225 MHz band, we proposed shared Government/non-Government primary fixed and mobile, Government secondary rediolocation and non-Government primary amateur use. Previously, the only authorized non-Government use was amateur, which was secondary to the government radiolocation service. MOTOROLA supported the allocation proposed in the NPRM. MOTOROLA argued that the proposed allocation provides the Commission flexibility to reconsider the best use of this band. ARRL, on the other hand, requested that the primary non-Government fixed and mobile allocations be deleted. ARRL claimed the band is needed by the amateur community, especially if Commission action in Docket 83–28 establishes a codeless class of amateur license. ARRL was, however, not opposed to some Government use of the band.

31. The spectrum requirements for this band are currently undefined. However, as noted in the NPRM there is an FCC/NTIA working group developing an allocation plan for this band. Therefore, we will maintain all three allocations—amateur, fixed and mobile—pending the results of this effort. It is noted that no assignments will be made to the fixed and mobile services until the allocation and service rules are finalized.

32. For the 420–430 MHz band, which we proposed for Government primary radiolocation use and non-Government secondary amateur use, we also proposed adding footnote NG135 to the Table to protect Canadian fixed and mobile operations from interference by U.S. amateur operations. Amateurs could not operate north of Line A as defined in § 2.1 of our Rules without a waiver. ARRL recognized the Commission's responsibility to protect Canadian operations from harmful interference but suggested that the Commission mechanism for processing of waivers filed by amateur licensees to operate within Line A should be streamlined as much as possible. Waivers will be considered based on appropriate technical considerations. Due to treaty obligations, such waivers must be subject to successful prior coordination with the Canadian Administration. ARRL's concern is noted but is inappropriate for consideration in this proceeding.

33. The 470–512 MHz band is allocated for UHF television broadcasting and land mobile use on a coequal primary basis. However, the land mobile allocation is restricted to certain television channels by footnote NG66 (see Appendix C). CPOA requested that this allocation be expanded to encompass the entire band. It claimed that this would alleviate some of the current congestion experienced by public safety users. In their reply comments LA COUNTY and LA SHERIFF requested that television channels in this band be reallocated for land mobile use. They noted the LA SHERIFF's petition (RM–3975), which requests the reallocation of television channels 15 and 16 in the Los Angeles area for safety of life operations. This issue is beyond the scope of the rulemaking proposals in the instant proceeding. It must be addressed in a separate proceeding such as RM–3975.

34. The 512–608 MHz and 614–806 MHz bands are also allocated for UHF television broadcasting on a primary basis. In the NPRM we proposed to allow fixed and mobile use on a secondary basis. We received 23 comments and 9 reply comments. With the exception of M/A–COM they may be categorized as follows: those with land mobile interest (API, FIT, IAFC, LA COUNTY, LA SHERIFF, LMCC, MOTOROLA, NABER, SIRSA, UTC, CPOA and CPRA) and those with broadcasting interest (ALPTA & NILPT, AMST, CBS, CPB, COSMOS, CUB, COX, INTV, NAB, NAPTS, NBC, NUBA and SPRINGFIELD). M/A–COM's comments in these bands supported the proposed fixed and mobile secondary allocation but for reasons other than land mobile use. It claimed that these bands would be suitable for low power mobile video transmitters for electronic newsgathering operations and noted that such operations currently exist in other countries.

35. Those with land mobile interest requested that the Commission allocate these bands on co-equal primary basis among the broadcasting, fixed and mobile services. They jointly claimed that the flexibility attained in these bands at the 1979 WARC should be preserved by providing a domestic primary co-equal allocation for land mobile and that anything less would be a departure from the U.S. position at the '79 WARC. Noting the projected land mobile spectrum requirements in the Private Radio Bureau's Interim Report of Future Land Mobile Telecommunication Requirements released in PR Docket 82–10,[7] they claimed the bands were needed to meet future land mobile spectrum requirements. Further, they claimed that failure to accord the mobile service a primary allocation would result in unrestrained broadcast growth, particularly by low power television, and this would effectively preclude any non-broadcast use of the band and eclipse the flexibility obtained at the 1979 WARC. API also noted that sharing between the land mobile and broadcasting services has been done successfully for a number of years in the 470–512 MHz bands and that it could be done successfully in this band as well.

36. Those with broadcasting interest, in both comments and reply comments, requested that the secondary fixed and mobile allocations be deleted from the Table. They claimed that domestic fixed and mobile allocations were not required by the 1979 WARC Final Acts and are not necessary to maintain the flexibility provided by the Final Acts. They noted the report by Dale N. Hatfield Associates, "The Role of New Technologies and Spectrum Management in Meeting the Demand for Private Land Mobile Radio Telecommunications Capacity" (Hatfield Report), November 18, 1982,

[7] PR Docket 82–10, "Interim Report on Future Private Land Mobile Telecommunications Requirements," was released on September 20, 1982 in FCC Public Notice 6576. The Private Radio Bureau's final report, "Future Private Land Mobile Telecommunications Requirements" was released September 16, 1983.

and claimed that additional allocations for land mobile are not necessary as its forseeable spectrum requirements can be met by the present and "reserve" allocations if highly spectrum-efficient technologies, such as cellular and amplitude compandored systems, are used. They also argued that the proposed sharing would actually amount to a reallocation to the land mobile service as broadcast use of the band would be pre-empted. Further, they argued that the band is needed for broadcasting because of the growing requirement for conventional UHF television and the high demand for new low power broadcasting facilities.

37. In their reply comments those with land mobile interest objected to the characterization that sharing these bands would be a reallocation. They claimed that geographic sharing would allow both services to use this portion of the spectrum and would make efficient use of this scarce resource by using frequencies that now lie fallow. With regard to land mobile spectrum needs and the Hatfield Report, they argued that the land mobile community is now taking advantage of spectrum saving technologies and will continue to introduce new technologies as they develop. However, they claimed that some of the new technologies discussed in the Hatfield Report are still in a developmental stage and others will not provide the type of service that land mobile users require. Therefore, they argued access to additional spectrum will still be required and that these bands are the most likely source of spectrum to satisfy this need.

38. There were comments from both those with land mobile interest and those with broadcast interest that requested this issue be resolved in PR Docket 82–10, where they claimed all of the pro and cons of reallocating this band may be fully considered.

39. We believe that it would be premature to resolve this issue before the results of the internal land mobile studies have been analyzed in conjunction with the spectrum needs of the broadcasting service. Therefore, we will remove the proposed secondary fixed and mobile allocations from these bands and will reserve this issue for further consideration. This action should not be interpreted as either supporting or foreclosing the future designation of these bands for land mobile on a primary or secondary basis.

40. In the 806–890 MHz bands, which were proposed for primary land mobile use with footnote NG138 allowing for secondary mobile-satellite use in the land mobile reserve bands, comments were filed by API, APPA, AT&T, COMSAT, IAFC, LMCC, MCI, MOBILSAT, MOTOROLA, NASA, SIRSA, SKYLINK and UTC. Reply comments were filed by API, AT&T, LMCC, MOBILSAT, NASA, NABER and SKYLINK. APPA, COMSAT, MOBILSAT, NASA and SKYLINK all requested either that international footnote 700 (see Appendix C) be adopted or that domestic footnote NG138 (see NPRM Appendix C) be modified to provide a primary allocation for the mobile-satellite service (MSS) in this band. MOTOROLA, SIRSA, API and IAFC all supported NG138 as proposed, which allocates MSS on a secondary basis in the reserve bands between 806–890 MHz. AT&T, LMCC, NABER and UTC all requested that the allocation for MSS be deleted from this band. MCI, while taking no position on this issue in this proceeding, suggested that the proposed allocation to MSS would be more appropriately handled in the rulemaking proceeding requested by NASA, RM–4247,[*] as there are significant questions that should be resolved before considering the adoption of the allocation.

41. Those requesting a primary allocation of MSS argued that MSS will not be feasible or reliable if it is preemptible as a secondary service. They argued that the proposed secondary MSS allocation is an unexplained and unjustifiable departure from the United States' advocacy of a primary MSS allocation at the 1979 WARC. They also claimed that the need for additional spectrum for terrestrial cellular services has not been demonstrated. They further argued that MSS will be an economically viable service, which they claim is supported by interested parties filing in RM–4247.

42. Those that supported proposed footnote NG138 did so emphasizing that the bands are important for terrestrial land mobile operations and that satellite operations should not be afforded any protection from terrestrial operations but should be required to protect terrestrial operations. Those opposed to the allocation argued that the reserve spectrum is needed to meet the growing land mobile demand and that this spectrum should be retained to accommodate known land mobile requirements instead of allocating it to an experimental system. They argued that it would be far more efficient to use the spectrum for terrestrial systems that will be able to serve many millions of subscribers with a better grade of service than an MSS system like the one proposed by NASA could. They argued that the NASA system could optimistically only serve about a quarter of a million subscribers. They further argued that a secondary allocation to MSS could in practice result in a permanent MSS allocation due to the large investment involved and the long life of a satellite (8–10 years). AT&T went on to argue that authorizing MSS in this band is likely to reduce aggregate demand, which is needed to support land mobile service outside the large urban areas. Further, it argued that before any allocation, primary or secondary, is made for MSS, all the issues involving sharing, including sharing criteria, should be fully examined.

43. In its reply comments AT&T added that the MSS market and technology are unproven and that such a system may never be commercially feasible. Further, AT&T agreed with MCI that it would be premature to reallocate any of the 800 MHz reserve bands to MSS until the issues of RM–4247, *supra*, are resolved. In their reply comments MOBILSAT, NASA and SKYLINK claimed that those with land mobile interest, which requested the reserve bands be used to satisfy future terrestrial land mobile needs, failed to document their needs and overlooked the basic predicate of cellular technology that spectrum will be conserved through reuse by "cell-splitting" as demand within a particular cell or market area grows. They also rejected the AT&T argument that, because terrestrial systems are more efficient, the reserve bands should be allocated for terrestrial systems; they claimed that the terrestrial systems will never meet the needs of the non-urban dwellers. NASA claimed that up to 40% of the population lies beyond the metropolitan areas where terrestrial cellular services are most likely. Further, NASA claimed that MSS will complement rather than compete with terrestrial services to provide a nationwide integrated mobile radio system and that MSS will stimulate demand for terrestrial systems, not reduce it. NASA also rejected the argument that a primary MSS allocation in this band will risk a complete foreclosure of the use of this band by terrestrial land mobile services. It noted that terrestrial mobile services have been allocated all but 14 MHz of this band, that the NASA petition only requests 8 MHz for MSS, and that the remaining 6 MHz of reserve spectrum can be kept in reserve to await

[*] RM–4247, "Amendment of Parts 2, 22 and 25 of the Commission's Rules Relative to Satellite Augmentation of Terrestrial Cellular and Non-Cellular Mobile Communications Systems Through Establishment of a Mobile Satellite Service", was filed on November 24, 1982 by National Aeronautics and Space Administration.

development of the terrestrial mobile and MSS services. NASA also requested that 890–896 MHz be kept in reserve until the results of the experimental use of 821–825 MHz and 866–870 MHz have been evaluated. MOBILSAT, NASA and SKYLINK also agreed with MCI that this allocation issue could best be resolved in NASA's pending petition for rulemaking, RM–4247, which NASA noted has produced over 50 well focused comments on both sides of the issue.

44. We agree that this issue could best be resolved in NASA's petition for rulemaking RM–4247 where the arguments on both sides may be more fully developed. Therefore, we will remove proposed footnote NG138 from the Table and in the future make any appropriate modifications to the Table according to Commission action taken regarding RM–4247 or in any other appropriate proceeding. This action should not be interpreted as either supporting or foreclosing designation of these bands for mobile-satellite use.

45. The 902–928 MHz band is used for Government radiolocation, operation of industrial, scientific and medical (ISM) equipment, and automatic vehicle monitoring systems. The NPRM proposed to continue these uses and to provide a secondary allocation for amateur use. Comments were filed by LMCC and MOTOROLA. Both requested the Commission to add a mobile allocation on a secondary basis in this band. LMCC also requested that a primary fixed allocation be included in this band. They argued that this was the U.S. proposal to the 1979 WARC and that there is no rational basis to abandon the flexibility obtained there prior to any specific radio service allocation proceeding. The fixed and mobile allocations obtained at the 1979 WARC in this band were intended to provide flexibility for possible future domestic allocations. We do not believe the record here justifies a change in the domestic allocation table. Thus, we will maintain the allocations in this band as proposed in the NPRM. However, should an adequate showing be made in the future, we will, of course, consider appropriate action.

46. For the 947–960 MHz fixed band, comments were filed by MOTOROLA and NAB. NAB requested that NG9 be deleted. NG9 reads as follows:

NG9 Aural broadcast intercity relay stations may be authorized to use the band 947–952 MHz on the condition that harmful interference will not be caused to other classes of stations operating in accordance with the Table of Frequency Allocations.

47. It argued this is an unnecessary note. We agree. We will delete NG9 from the Table as it is no longer consistent with the new format of the allocation Table. This footnote is not an allocation but an assigment plan and is already contained in Part 74.

48. MOTOROLA requested a primary mobile allocation be added to the 952–960 MHz band. It argued that this flexibility was obtained at the 1979 WARC and should be maintained domestically. We do not agree. We feel the band is too heavily used by the fixed service to be of any value for the mobile service at this time and for the foreseeable future. Therefore, we will maintain the rest of the allocations in this band as proposed in the NPRM.

49. For the 1435–1535 MHz mobile band, which has been used for aeronautical telemetering, AFTRCC requested that footnote US78 (see Appendix C) be modified as proposed in its Petition for Rulemaking, RM–4077. US78 specifies certain frequencies for manned and for unmanned aircraft. AFTRCC would have us modify US78 by adding the 2310–2390 MHz band and removing some of the restrictions now governing the use of the frequencies between manned and unmanned use. However, modification of US78 as requested is outside the scope of this proceeding and should appropriately be handled in RM–4077. Thus, we are retaining footnote US78 without change.

50. The 2200–2290 MHz and 7450–7550 MHz bands were proposed for Government use, including space research in the 2200–2290 MHz band and meteorological-satellite in the 7450–7550 MHz band. COMSAT requested that a primary non-Government space research allocation be made in these bands. It argued that these bands would be needed because of the President's decision that the civil operational remote sensing capability is to be transferred to the private sector. Further, it argued that by making a primary allocation for space research in this proceeding we would eliminate the necessity for a future rule making proceeding and would still allow the Commission to judge specific applications before allowing any operations in these bands.

51. These bands are heavily used by government operations and there are no current requirments for non-Government use. Therefore, we will maintain these bands as proposed in the NPRM. However, if the operations of the remote sensing satellites are in the future turned over to the private sector, then we will review the non-Government requirements for these bands and make any appropriate arrangements to satisfy those needs at that time.

52. The 2310–2390 MHz band has been used by amateurs on a secondary basis. However, because of the proposed aeronautical telemetry allocation for this band, we proposed to delete the amateur allocation. ARRL and WALMSLEY asked that this allocation be retained. ARRL requested that the Commission investigate the possibility of geographical sharing between amateurs and aeronautical telemetering. WALMSLEY claimed this is the best band for amateurs to learn through experimentation and that the straight line propagation properties of these frequencies plus use of directive antennas make the protection of some small users of this band unnecessary. Therefore, he requested the proposal to exclude the amateurs from this band not be adopted.

53. As noted in the NPRM, there is little evidence to support the ARRL proposal of sharing this band between aeronautical telemetering and the amateur service and no new information was filed in response to the NPRM to support such sharing. Therefore, we are maintaining the allocations in this band as proposed in the NPRM. However, it should be noted, as was also stated in the NPRM, that the bands immediately adjacent to this band are available for amateur use.

54. AFTRCC asked that proposed footnote US276 for this band (see Appendix C) be modified to clarify the term "aeronautical telemetry". It requested that this term be defined like the term "aeronautical telemetering mobile stations" in § 2.1 of the Commission's Rules. We agree that US 276 should be clarified, and we are adopting the following language:

US276 Use of the band 2310–2390 MHz by the mobile service is limited to aeronautical telemetering and associated telecommand operations for flight testing of manned or unmanned aircraft, missiles or major components thereof. Exceptionally, all other mobile telemetering users shall be secondary.

55. The 2500–2690 MHz bands are allocated for both terrestrial and satellite services internationally. However, with NG102, we have restricted the fixed satellite use for common carriers to Alaska and the Pacific area and for educational use in the contiguous states. COMSAT has requested that this footnote be deleted and that a primary fixed-satellite service (FSS) allocation be made in this band. It argued this would provide flexibility to use the band for international fixed-satellite use, such as for feeder links for maritime satellite operations.

56. As noted in the NPRM, the international allocations provide the

necessary flexibility to add a primary fixed-satellite service allocation to the domestic Table if it is determined in a future rulemaking proceeding that such an allocation is needed and compatible. However, at the present time, it appears that any type of satellite service will have difficulty sharing due to the extensive terrestrial use of this band. Therefore, we will maintain the allocations for this band as proposed in the NPRM.

57. The 3400–3600 MHz, 3600–3700 MHz, 4500–4800 MHz, and 5850–5925 MHz bands are now allocated internationally for both terrestrial and fixed satellite services. Domestically, however, these bands have been used for government radiolocation, particularly for military purposes. Our proposal would retain the government radiolocation use of these bands and permit limited intercontinental fixed-satellite use in all but the 3400–3600 MHz band if no interference is caused. COMSAT was concerned that primary unrestricted allocations for the FSS had not been made in the 3400–3600 MHz, 3600–3700 MHz, 4500–4800 MHz and 5850–5925 MHz bands. It noted that INTELSAT is currently studing all of these bands for FSS—in particular the 3625–3700 MHz and the 5850–5925 MHz bands. It argued that at some point steps must be taken to bring the domestic Table in line with the 1979 WARC allocations for these bands and suggested a three step plan to accomplish this.

58. As previously stated in the NPRM, the allocations in these bands for the federal government are vital for both domestic national defense systems and national defense systems that operate on a world wide basis. The limited access proposed for the FSS is consistent with future INTELSAT projected requirements. Therefore, we will maintain the allocations proposed in the NPRM. Any additional use of these bands by the fixed-satellite service will require a separate rulemaking proceeding.

59. IN the 5925–7075 MHz band, CORF commented that international footnotes 809 and 791 appear to have been inadvertently omitted from the non-Government column of the Table. International footnotes 809 and 791 were proposed for domestic adoption in the appropriate bands in the NPRM (see MPRM Appendix C, Column 5, bands 6425–6525 MHz, 6525–6875 MHz, 6875–7075 MHz, 7075–7125 MHz and 7125–8450 MHz). We are adopting these footnotes as proposed (see Appendix C), and, thus, providing adequate notification.

60. The 6425–6525 MHz band used for common carrier services has also been used for television pickup on a secondary basis, as specified in footnote NG122 (see Appendix C). AT&T requested the footnote NG122 be modified to clarify that secondary operation is available only to television pickup stations operating under Part 74. We agree. For clarification we will add the phrase "under Part 74" to footnote NG122. The modified footnote will read as follows:

NG122 Television Pickup stations may be authorized under Part 74 in the 6425–6525 MHz band on secondary basis to stations operating in accordance with the Table of Frequency Allocations.

61. The 10.6–10.68 GHz band was proposed for shared Government/non-Government primary earth exploration-satellite use and space research use and non-Government primary fixed use. Footnote US277 also proposed a primary radio astronomy allocation and listed radio astronomy sites to be protected. Comments were filed by M/A–COM and CORF. M/A–COM was concerned about US277 (see NPRM Appendix C) because the actual coordinates of the radio astronomy sites were not listed. It requested this information be added to the note. CORF supported the radio astronomy allocation made by footnote US277. For clarification we will modify US277 by adding the coordinates to the radio astronomy sites. The modified footnote is stated in Appendix C.

62. The 10.7–11.7 GHz band bas been used primarily for common carrier fixed and fixed-satellite services and the 12.75–13.25 GHz band has been used for a variety of microwave services. We proposed to continue these allocations and to include a fixed-satellite allocation for the 12.75–13.25 GHz band. Both fixed-satellite allocations would be available only for international systems pursuant to footnote NG104. HUGHES requested that consideration be given to allocating an additional 500 MHz of bandwidth to the domestic fixed-satellite service (FSS). It claimed the domestic requirements for FSS are growing rapidly, and existing allocations will not be able to meet the demand. It noted that coordination with the fixed service will be necessary but claimed that it will be no worse than the coordination problems now experienced at C-band.

63. The intent of our WARC proposals for these bands and of the allocations proposed in the NPRM was to provide additional FSS allocations for international use. Allocations for the domestic fixed-satellite service in these bands is outside the scope of this proceeding. Therefore, we will maintain the allocations purposed in the NPRM.

64. In the 12.2–12.7 MHz band, which was proposed for primary fixed and broadcasting-satellite use, comments were filed by AAR, AMST, CBS, CPOA, CPRA, LA SHERIFF, NAB, USSB and UTC and reply comments by LA COUNTY, LA SHERIFF and STC. AAR, LA SHERIFF, UTC, CPOA, and CPRA in their comments and LA COUNTY and LA SHERIFF in their reply comments were all interested in maintaining a terrestrial fixed allocation. They noted the U.S. Senate's proviso attached to its advice and consent to ratification of the 1979 WARC Treaty, which stated that the introduction of broadcasting-satellite operations must be carried out in a manner that minimizes unreasonable disruptions to existing users. With this in mind, AAR requested that NG139 (see Appendix C) be modified by adding the following sentence at the end of the footnote:

The introduction of a Direct Broadcasting Satellite Service into the 12.2–12.7 GHz band shall be carried out in a manner which minimizes unreasonable disruptions to existing uses on that band.

It claimed this addition would accurately reflect the views of the U.S. Senate. In their reply comments both LA COUNTY and LA SHERIFF supported ARR's proposed modification. However, LA COUNTY requested the phrase "and without compromising existing systems' configuration and reliability" be added.

65. In its comments and reply comments LA SHERIFF requested that DBS operations be confined to those areas not already served by more conventional forms of television. It claimed that this was the original intent of DBS and that current users of this band in large urban areas will have a difficult, and in some cases an impossible, task of developing an acceptable alternative if they are displaced by DBS. UTC requested the Commission to maintain flexibility with the fixed service in this band until after the 1983 RARC, noting that the BSS allocation may be reduced at the conference, which would allow continued use of the band by terrestrial services. CPOA and CPRA arguments were much the same as LA SHERIFF; however, CPOA requested co-sharing of the band between the fixed service and the broadcasting-satellite service while CPRA requested that BSS be given only secondary status in this band.

66. In its reply comments STC claimed that the comments regarding fixed use of this band are misplaced as the instant proceeding merely conforms the Table

to actions taken by the Commission in General Docket 80-603. Nevertheless, STC responded to the claims made in support of the fixed service continued use of this band, noting that, should the United States not be allotted the entire band for DBS at the 1983 RARC, the fixed service could be allowed to continue using the unallocated portion of the band. It also responded that none of the commenters who claimed that suitable replacement spectrum for the fixed service was not available provided any support for this claim and that the contention that DBS should be confined to rural areas was very narrow in outlook and would deny the benefits provided by DBS to the urban areas.

67. AMST, CBS, NAB and USSB in their comments and STC in its reply comments addressed the issue of terrestrial broadcasting in this band. AMST, CBS and NAB claimed that deleting the terrestrial broadcasting allocation from this band is both unnecessary and undesirable and requested that such an allocation be put back into the Table. USSB and STC opposed terrestrial broadcasting in this band and supported deleting the allocation.

68. Those in favor of the terrestrial broadcasting allocation argued that the Commission should maintain the flexibility in this band obtained at the 1979 WARC, especially until after the 1983 RARC, as there may be possibilities for sharing. Further, they argued that this band would provide an opportunity to implement high-resolution television broadcasting.

69. USSB argued that the feasibility test conducted by CBS, submitted as late comments to the Third NOI in this proceeding, demonstrated, if anything, that terrestrial video broadcasting in the 12 GHz band is impractical due to the limited service area at this frequency and the large amount of spectrum needed for each channel. STC in its reply comments supported USSB arguments.

70. USSB on a separate issue requested that the Commission allow non-conforming satellite uses of this band on a secondary basis by adding a footnote. In particular it was interested in operating low power service channels to receive program material from its member stations.

71. We agree with STC that the comments regarding the fixed use of this band are misplaced. The issue was fully addressed and considered by the Commission in General Docket 80-603. Further, we do not believe the proposed modification of NG139 as proposed by AAR will be of any great value, as the Commission is fully cognizant of the reaccommodation problems facing the existing fixed users of this band and we will make every effort to minimize disruptions to their service.[9] With regard to the results of the 1983 RARC, the U.S. obtained the required spectrum and orbital allocations to implement the DBS service. Therefore, there will be no need for further Commission action to implement the results of the 1983 RARC with regard to the allocation issues of this band. With regard to the request for a terrestrial broadcasting allocation for this band, the comments presented no new evidence that the problem of sharing this band between terrestrial and space services can be overcome. Finally, the USSB request for a footnote to allow nonconforming satellite use of this band is outside the scope of this proceeding. Therefore, we do not believe any changes to this band are appropriate at this time and are adopting the allocations in this band as presented in the NPRM.

72. For the 18.6-18.8 GHz band, we proposed to add allocations for shared Government/non-Government primary earth exploration-satellite and space research use to the allocations for non-Government primary fixed, fixed-satellite and mobile (except aeronautical mobile) use. We also proposed power limits for the fixed and mobile services in the band (US254) and a power flux density limit for the fixed-satellite service (US255) (see Appendix C). Comments were filed by COMSAT and M/A-COM. COMSAT felt the power limits on the fixed-satellite service would be more stringent than necessary and exceed the limits contained in the Final Acts of the 1979 WARC and would, therefore, be ineffective because other countries will not be bound by these limits. M/A-COM suggested more flexibility is needed in footnote US254 since both passive sensor technology and microwave transmission technology will evolve over the years and suggested the addition of the following sentence to US254:

> Prior to January 1, 1990, a re-evaluation of microwave sensor technology will be undertaken by the U.S. Government to determine whether these power limits continue to be appropriate.

73. As noted in the NPRM, the power limits of these footnotes were U.S. proposals to the 1979 WARC and are required to keep interference to the satellite sensors below a harmful level. With regard to the M/A-COM proposed modification to US254, this is not required or appropriate as the Commission may re-evaluate these power limits at any time and the public may petition for such a re-evaluation at any time. Therefore, we will maintain the allocation for this band proposed in the NPRM.

74. In the 22.5-23.0 GHz band, we proposed non-Government primary broadcasting-satellite use and shared Government/non-Government fixed and mobile use. We also proposed a shared Government/non-Government inter-satellite allocation in the 22.55-23.00 MHz segment. GE and M/A-COM objected to a primary broadcasting-satellite (BSS) allocation and a secondary fixed allocation and requested a co-equal primary fixed and mobile allocation along with the BSS allocation. They argued the band is poorly suited for BSS because 22.235 GHz is the center of the water absorption band and BSS operation will not be able to handle the rain fades that will occur. Therefore, GE argued that there is no reason to believe that BSS will ever develop in this band. GE and M/A-COM also argued that the band is needed by fixed operations and that the proposed allocation would destroy the pairing for the common carrier portion of the band. Further, they claimed that a co-equal primary allocation would retain the flexibility necessary for the Commission to make an appropriate choice in the future after the technology develops. M/A-COM further argued that BSS technology is such that it does not expect that a second band will be needed for BSS until some time between 1995 and 2003. GE argued that the proposed NPRM leaves a threat over the fixed service users that they would become secondary to BSS operations.

75. In its reply comments STC rejected GE and M/A-COM arguments, noting that the BSS allocation is only 500 MHz while the fixed service still has a primary allocation of 1900 MHz in the 22 GHz band and has primary allocations in nearby bands at 17.7-19.7 GHz and 27.5-29.5 GHz. Further, it noted that this is the only other band allocated to BSS below 40 GHz besides the 12 GHz allocation and that the problems in sharing this band between the fixed service and BSS will be no less than those now encountered between the two services at 12 GHz.[10]

[9] On September 9, 1983, the Commission adopted a Report and Order in Docket 82-334, which provides reaccommodation spectrum for fixed users.

[10] The STC assessment that 22.5-23.0 GHz is the only other band allocated for BSS below 40 GHz is not quite correct as there is a BSS allocation at 2.5-2.655 GHz, even though the band is heavily used by other services.

76. The Commission action in the First Report and Order in this proceeding has provided for BSS use of the FSS band, 11.7–12.2 GHz. Due to this action, it now appears questionable as to whether BSS use of the 22.5–23.0 GHz will be required in the foreseeable future. Therefore, we are providing the fixed and mobile services a primary allocation.

77. For the 47.2–49.2 GHz part of the 47.2–50.2 GHz band and the 74.0–75.5 GHz band, we are adding footnote US297. It reads as follows:

US297 The bands 47.2–49.2 GHz and 74.0–75.5 GHz are also available for feeder links for the broadcasting-satellite service.

This footnote is editorial in nature as it does not add any allocations nor does it restrain any allocations. It is included for informational purposes only for future planners of the spectrum above 40 GHz.

Other Matters

78. AAR, AT&T and FIT all supported the new format of the Table, noting its simple and clear style. AAR and FIT, however, requested that a separate "assignment table" be placed in Part 2 of the Rules immediately after the allocations table to provide information lost by the new format. There would be little advantage in providing an assignment table in Part 2 as it would just contain information now available elsewhere in the operating rules. Therefore, we will not incorporate an assignment table into Part 2.

79. CORF stated its dissatisfaction with footnote US74, which provides radio astronomy operations protection from adjacent band radiation (see Appendix C), noting that new communications techniques, such as spread-spectrum, could render adjacent radio astronomy bands useless under US74. The protection level provided by US74 has been a long standing policy of the Commission. Modification of this policy would require a complete rulemaking proceeding that could adequately address all of the issues involved. Therefore, modification of US74 is inappropriate in this proceeding and we will maintain US74 as proposed. CORF also was concerned with footnote US246 (see Appendix C), which states "no stations will be authorized to transmit" in certain bands. It claimed this does not preclude the use of passive bands for certain low power or experimental systems that do not require authorization, and it therefore requested the phrase be replaced by "all transmissions are prohibited" as used in international footnote 721 (see Appendix C). The phrase "no stations will be authorized to transmit" was selected for footnote US246 because its terms and restrictions are definable, enforceable and consistent with adopted Commission policy. Therefore, we feel that US246 as proposed in the NPRM will better serve all parties involved.

80. CORF requested that footnote US117 (see Appendix C) be modified by adding the National Radio Astronomy Observatory, Socorro, New Mexico to the list of observatories in the footnote, that footnote NG56 (see Appendix C) be modified by adding the phrase "radio astronomy observations in the 73–74.6 MHz band" to the items to which mobile-radio remote control transmissions must not cause interference, that footnote US257 (see Appendix C) be modified by deleting "and Five College Radio Astronomy Observatory Quabbin Reservoir (near Amherst, MA)" and that footnotes US7 (see Appendix C) and NG14 (see Appendix C) be modified by deleting the word "plate" since the power limits should also apply to transmitters using solid state devices.

81. We will make the editorial modifications requested by CORF to footnotes US7 and US257 (see Appendix C for text). However, its requested modification to US117 and NG56 is more than editorial and is beyond the scope of this proceeding. The requested protection for the National Radio Astronomy Observatory, Socorro, New Mexico, is being accomplished through agreements among the executive branch agencies concerned; therefore modification to US117 is not required. CORF's requested modification to footnote NG14 appears to be a typographic error as NG15 seems to be the appropriate footnote. We agree that NG15 needs to be clarified by replacing the word "plate" by "final amplifer" (see Appendix C for text), and we will make that change.

82. CORF also recommended that the Commission adopt the following policy regarding the development of fixed and mobile service in bands above 20 GHz that are shared with passive services:

* * * where a choice can be made, fixed systems having low transmitter power requirements and employing narrow antenna beams should be utilized in bands shared with passive services. Conversely, other types of fixed systems should be allocated in bands not shared with passive services. Development of mobile systems, which typically have broad antenna beam coverage, should be avoided in the shared bands, as should any system which emits significant power at elevation angles greater than approximately 10 degrees.

This policy proposed by CORF is beyond the scope of this proceeding and should be considered in a separate rulemaking proceeding that could adequately address all of the issues involved.

83. Footnotes US31, US77, NG47 and NG128 were modified and new footnotes US294 and NG141 were added by recent Commission actions.[11] We are incorporating these changes here.

Administrative

Regulatory Flexibility Act Final Analysis

I. *Need for and objective of final rules:*

84. The objective is to implement the Final Acts of the 1979 World Administrative Radio Conference into Part 2 of the Rules. This action is necessary as Section 303(r) of the Communications Act of 1934, as amended, mandates the Commission to make rules and regulations as necessary to carry out the provisions of international treaties. Further it will provide domestic systems, operating within the provisions of the treaty, rights to international protection from harmful interference as provided for by the Final Acts.

II. *Summary of issues raised by public comments:*

85. There were no comments filed addressing the matters discussed in the initial regulatory flexibility analysis.

III. *Alternatives to the rule:*

86. It does not appear that there are any significant alternatives to the adopted rules that would accomplish the stated objectives. No public comment was received regarding such alternatives.

87. Accordingly, it is ordered, That pursuant to the authority found in Section 4(i), 301 and 303(r) of the Communications Act of 1934, as amended (47 U.S.C. 154(i), 301, 303(r)), Part 2 of the Commission's Rules and

[11] Commission action in Docket 82–182, released December 17, 1982, (FCC 82–506, 47 FR 56852) modified US31, which assign channel in the aeronautical mobile service in the 121, 9375–123.0875 MHz band; an Order adopted December 8, 1982, released December 14, 1982 modified US77, which authorizes Government operations in the 156.25–157.0375 MHz band; a Report and order in Docket 80–112 and 80–116, released July 15, 1983, (FCC 83–243, 48 FR 33873) modified NG47, which assign channels to fixed operations in the 2500–2690) MHz band; a Report and Order in Docket 82–536 released May 19, 1983, (FCC 83–154, 48 FR 28445) modified NG128, which allows AM broadcast licensees to transmit signals intended for utility load management; a Report and Order in Docket 82–9 released January 27, 1983, (FCC 83–34, 48 FR 5922) added US294, which authorizes Power Line Carrier systems in the spectrum below 490kHz; a Report and Order in Docket 82–694 released July 22, 1983 (FCC 83–348, 48 FR 34039) added NG141, which authorizes meteor burst communications by fixed stations in Alaska.

Regulations is amended as specified in Appendix C. These amendments become effective 30 days after publication of the Second Report and Order in the **Federal Register**. Because a number of issues in this proceeding have not yet been resolved, we are leaving this docket open.

88. Points of contact on this matter are William Torak, (202) 632-7025 and Fred Thomas, (202) 653-8171.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

In response to the Notice of Proposed Rule Making in General Docket 80-739, the following submitted timely comments:

(1) Aerospace & Flight Test Radio Coordinating Council—AFTRCC
(2) American Low Power Television Association and National Institute for Low Power Television—ALPTA & NILPT
(3) American Petroleum Institute (Central Committee on Telecommunications)—API
(4) American Public Power Association—APPA
(5) American Radio Relay League—ARRL
(6) American Telephone and Telegraph Co.—AT&T
(7) Association of American Railroads—AAR
(8) Association of Maximum Service Telecasters—AMST
(9) CBS, Inc.—CBS
(10) Communications Satellite Corporation—COMSAT
(11) Corporation for Public Broadcasting—CPB
(12) Cosmos Broadcasting Corporation and Multimedia—COSMOS
(13) Council for UHF Broadcasting—CUB
(14) Cox Communications, Inc. and WPHL-TV, Inc.—COX
(15) Forest Industries Telecommunications—FIT
(16) General Electric Company—GE
(17) Goldfarb, Marc E. (Amateur)—GOLDFARB
(18) Hutchinson, Richard (Amateur)—HUTCHINSON
(19) International Association of Fire Chiefs, Inc.—IAFC
(20) Independent Television Stations, Association of—INTV
(21) Los Angeles County Sheriff's Department—LA SHERIFF
(22) Land Mobile Communication Council—LMCC
(23) M/A-COM, Inc.—M/A-COM
(24) MCI Telecommunications Corporation—MCI
(25) Mobile Satellite Corporation—MOBILSAT
(26) Motorola, Inc.—MOTOROLA
(27) National Academy of Sciences (Committee on Radio Frequencies)—CORF
(28) National Aeronautics and Space Administration—NASA
(29) National Association of Broadcasters—NAB
(30) National Association of Public Television Stations—NAPTS
(31) National Broadcasting Company, Inc.—NBC
(32) National UHF Broadcasters Association—NUBA
(33) Offshore Navigation, Inc.—ONI
(34) Special Industrial Radio Service Association, Inc.—SIRSA
(35) Skylink Corporation—SKYLINK
(36) Southern Pacific Satellite Company—SPSC
(37) Satellite Television Corporation—STC
(38) Springfield Television Corporation—SPRINGFIELD
(39) United Satellite Communications, Inc.—USCI
(40) Utilities Communications System, Inc.—UTC
(41) Waterway Communications Systems, Inc.—WATERCOM
(42) Western Union Telegraph Company—WESTERN UNION

The following submitted late comments:

(1) California Peace Officer's Association—CPOA
(2) California Public-Safety Radio Association, Inc.—CPRA
(3) Hughes Aircraft Company—HUGHES
(4) United States Satellite Broadcasting Company, Inc.—USSB
(5) Walmsley, Heru Ra (Amateur)—WALMSLEY

The following submitted timely reply comments:

(1) American Petroleum Institute (Central Committee on Telecommunications)—API
(2) American Telephone and Telegraph Company—AT&T
(3) Association of Maximum Service Telecaster—AMST
(4) Communications Satellite Corporation—COMSAT
(5) Cosmos Broadcasting Corporation, Cox Communications, Inc., and Multimedia, Inc.—COSMOS
(6) Direct Broadcast Satellite Corporation—DBSC
(7) Forest Industries Telecommunications—FIT
(8) GTE Satellite Corporation—GSAT
(9) Los Angeles, County of—LA COUNTY
(10) Los Angeles County Sheriff's Department—LA SHERIFF
(11) Land Mobile Communication Council—LMCC
(12) Mobile Satellite Corporation—MOBILSAT
(13) Motorola, Inc.—MOTOROLA
(14) National Aeronautics and Space Administration—NASA
(15) National Association of Business and Educational Radio, Inc.—NABER
(16) National Ocean Industries Association—NOIA
(17) Offshore Navigation, Inc.—ONI
(18) RCA American Communications, Inc.—RCA
(19) Racal-Decca Survey, Inc.—RACAL-DECCA
(20) Satellite Television Corporation—STC
(21) Skylink Corporation—SKYLINK
(22) Southern Pacific Satellite Company—SPSC
(23) United Satellite Communications, Inc.—USCI
(24) United States Satellite Broadcasting Company, Inc.—USSB

Appendix B: Final Protocol Statements

No. 32

For the Federal Republic of Germany, Belgium, Denmark, the United States of America, Greece, Iceland, Italy, Luxembourg, Norway, the Kingdom of the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland, Turkey:

The above-mentioned administrations reserve their right to operate systems in the mobile-satellite service in the frequency range 235-399.9 MHz under the provisions of the relevant footnote to the Table of Frequency Allocations, subject only to coordination as prescribed in Article N13A. The additional provision of this footnote imposes a condition of non-interference which could lead to a request to cease operation of a previously coordinated satellite system in the case where an administration, despite having agreed to such a satellite system, puts into service or merely plans a system that might receive harmful interference. Such a condition is unacceptable to the above administrations.

No. 38

For the United States of America:

The delegation of the United States of America formally declares that the United States of America does not, by signature of these Final Acts on its behalf, accept certain decisions taken by this Conference in regard to the Table of Frequency Allocations and the

associated footnotes, and therefore the United States of America:

1. In view of the fact that this Conference has failed to provide adequate allocations for the HF broadcasting service, particularly at 6 and 7 MHz, reserves on this matter as indicated in a separate statement made jointly with the delegations of Saudi Arabia, Cyprus, Spain, Greece, the United Kingdom, Sri Lanka and Zambia;

2. Reserves the right to operate stations in the mobile-satellite service in the frequency range 235 to 399.9 MHz as indicated in a separate statement made jointly with the delegations of the Federal Republic of Germany, Belgium, Denmark, Greece, Iceland, Italy, Luxembourg, Norway, the Netherlands, Portugual, the United Kingdom and Turkey;

3. In the operation of stations in the radiolocation service on a primary basis in the bands 430–440 MHz, 5 650–5 850 MHz, 8 500–8 750 MHz, 8 850–9 000 MHz, 9 200–9 300 MHz, 9 500–9 800 MHz, 10 000–10 500 MHz, 13.4–14 GHz, 15.7–17.3 GHz and 33.4–36 GHz, cannot guarantee protection to or coordination with other services;

4. Reserves the right to operate stations of fixed, mobile and radiolocation services on a primary basis in bands as specified in the footnotes pertinent to frequency bands 470–806 MHz, 890–960 MHz, without the condition specified in these footnotes that make such operations subject to agreement under Article N13A. The United States will coordinate its usage of such services with neighboring administrations which are affected;

5. In view of the fact that the Conference failed to provide adequate allocations for the HF maritime mobile service, particularly below 12 MHz, states its intention to satisfy maritime mobile requirements in the several HF bands below 10 MHz allocated to the mobile service on a primary basis.

Appendix C

Subpart A of Part 2 of title 47 CFR is revised as follows:

Subpart A—Terminology

§ 2.1 Terms and definitions.

(a) Where a term or definition appears in this Part of the Commission's Rules, it shall be the definitive term or definition and shall prevail throughout the Commission's Rules.

(b) The source of each definition is indicated as follows:

CONV—*International Telecommunication Convention*, Malaga-Torremolinos, 1973.

RR—*Radio Regulations*, Geneva, 1982.

FCC—Federal Communications Commission.

(c) The following terms and definitions are issued:

Accepted Interference.[1] Interference at a higher level than defined as permissible interference and which has been agreed upon between two or more administrations without prejudice to other administrations. (RR)

Active Satellite. A satellite carrying a station intended to transmit or retransmit radiocommunication signals. (RR)

Active Sensor. A measuring instrument in the earth exploration-satellite service or in the space research service by means of which information is obtained by transmission and reception of radio waves. (RR)

Administration. Any governmental department or service responsible for discharging the obligations undertaken in the Convention of the International Telecommunication Union and the Regulations. (CONV)

Aeronautical Earth Station. An Earth station in the fixed-satellite service, or, in some cases, in the aeronautical mobile-satellite service, located at a specified fixed point on land to provide a feeder link for the aeronautical mobile-satellite service. (RR)

Aeronautical Fixed Service. A radiocommunication service between specified fixed points provided primarily for the safety of air navigation and for the regular, efficient and economical operation of air transport. (RR)

Aeronautical Fixed Station. A station in the aeronautical fixed service. (RR)

Aeronautical Mobile-Satellite Service. A mobile-satellite service in which mobile earth stations are located on board aircraft; survival craft stations and emergency position-indicating radiobeacon stations may also participate in this service. (RR)

Aeronautical Mobile Service. A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate; emergency position-indicating radiobeacon stations may also participate in this service on designated distress and emergency frequencies. (RR)

Aeronautical Radionavigation-Satellite Service. A radionavigation-satellite service in which earth stations are located on board aircraft. (RR)

Aeronautical Radionavigation Service. A radio-navigation service intended for the benefit and for the safe operation of aircraft. (RR)

Aeronautical Station. A land station in the aeronautical mobile service.

Note.—In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea. (RR)

Aircraft Earth Station. A mobile earth station in the aeronautical mobile-satellite service located on board an aircraft. (RR)

Aircraft Station. A mobile station in the aeronautical mobile service, other than a survival craft station, located on board an aircraft. (RR)

Allocation (of a frequency band). Entry in the Table of Frequency Allocations of a given frequency band for the purpose of its use by one or more terrestrial or space radiocommunication services or the radio astronomy service under specified conditions. This term shall also be applied to the frequency band concerned. (RR)

Allottment (of a radio frequency or radio frequency channel). Entry of a designated frequency channel in an agreed plan, adopted by a competent conference, for use by one or more administrations for a terrestrial or space radiocommunication service in one or more identified countries or geographical area and under specified conditions. (RR)

Altitude of the Apogee or Perigee. The altitude of the apogee or perigee above a specified reference surface serving to represent the surface of the Earth. (RR)

Amateur-Satellite Service. A radiocommunication service using space stations on earth satellites for the same purposes as those of the amateur service. (RR)

Amateur Service. A radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest. (RR)

Amateur Station. A station in the amateur service. (RR)

Assigned Frequency. The centre of the frequency band assigned to a station. (RR)

Assigned Frequency Band. The frequency band within which the emission of a station is authorized; the width of the band equals the necessary bandwidth plus twice the absolute value of the frequency tolerance. Where space stations are concerned, the assigned frequency band includes twice the maximum Doppler shift that may occur

[1] The terms "permissible interference" and "accepted interference" are used in the coordination of frequency assignments between administrations.

in relation to any point of the Earth's surface. (RR)

Assignment (of a radio frequency or radio frequency channel). Authorization given by an administration for a radio station to use a radio frequency or radio frequency channel under specified conditions. (RR)

Base Station. A land station in the land mobile service. (RR)

Broadcasting-Satellite Service. A radiocommunication service in which signals transmitted or retransmitted by space stations are intended for direct reception by the general public.

Note.—In the broadcasting-satellite service, the term "direct reception" shall encompass both individual reception and community reception. (RR)

Broadcasting Service. A radiocommunication service in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmission. (CONV)

Broadcasting Station. A station in the broadcasting service. (RR)

Carrier Power (of a radio transmitter). The average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle taken under the condition of no modulation. (RR)

Characteristic Frequency. A frequency which can be easily identified and measured in a given emission.

Note.—A carrier frequency may, for example, be designated as the characteristic frequency. (RR)

Class of Emission. The set of characteristics of an emission, designated by standard symbols, e.g., type of modulation, modulating signal, type of information to be transmitted, and also if appropriate, any additional signal characteristics. (RR)

Coast Earth Station. An earth station in the fixed-satellite service or, in some cases, in the maritime mobile-satellite service, located at a specified fixed point on land to provide a feeder link for the maritime mobile-satellite service. (RR)

Coast Station. A land station in the maritime mobile service. (RR)

Community Reception (in the broadcasting-satellite service). The reception of emissions from a space station in the broadcasting-satellite service by receiving equipment, which in some cases may be complex and have antennae larger than those for individual reception, and intended for use: (1) by a group of the general public at one location; or (2) through a distribution system covering a limited area. (RR)

Coordinated Universal Time (UTC). Time scale, based on the second (SI), as defined and recommended by the CCIR, [2] and maintained by the Bureau International de l'Heure (BIH).

Note.—For most practical purposes associated with the Radio Regulations, UTC is equivalent to mean solar time at the prime meridian (0 degrees longitude), formerly expressed in GMT. (RR)

Coordination Area. The area associated with an earth station outside of which a terrestrial station sharing the same frequency band neither causes nor is subject to interfering emissions greater than a permissible level. (RR)

Coordination Contour. The line enclosing the coordination area. (RR)

Coordination Distance. Distance on a given azimuth from an earth station beyond which a terrestrial causes nor is subject to interfering emissions greater than a permissible level. (RR)

Deep Space. Space at a distance from the Earth approximately equal to, or greater than, the distance between the Earth and the Moon. (RR)

Duplex Operation. Operating method in which transmission is possible simultaneously in both directions of a telecommunication channel.[3] (RR)

Earth Exploration-Satellite Service. A radiocommunication service between earth stations and one or more space stations, which may include links between space stations in which:

(1) Information relating to the characteristics of the Earth and its natural phenomena is obtained from active sensors or passive sensors on earth satellites;

(2) Similar information is collected from air-borne or earth-based platforms;

(3) Such information may be distributed to earth stations within the system concerned;

(4) Platform interrogation may be included.

Note.—This service may also include feeder links necesary for its operation. (RR)

Earth Station. A station located either on the earth's surface or within the major portion of earth's atmosphere and intended for communication:

(1) With one or more space stations; or

(2) With one or more stations of the same kind by means of one or more reflecting satellites or other objects in space. (RR)

Effective Radiated Power (e.r.p) (in a given direction). The product of the power supplied to the antenna and its gain relative to a half-wave dipole in a given direction. (RR)

Emergency Position-Indicating Radiobeacon Station. A station in the mobile service the emissions of which are intended to facilitate search and rescue operations. (RR)

Emission. Radiation produced, or the production of radiation, by a radio transmitting station.

Note.—For example, the energy radiated by the local oscillator of a radio receiver would not be an emission but a radiation. (RR)

Equivalent Isotropically Radiated Power (e.i.r.p.). The product of the power suppled to the antenna and the antenna gain in a given direction relative to an isotropic antenna. (RR)

Equivalent Monopole Radiated Power (e.m.r.p.) (in a given direction). The product of the power supplied to the antenna and its gain relative to a short vertical antenna in a given direction. (RR)

Equivalent Satellite Link Noise Temperature. The noise temperature referred to the output of the receiving antenna of the earth station corresponding to the radio-frequency noise power which produces the total observed noise at the output of the satellite link excluding the noise due to interference coming from satellite links using other satellites and from terrestrial systems. (RR)

Experimental Station. A station utilizing radio waves in experiments with a view to the development of science or technique.

Note.—This definition does not include amateur stations. (RR)

Facsimile. A form of telegraphy for the transmission of fixed images, with or without half-tones, with a view to their reproduction in a permanent form.

Note.—In this definition the term telegraphy has the same general meaning as defined in the Convention. (RR)

Feeder Link. A radio link from an earth station at a specified fixed point to a space station, or vice versa, conveying information for a space radiocommunication service other than for the fixed-satellite service. (RR)

Fixed-Satellite Service. A radiocommunication service between earth stations at a specified fixed point when one or more satellites are used; in some cases this service includes satellite-to-satellite links, which may also be effected in the inter-statellite service; the fixed-satellite service may also include feeder links for other space radiocommunication services. (RR)

[2] The full definition is contained in CCIR Recommendation 460-2.

[3] In general, duplex operation and semi-duplex operation require two frequencies in radiocommunication; simplex operation may use either one or two.

Fixed Service. A radiocommunication service between specified fixed points. (RR)

Fixed Station. A station in the fixed service. (RR)

Frequency-Shift Telegraphy. Telegraphy by frequency modulation in which the telegraph signal shifts the frequency of the carrier between predetermined values. (RR)

Frequency Tolerance. The maximum permissible departure by the centre frequency of the frequency band occupied by an emission from the assigned frequency or, by the characteristic frequency of an emission from the reference frequency.

Note.—The frequency tolerance is expressed in parts in 10^6 or in hertz. (RR)

Full Carrier Single-Sideband Emission. A single-sideband emission without suppression of the carrier. (RR)

Gain of an Antenna. The ratio, usually expressed in decibels, of the power required at the input of a loss free reference antenna to the power supplied to the input of the given antenna to produce, in a given direction, the same field strength or the same power flux-density at the same distance. When not specified otherwise, the gain refers to the direction of maximum radiation. The gain may be considered for a specified polarization.

Note.—Depending on the choice of the reference antenna a distinction is made between:

(1) Absolute or isotropic gain (Gi), when the reference antenna is an isotropic antenna isolated in space;

(2) Gain relative to a half-wave dipole (Gd), when the reference antenna is a half-wave dipole isolated in space whose equatorial plane contains the given direction;

(3) Gain relative to a short vertical antenna (Gv), when the reference antenna is a linear conductor, much shorter than one quarter of the wavelength, normal to the surface of a perfectly conducting plane which contains the given direction. (RR)

Geostationary Satellite. A geosynchronous satellite whose circular and direct orbit lies in the plane of the Earth's equator and which thus remains fixed relative to the Earth; by extension, a satellite which remains approximately fixed relative to the Earth. (RR)

Geostationary Satellite Orbit. The orbit in which a satellite must be placed to be a geostationary satellite. (RR)

Geosynchronous Satellite. An Earth satellite whose period of revolution is equal to the period of rotation of the Earth about its axis. (RR)

Harmful Interference [4]. Interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with these [international Radio] Regulations. (RR)

Inclination of an Orbit (of an earth satellite). The angle determined by the plane containing the orbit and the plane of the Earth's equator. (RR)

Individual Reception (in the broadcasting-satellite service). The reception of emissions from a space station in the broadcasting-satellite service by simple domestic installations and in particular those possessing small antennae. (RR)

Industrial, Scientific and Medical (ISM) (of radio frequency energy) Applications. Operation of equipment or appliances designed to generate and use locally radio-frequency energy for industrial, scientific, medical, domestic or similar purposes, excluding applications in the field of telecommunications. (RR)

Instrument Landing System (ILS). A radionavigation system which provides aircraft with horizontal and vertical guidance just before and during landing and, at certain fixed points, indicates the distance to the reference point of landing. (RR)

Instrument Landing System Glide Path. A system of vertical guidance embodied in the instrument landing system which indicates the vertical deviation of the aircraft from its optimum path of descent. (RR)

Instrument Landing System Localizer. A system of horizontal guidance embodied in the instrument landing system which indicates the horizontal deviation of the aircraft from its optimum path of descent along the axis of the runway. (RR)

Interference. The effect of unwanted energy due to one or a combination of emissions, radiations, or inductions upon reception in a radiocommunication system, manifested by any performance degradation, misinterpretation, or loss of information which could be extracted in the absence of such unwanted energy. (RR)

Inter-Satellite Service. A radiocommunication service providing links between artificial earth satellites. (RR)

Ionospheric Scatter. The propagation of radio waves by scattering as a result of irregularities or discontinuities in the ionization of the ionosphere. (RR)

Land Mobile-Satellite Service. A mobile-satellite service in which mobile earth stations are located on land. (RR)

Land Mobile Service. A mobile service between base stations and land mobile stations, or between land mobile stations. (RR)

Land Mobile Station. A mobile station in the land mobile service capable of surface movement within the geographical limits of a country or continent.

Land Station. A station in the mobile service not intended to be used while in motion. (RR)

Left-Hand (or Anti-Clockwise) Polarized Wave. An elliptically or circularly-polarized wave, in fixed plane, normal to the direction of propagation, whilst looking in the direction of propagation, rotates with time in a left hand or anti-clockwise direction. (RR)

Line A. Begins at Aberdeen, Washington running by great circle arc to the intersection of 48° N., 120° W., thence along parallel 48° N., to the intersection of 95° W., thence by great circle arc through the southernmost point of Duluth, Minn., thence by great circle arc to 45° N., 85° W., thence southward along meridian 85° W., to its intersection with parallel 41° N., thence along parallel 41° N., to its intersection with meridian 82° W., thence by great circle arc through the southernmost point of Bangor, Maine, thence by great circle arc through the southernmost point of Searsport, Maine, at which point it terminates. (FCC)

Line B. Begins at Tofino, B.C., running by great circle arc to the intersection of 50° N., 125° W., thence along parallel 50° N., to the intersection of 90° W., thence by great circle arc to the intersection of 45° N., 79°30′ W., thence by great circle arc through the northernmost point of Drummondville, Quebec (Lat. 45°52′ N., Long 72°30′ W.), thence by great circle arc to 48°30′ N., 70° W., thence by great circle arc through the northernmost point of Compbellton, N.B., thence by great circle are through the northernmost point of Liverpool, N.S., at which point it terminates. (FCC)

Line C. Begins at the intersection of 70° N., 144° W., thence by great circle arc to the intersection of 60° N., 143° W., thence by great circle arc so as to include all of the Alaskan Panhandle. (FCC)

Line D. Begins at the intersection of 70° N., 138° W., thence by great circle arc to the intersection of 61°20′ N., 139° W. (Burwash Landing), thence by great circle arc to the intersection of 60°45′ N., 135° W., thence by great circle arc to the intersection of 56° N., 128° W., thence south along 128° meridian to Lat. 55° N., thence by great circle arc to the intersection of 54° N., 130° W., thence by great circle arc to Port Clements, thence

[4] See Resolution 68 of the *Radio Regulations.*

to the Pacific Ocean where it ends. (FCC)

Maritime Mobile-Satellite Service. A mobile-satellite service in which mobile earth stations are located on board ships; survival craft stations and emergency position-indicating radiobeacon stations may also participate in this service. (RR)

Maritime Mobile Service. A mobile service between coast stations and ship stations, or between ship stations, or between associated on-board communication stations; survival craft stations and emergency position-indicating radiobeacon stations may also participate in this service. (RR)

Maritime Radionavigation-Satellite Service. A radionavigation-satellite service in which earth stations are located on board ships. (RR)

Maritime Radionavigation Service. A radionavigation service intended for the benefit and for the safe operation of ships. (RR)

Marker Beacon. A transmitter in the aeronautical radionavigation service which radiates vertically a distinctive pattern for providing position information to aircraft. (RR)

Mean Power (of a radio transmitter). The average power supplied to the antenna transmission line by a transmitter during an interval of time sufficiently long compared with the lowest frequency encountered in the modulation taken under normal operating conditions. (RR)

Meteorological Aids Service. A radiocommunication service used for meteorological, including hydrological, observation and exploration. (RR)

Meteorological-Satellite Service. An earth exploration-satellite service for meteorological purposes. (RR)

Mobile Earth Station. An earth station in the mobile-satellite service intended to be used while in motion or during halts at unspecified points. (RR)

Mobile-Satellite Service. A radiocommunication service:

(1) Between mobile earth stations and one or more space stations, or between space stations used by this service; or

(2) Between mobile earth stations by means of one or more space stations.

Note.—This service may also include feeder links necessary for its operation. (RR)

Mobile Service. A radiocommunication service between mobile and land stations, or between mobile stations. (CONV)

Mobile Station. A station in the mobile service intended to be used while in motion or during halts at unspecified points. (RR)

Mult-Satellite Link. A radio link between a transmitting earth station and a receiving earth station through two or more satellites, without any intermediate earth station.

Note.—A multisatellite link comprises one up-link, one or more satellite-to-satellite links and one down-link. (RR)

Necessary Bandwidth. For a given class of emission, the width of the frequency band which is just sufficient to ensure the transmission of information at the rate and with the quality required under specified conditions. (RR)

Occupied Bandwidth. The width of a frequency band such that, below the lower and above the upper frequency limits, the mean powers emitted are each equal to a specified percentage Beta/2 of the total mean power of a given emission.

Note.—Unless otherwise specified by the CCIR for the appropriate class of emission, the value of Beta/2 should be taken as 0.5%. (RR)

On-Board Communication Station. A low-powered mobile station in the maritime mobile service intended for use for internal communications on board a ship, or between a ship and its lifeboats and life-rafts during lifeboat drills or operations, or for communication within a group of vessels being towed or pushed, as well as for line handling and mooring instructions. (RR)

Orbit. The path, relative to a specified frame of reference, described by the centre of mass of a satellite or other object in space subjected primarily to natural forces, mainly the force of gravity. (RR)

Out-of-band Emission. Emission on a frequency or frequencies immediately outside the necessary bandwidth which results from the modulation process, but excluding spurious emissions. (RR)

Passive Sensor. A measuring instrument in the earth exploration-satellite service or in the space research service by means of which information is obtained by reception of radio waves of natural origin. (RR)

Peak Envelope Power (of a radio transmitter). The average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle at the crest of the modulation envelope taken under normal operating conditions. (RR)

Period (of a satellite). The time elapsing between two consecutive passages of a satellite through a characteristic point on its orbit. (RR)

Permissible Interference. Observed or predicted interference which complies with quantitative interference and sharing criteria contained in these [international Radio] Regulations or in CCIR Recommendations or in special agreements as provided for in these Regulations. (RR)

Port Operations Service. A maritime mobile service in or near a port, between coast stations and ship stations, or between ship stations, in which messages are restricted to those relating to the operational handling, the movement and the safty of ships and, in emergency, to the safety of persons.

Note.—Messages which are of a public correspondence nature shall be excluded from this service. (RR)

Port Station. A coast station in the port operations service. (RR)

Power. Whenever the power of a radio transmitter etc. is referred to it shall be expressed in one of the following forms, according to the class of emission, using the arbitrary symbols indicated:

(1) Peak envelope power (PX or pX);

(2) Mean power (PY or pY);

(3) Carrier power (PZ or pZ).

Note 1.—For different classes of emission, the relationships between peak envelope power, mean power and carrier power, under the conditions of normal operation and of no modulation, are contained in CCIR Recommendations which may be used as a guide.

Note 2.—For use in formulae, the symbol "p" denotes power expressed in watts and the symbol "p" denotes power expressed in decibels relative to a reference level. (RR)

Primary Radar. A radiodetermination system based on the comparison of reference signals with radio signals reflected from the position to be determined. (RR)

Protection Ratio. The minimum value of the wanted-to-unwanted signal ratio, usually expressed in decibels, at the receiver input determined under specified conditions such that a specified reception quality of the wanted signal is achieved at the receiver output. (RR)

Public Correspondence. Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission. (CONV)

Radar. A radiodetermination system based on the comparison of reference signals with radio signals reflected, or retrainsmitted, from the position to be determined. (RR)

Radar Beacon (RACON). A transmitter-receiver associated with a fixed navigational mark which, when triggered by a radar, automatically returns a distinctive signal which can appear on the display of the triggering radar, providing range, bearing and identification information. (RR)

Radiation. The outward flow of energy from any source in the form of radio waves. (RR)

Radio. A general term applied to the use of radio waves. (CONV)

Radio Altimeter. Radionavigation equipment, on board an aircraft or spacecraft or the spacecraft above the Earth's surface or another surface. (RR)

Radio Astronomy. Astronomy based on the reception of radio waves of cosmic origin. (RR)

Radio Astronomy Service. A service involving the use of radio astronomy. (RR)

Radio Astronomy Station. A station in the radio astronomy service. (RR)

Radiobeacon Station. A station in the radionavigation service the emissions of which are intended to enable a mobile station to determine its bearing or direction in relation to radiobeacon station. (RR)

Radiocommunication. Telecommunication by means of radio waves. (CONV)

Radiocommunication Service. A service as defined in this Section involving the transmission, emission and/or reception of radio waves for specific telecommunication purposes.

Note.—In these [international Radio] Regulations, unless otherwise stated, any radiocommunication service relates to terrestrial radiocommunication. (RR)

Radiodetermination. The determination of the position, velocity and/or other characteristics of an object, or the obtaining of information relating to these parameters, by means of the propagation properties of radio waves. (RR)

Radiodetermination-Satellite Service. A radiocommunication service for the purpose of radiodetermination involving the use of one or more space stations. (RR)

Radiodetermination Service. A radiocommunication service for the purpose of radiodetermination. (RR)

Radiodetermination Station. A station in the radiodetermination serviice. (RR)

Radio Direction-Finding. Radiodetermination using the reception of radio waves for the purpose of determining the direction of a station or object. (RR)

Radio Direction-Finding Station. A radiodetermination station using radio direction-finding. (RR)

Radiolocation. Radiodetermination used for purposes other than those of radionavigation. (RR)

Radiolocation Land Station. A station in the radiolocation service not intended to be used while in motion. (RR)

Radiolocation Mobil Station. A station in the radiolocation service intended to be used while in motion or during halts at unspecified points. (RR)

Radiolocation Service. A radiodetermination service for the purpose of radiolocation. (RR)

Radionavigation. Radiodetermination used for the purposes of navigation, including obstruction warning.

Radionavigation Land Station. A station in the radionavigation service not intended to be used while in motion. (RR)

Radionavigation Mobile Station. A station in the radionavigation service intended to be used while in motion or during halts at unspecified points. (RR)

Radionavigation-Satellite Service. A radiodetermination-satellite service used for the purpose of radionavigation. This service may also include feeder links necessary for its operation. (RR)

Radionavigation Service. A radiodetermination service for the purpose of radionavigation. (RR)

Radiosonde. An automatic radio transmitter in the meteorological aids service usually carried on an aircraft, free ballon, kite or parachute, and which transmits meteorological data. (RR)

Radiotelegram. A telegram, originating in or intended for a mobile station or a mobile earth station transmitted on all or part of its route over the radiocommunication channels of the mobile service or of the mobile-satellite service. (RR)

Radiotelemetry. Telemetry by means of radio waves. (RR)

Radiotelephone Call. A telephone call, originating in or intended for a mobile station or a mobile earth station, transmitted on all or part of its route over the radiocommunication channels of the mobile service or of the mobile-satellite service. (RR)

Radiotelex Call. A telex call, originating in or intended for a mobile station or a mobile earth station, transmitted on all or part of its route over the radiocommunication channels of the mobile service or the mobile-satellite service. (RR)

Radio Waves or Hertzian Waves. Electromagnetic waves of frequencies arbitrarily lower than 3,000 GHz, propagated in space without aritificial guide. (RR)

Reduced Carrier Single-Sideband Emission. A single-sideband emission in which the degree of carrier suppession enables the carrier to be reconstrituted and to be used for demodulation. (RR)

Reference Frequency. A frequency having a fixed and specified position with respect to the assigned frequency. The displacement of this frequency with respect to the assigned frequency has the same absolute value and sign that the displacement of the characteristic frequency has with respect to the centre of the frequency band occupied by the emission. (RR)

Reflecting Satellite. A satellite intended to reflect radiocommunication signals. (RR)

Right-Hand (or Clockwise) Polarized Wave. An Elliptically or circularly-polarized wave, in which the electric field vector, observed in any fixed plane, normal to the direction of propagaton, whilst looking in the direction of propagation, rotates with time in a right-hand or clockwise direction. (RR)

Safety Service. Any radiocommunication service used permanently or temporarily for the safeguarding of human life and property. (CONV)

Satellite. A body which revolves around another body of preponderant mass and which has a motion primarily and permanently determined by the force of attraction of that other body. (RR)

Satellite Link. A radio link between a transmitting earth station and a receiving earth station through one satellite. A satellite link comprises one up-link and one down-link. (RR)

Satellite Network. A satellite system or a part of a satellite system, consisting of only one satellite and the cooperating earth stations. (RR)

Satellite System. A space system using one or more artificial earth satellites. (RR)

Secondary Radar. A radiodetermination system based on the comparison of reference signals with radio signals retransmitted from the position to be determined. (RR)

Semi-Duplex Operation. A method which is simplex operation at one end of the circuit and duplex operation at the other.[3] (RR)

Ship Earth Station. A mobile earth station in the maritime mobile-satellite service located on board ship. (RR)

Ship Movement Service. A safety service in the maritime mobile service other than a port operations service, between coast stations and ship stations, or between ship stations, in which messages are restricted to those relating to the movement of ships. Messages which are of a public correspondence nature shall be excluded from this service. (RR)

Ship's Emergency Transmitter. A ship's transmitter to be used exclusively on a distress frequency for distress, urgency or safety purposes. (RR)

Ship Station. A mobile station in the maritime mobile service located on board a vessel which is not permanently

moored, other than a survival craft station. (RR)

Simplex Operation. Operating method in which transmission is made possible alternatively in each direction of a telecommunication channel, for example, by means of manual control. [3] (RR)

Single-Sideband Emission. An amplitude modulated emission with one sideband only. (RR)

Spacecraft. A man-made vehicle which is intended to go beyond the major portion of the Earth's atmosphere. (RR)

Space Operation Service. A radiocommunication service concerned exclusively with the operation of spacecraft, in particular space tracking, space telemetry, and space telecommand.

Note.—These functions will normal be provided within the service in which the space station is operating. (RR)

Space Radiocommunication. Any radiocommunication involving the use of one or more space stations or the use of one or more reflecting satellites or other objects in space. (RR)

Space Research Service. A radiocommunication service in which spacecraft or other objects in space are used for scientific or technological research purposes. (RR)

Space Station. A station located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the Earth's atmosphere. (RR)

Space System. Any group of cooperating Earth stations and/or space stations employing space radiocommunication for specific purposes. (RR)

Space Telecommand. The use of radiocommunication for the transmission of signals to a space station to initiate, modify or terminate functions of equipment on a space object, incuding the space station. (RR)

Space Telemetry. The use of telemetry for transmission for a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft. (RR)

Space Tracking. Determination of the orbit, velocity or instanteneous position of an object in space by means of radiodetermination, excluding primary radar, for the purpose of following the movement of the object. (RR)

Special Service. A radiocommunication service, not otherwise defined in this Section, carried on exclusively for specific needs of general utility, and not open to public correspondence. (RR)

Spurious Emission. Emission on a frequency or frequencies which are outside the necessary bandwidth and the level of which may be reduced without affecting the corresponding transmission of information. Spurious emissions include harmonic emissions, parasitic emissions, intermodulation products and frequency conversion products, but exclude out-of-band emissions. (RR)

Standard Frequency and Time Signal-Satellite Service. A radiocommunication service using space stations on earth satellites for the same purposes as those of the standard frequency and time signal service.

Note.—This service may also include feeder links necessary for its operation. (RR)

Standard Frequency and Time Signal Service. A radiocommunication service for scientific, technical and other purposes, providing the transmission of specified frequencies, time signals, or both, of stated high precision, intended for general reception. (RR)

Standard Frequency and Time Signal Station. A station in the standard frequency and time signal service. (RR)

Station. One or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radiocommunication service, or the radio astronomy service.

Note.—Each station shall be classified by the service in which it operates permanently or temporarily. (RR)

Suppressed Carrier Single-Sideband Emission. A single-sideband emission in which the carrier is virtually suppressed and not intended to be used for demodulation. (RR)

Survival Craft Station. A mobile station in the maritime mobile service or the aeronautical mobile service intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment. (RR)

Telecommand. The use of telecommunication for the transmission of signals to initiate, modify or terminate functions of equipment at a distance. (RR)

Telecommunication. Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems. (CONV)

Telegram. Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.

Note.—In this definition the term telegraphy has the same general meaning as defined in the Convention. (CONV)

Telegraphy. [4]. A form of telecommunication which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such a form. For the purposes of the [international] Radio Regulations, unless otherwise specified therein, telegraphy shall mean a form of telecommunication for the transmission of written matter by the use of a signal code. (RR)

Telemetry. The use of telecommunication for automatical indicating or recording measurements at a distance from the measuring instrument. (RR)

Telephony. [4] A form of telecommunication set up for the transmission of speech or, in some cases, other sounds. (RR)

Television. A form of telecommunication for the transmission of transient images of fixed or moving objects. (RR)

Terrestrial Radiocommunication. Any radiocommunication other than space radiocommunication or radio astronomy. (RR)

Terrestrial Station. A station effecting terrestrial radiocommunication.

Note.—In these [international Radio] Regulations, unless otherwise stated, any station is a terrestrial station. (RR)

Tropospheric Scatter. The propagation of radio waves by scattering as a result of irregularities or discontinuities in the physical properties of the troposphere. (RR)

Unwanted Emissions: Consist of spurious emissions and out-of-band emissions. (RR)

(Secs. 4, 303, 48 stat. 1066, 1082, as amended, 47 U.S.C. 154, 303)

Subpart B of Part 2 is revised as follows:

Subpart B—Allocation, Assignment, and Use of Radio Frequencies

Sec.

2.100 International regulations in force.
2.101 Nomenclature of frequencies.
2.102 Assignment of frequencies.
2.103 Government use of non-Government frequencies.
2.104 International Table of Frequency Allocations.
2.105 United States Table of Frequency Allocations.
2.106 Table of Frequency Allocations.
2.107 Radio Astronomy Station notification.
2.108 Policy regarding the use of the Fixed-Satellite Allocations in the 3.6–3.7, 4.5–4.8 and 5.85–5.925 GHz Bands.

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

Subpart B—Allocation, Assignment, and Use of Radio Frequencies

§ 2.100 International regulations in force.

The international *Radio Regulations* (Geneva, 1982), became effective internationally on 1 January 1982, and nationally on September 6, 1983. They are incorporated to the extent practicable in this Part.

§ 2.101 Nomenclature of frequencies.

Band No.	Frequency subdivision	Frequency range
4	VLF (very low frequency).	Below 30 kHz.
5	LF (low frequency)	30 to 300 kHz.
6	MF (medium frequency).	300 to 3000 kHz.
7	HF (high frequency)	3 to 30 MHz.
8	VHF (very high frequency).	30 to 300 MHz.
9	UHF (ultra high frequency).	300 to 3000 MHz.
10	SHF (super high frequency).	3 to 30 GHz.
11	EHF (extremely high frequency).	30 to 300 GHz
12		300 to 3000 GHz.

§ 2.102 Assignment of frequencies.

(a) Except as otherwise provided in this section, the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 9 kHz and 400 GHz, and the actual use of such frequencies for radiocommunication or for any other purpose, including the transfer of energy by radio, shall be in accordance with the Table of Frequency Allocations in § 2.106.

(b) On the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations the following exceptions to paragraph (a) of this section may be authorized:

(1) In individual cases the Commission may, without rule making proceedings, authorize on a temporary basis only, the use of frequencies not in accordance with the Table of Frequency Allocations for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization. Such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service.

(2) A station for the development of techniques or equipment to be employed by services set forth in column 5 of the Table of Frequency Allocations may be authorized the use of frequencies allocated to those services or classes of stations.

(3) Experimental stations pursuant to Part 5, may be authorized the use of any frequency or frequency band not exclusively allocated to the passive services (including the Radio Astronomy Service).

(4) In the event a band is reallocated so as to delete its availability for use by a particular service, the Commission may provide for the further interim use of the band by stations in that service for a temporary, specific period of time.

(c) Non-Government stations may be authorized to use Government frequencies in the bands above 25 MHz if the Commission finds, after consultations with the appropriate Government agency or agencies, that such use is necessary for coordination of Government and non-Government activities: Provided, however, that:

(1) Non-Government operation on Government frequencies shall conform with the conditions agreed upon by the Commission and the National Telecommunications and Information Administration (NTIA) (the more important of which are contained in paragraphs (c) (2), (3), and (4) of this section);

(2) Such operations shall be in accordance with NTIA rules governing the service to which the frequencies involved are allocated;

(3) Such operations shall not cause harmful interference to Government stations and, should harmful interference result, that the interfering non-Government operation shall immediately terminate; and

(4) Non-Government operation has been certified as necessary by the Government agency involved and this certification has been furnished, in writing, to the non-Government licensee with which communication is required.

(d) Aircraft stations may communicate with stations of the maritime mobile service. They shall then conform to those provisions of the international *Radio Regulations* which relate to the maritime mobile service. For this purpose aircraft stations should use the frequencies allocated to the maritime mobile service. However, having regard to interference which may be caused by aircraft stations at high altitudes, maritime mobile frequencies in the bands above 30 MHz shall not be used by aircraft stations in any specific area without the prior agreement of all administrations of the area in which interference is likely to be caused. In particular, aircraft stations operating in Region 1 should not use frequencies in the bands above 30 MHz allocated to the maritime mobile service by virtue of any agreement between administrations in that Region.

(e) Non-Government services operating on frequencies in the band 25–50 MHz must recognize that it is shared with various services of other countries; that harmful interference may be caused by skywave signals received from distant stations of all services of the United States and other countries radiating power on frequencies in this band; and that no protection from such harmful interference generally can be expected. Persons desiring to avoid such harmful interference should consider operation on available frequencies higher in the radio spectrum not generally subject to this type of difficulty.

(f) The stations of a service shall use frequencies so separated from the limits of a band allocated to that service as not to cause harmful interference to allocated services in immediately adjoining frequency bands.

(g) In the bands above 25 MHz which are allocated to the non-Government land mobile service, fixed stations may be authorized on the following conditions:

(1) That such stations are authorized in the service shown in Column 5 of the Table of Frequency Allocations in the band in question;

(2) That harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

(h) Special provisions regarding the use of spectrum allocated to the fixed and land mobile services below 25 MHz by non-Government stations.

(1) Only in the following circumstances will authority be extended to stations in the fixed service to operate on frequencies below 25 MHz.

(i) With respect to aeronautical fixed stations, only when a showing can be made that more suitable facilities are not available.

(ii) With respect to fixed stations, except aeronautical fixed stations, only to:

(A) Provide communication circuits in emergency and/or disaster situations, where safety of life and property are concerned;

(B) Provide standby and/or backup facilities to satellite and cable circuits used for international public correspondence;

(C) Provide standby and/or backup communications circuits to regular domestic communication circuits which have been disrupted by disasters and/or emergencies;

(D) Provide communication circuits wholly within the State of Alaska and

the United States insular areas in the Pacific; and

(E) Provide communication circuits to support operations which are highly important to the national interest and where other means of telecommunication are unavailable.

(2) Only in the following circumstances will authority be extended to stations in the land mobile service to operate below 25 MHz.

(i) Provide communication circuits in emergency and/or disaster situations, where safety of life and property are concerned;

(ii) Provide standby and/or backup communications circuits to regular domestic communication circuits which have been disrupted by disasters and/or emergencies;

(iii) Provide communication circuits wholly within the State of Alaska and the United States insular areas in the Pacific; and

(iv) Provide communication circuits to support operations which are highly important to the national interest and where other means of telecommunication are unavailable.

(3) Except in the State of Alaska and the United States Pacific insular areas, the Commission does not intend to seek international protection for assignments made pursuant to (h) (1)(ii) and (2) of this section; this results in the following constraints upon the circuits/assignments.

(i) The Commission will not accept responsibility for protection of the circuits from harmful interference caused by foreign operations.

(ii) In the event that a complaint of harmful interference resulting from operation of these circuits is received from a foreign source, the offending circuit(s) must cease operation on the particular frequency concerned.

(iii) In order to accommodate the situations described in (h)(3) (i) and (ii) of this section, equipments shall be capable of transmitting and receiving on any frequency in the bands assigned to the particular operation and capable of immediate change among the frequencies.

§ 2.103 Government use of non-Government frequencies.

Government stations may be authorized to use non-Government frequencies in the bands above 25 MHz if the Commission finds that such use is necessary for coordination of Government and non-Government actitivies: Provided, however, That:

(a) Government operation on non-Government frequencies shall conform with the conditions agreed upon by the Commission and the National Telecommunications and Information Administration (the more important of which are contained in paragraphs (b), (c), and (d) of this section);

(b) Such operations shall be in accordance with Commission rules governing the service to which the frequencies involved are allocated;

(c) Such operations shall not cause harmful interference to non-Government stations and, should harmful interference result, that the interfering Government operation shall immediately terminate; and

(d) Government operation has been certified as necessary by the non-Government licensees involved and this certification has been furnished, in writing, to the Government agency with which communication is required.

§ 2.104 International Table of Frequency Allocations.

(a) The International Table of Frequency Allocations (columns 1, 2 and 3 of § 2.106) is included for international purposes only.

(b) *Regions.* To facilitate the international allocating of the radio spectrum, the International Telecommunication Union (ITU) has divided the world into three Regions [1] as shown in Figure 1 and described below:

(1) Region 1 includes the area limited on the East by line A (lines A, B and C are defined below) and on the West by line B, excluding any of the territory of Iran which lies between these limits. It also includes that part of the territory of Turkey and the Union of Soviet Socialist Republics (U.S.S.R.) lying outside of these limits, the territory of the Mongolian Peoples' Republic, and the area to the North of the U.S.S.R. which lies between lines A and C.

(2) Region 2 includes the area limited on the East by line B and the West by line C.

(3) Region 3 includes the area limited on the East by line C and on the West by line A, except the territories of the Mongolian Peoples' Republic, Turkey, the territory of the U.S.S.R. and the area to the North of the U.S.S.R. It also includes that part of the territory of Iran lying outside of those limits.

(4) The lines A, B and C are defined as follows:

(i) Line A extends from the North Pole along meridian 40° West of Greenwich to parallel 40° North; thence by great circle arc to the intersection of meridian 60° East and the Tropic of Cancer; thence along the meridian 60° East to the South Pole.

(ii) Line B extends from the North Pole along meridian 10° West of Greenwich to its intersection with parallel 72° North; thence by great circle arc to the intersection of meridian 50° West and parallel 40° North; thence by great circle arc to the intersection of meridian 20° West and to the South Pole.

(iii) Line C extends from the North Pole by great circle arc to the intersection of parallel 65°30′ North of the international boundary in Bering Strait; thence by great circle arc to the intersection of meridian 165° East of Greenwich and parallel 50° North; thence by great circle arc to the intersection of meridian 170° West and parallel 10° North; thence along parallel 10° North to its intersection with meridian 120° West; thence along meridian 120° West to the South Pole.

(c) *Areas.* To further assist in the international allocation of the radio spectrum, the ITU has established several special geographical areas and they are defined below.

(1) The "African Broadcasting Area" consists of:

(i) African countries, parts of countries, territories and groups of territories situated between the parallels 40° South and 30° North;

(ii) Islands in the Indian Ocean west of meridian 60° East of Greenwich, situated between the parallel 40° South and the great circle arc joining the points 45° East, 11°30′ North and 60° East, 15° North; and

(iii) Islands in the Atlantic Ocean east of Line B, situated between the parallel 40° South and 30° North.

(2) The "European Broadcasting Area" is bounded on the West by the western boundary of Region 1, on the East by the meridian 40° East of Greenwich and on the South by the parallel 30° North so as to include the western part of the U.S.S.R., the northern part of Saudi Arabia and that part of those countries bordering the Mediterranean within these limits. In addition, Iraq and Jordan are included in the European Broadcasting Area.

(3) The "European Maritime Area" is bounded on the North by a line extended along parallel 72° North from its intersection with meridian 55° East of Greenwich to its intersection with meridian 5° West, then along meridian 5° West to its intersection with parallel 67° North, thence along parallel 67° North to its intersection with meridian 30° West; on the West by a line extending along meridian 30° West to its intersection with parallel 30° North; on the South by a line extending along parallel 30° North to a line extending along meridian 43° East to its

[1] It should be noted that where the words "region" or "regional" are without a capital "R", they do not relate to the three Regions here defined for purpose of frequency allocation.

intersection with parallel 60° North, thence along parallel 60° North to its intersection with meridian 55° East and thence along meridian 55° East to its intersection with parallel 72° North.

(4) The "Tropical Zone" (see Figure 1) is defined as:

(i) The whole of that area in Region 2 between the Tropics of Cancer and Capricorn;

(ii) The whole of that area in Region 1 and 3 contained between the parallel 30° North and 35° South with the addition of:

(iii) The area contained between the meridian 40° East and 80° East of Greenwich and the parallels 30° North and 40° and

(iv) That part of Libya North of parallel 30° North.

(v) In Region 2, the Tropical Zone may be extended to parallel 33° North, subject to special agreements between the countries concerned in that Region.

(5) A sub-Region is an area consisting of two or more countries in the same Region.

(d) *Categories of Service.*

(1) Any segment of the radio spectrum can be allocated to one or more radio services [2] either on a worldwide or Regional basis. In the case where an allocation has been made to more than one service, such services are listed in the following order:

(i) Services the names of which are printed in "capitals" [example: FIXED]; these are called "primary" services;

(ii) Services, the names of which are printed in "capitals" between oblique strokes [example: /RADIOLOCATION/]; these are called "permitted" services;

(iii) Services, the names of which are printed in "normal characters" [example: Mobile]; these are called "secondary" services.

(2) Additional remarks pertaining to an allocation are printed in "normal characters" [example: MOBILE except aeronautical mobile].

(3) Permitted and primary services have equal rights, except that, in the preparation of frequency plans, the primary services, as compared with the permitted services, shall have prior choice of frequencies.

(4) *Stations of a secondary service:*

(i) Shall not cause harmful interference to stations of primary or permitted services to which frequencies are already assigned or to which frequencies may be assigned at a later date;

(ii) Cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date;

(iii) Can claim protection, however, from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

(5) Where a band is indicated in a footnote of the International Table [i.e., columns 1, 2, and 3 of § 2.106] as allocated to a service "on a secondary basis" in an area smaller than a Region, or in a particular country, this is a secondary service.

(6) Where a band is indicated in a footnote of the International Table as allocated to a service "on a primary basis", or "on a permitted basis" in an area smaller than a Region, or in a particular country, this is a primary service or a permitted service only in that area country.

(e) *Additional allocations.*

(1) Where a band is indicated in a footnote of the International Table as "also allocated" to a service in an area smaller than a Region, or in a particular country, this is an "additional" allocation, i.e., an allocation which is added in this country area or in this country to the service or services which are indicated in the International Table.

(2) If the footnote does not include any restriction on the service or services concerned apart from the restriction to operate only in a particular area or country, stations of this service or these services shall have equality of right to operate with stations of the other primary service or services indicated in the International Table.

(3) If restrictions are imposed on an additional allocation in addition to the restriction to operate only in a particular area or country, this is indicated in the footnote of the International Table.

(f) *Alternative allocations.*

(1) Where a band is indicated in a footnote of the International Table as "allocated" to one or more services in an area smaller than a Region, or in a particular country, this is an "alternative" allocation, i.e., an allocation which replaces, in this area or in this country, the allocations indicated in the International Table.

(2) If the footnote does not include any restriction on stations of the service or services concerned, apart from the restriction to operate only in a particular area or country, these stations of such a service or services shall have an equality of right to operate with stations of the primary service or services, shall have an equality of right to operate with stations of the primary service or services, indicated in the International Table, to which the band is allocated in other areas or countries.

(3) If restrictions are imposed on stations of a service to which an alternative allocation is made, in addition to the restriction to operate only in a particular country or area, this is indicated in the footnote.

(g) *Miscellaneous provision.*

(1) Where it is indicated that a service may operate in a specific frequency band subject to not causing harmful interference, this means also that this service cannot claim protection from harmful interference caused by other services to which the band is allocated under Chapter III of the international *Radio Regulations.*

(2) Except if otherwise specified in a footnote, the term "fixed service" does not include systems using ionospheric scatter propagation.

(h) *Format of the International Table.*

(1) The heading of the International Table includes three columns (columns number 1, 2 and 3 of § 2.106), each of which corresponds to one of the Regions. Where an allocation occupies the whole of the width of the Table or only two of the three columns, this is a world-wide allocation or a Regional allocation, respectively.

(2) The frequency band referred to in each allocation is indicated in the left-hand top corner of the part of the Table concerned.

(3) Within each of the categories specified in paragraph (c)(1) of this section, services are listed in alphabetical order according to the French language.[3] The order of listing does not indicate relative priority within each category.

(4) In the case where there is a parenthetical addition to an allocation in the International Table [example: FIXED-SATELLITE (space-to-earth)], that service allocation is restricted to the type of operation so indicated.

(5) The footnote references which appear in the International Table below the allocated service or services apply to the whole of the allocation concerned.

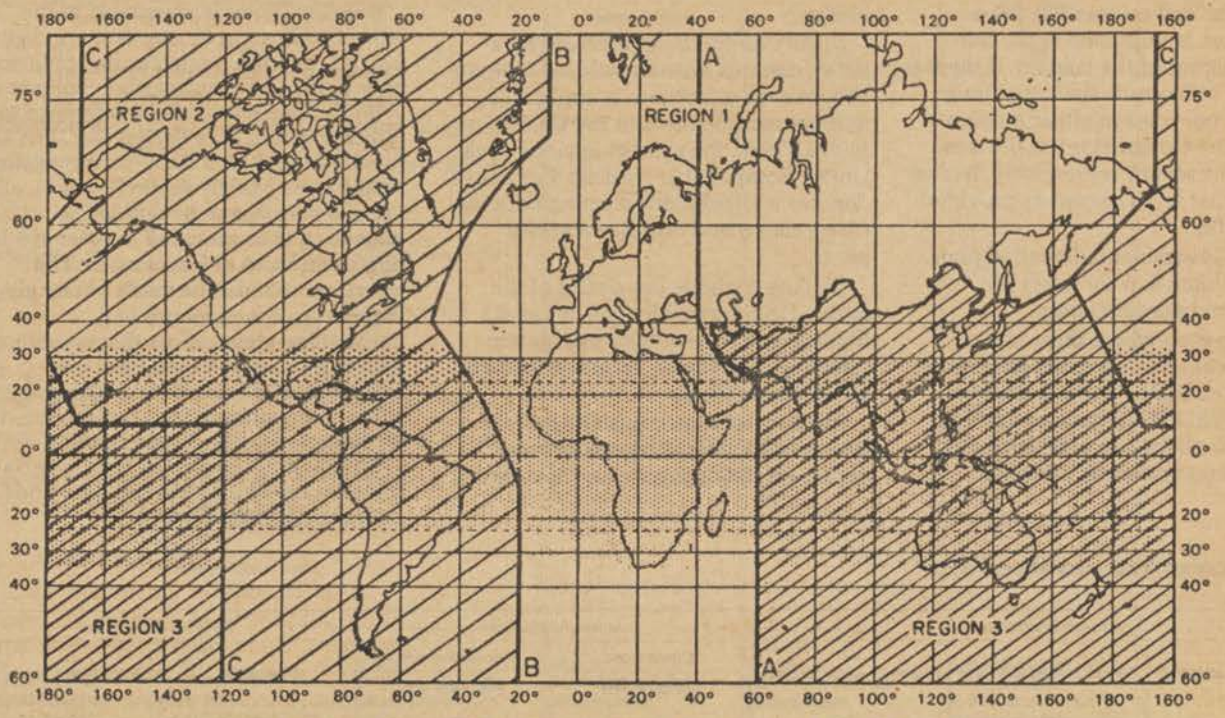
(6) The footnote references which appear to the right of the name of a service are applicable only to that particular service.

(7) In certain cases, the names of countries appearing in the footnotes have been simplified in order to shorten the text.

[2] Definitions of the various radio services used in columns 1 through 3 of § 2.106 are contained in § 2.1.

[3] French is used to keep this table consistent with the Internation Table as published by ITU.

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The shaded part represents the Tropical Zone as defined in Nos. 406 to 410 and 411.

Figure 1. Chart of the International Regions and Zones as defined in the International Table of Frequency Allocations. [Note: The shaded part represents the Tropical Zone as defined by § 2.104(8)(4).]

§ 2.105 United States Table of Frequency Allocations.

(a) The United States Table of Frequency Allocations (columns 4 through 7 of § 2.106) is based on the International plan for Region 2 because the relevant area of jurisdiction is located primarily in Region 2 [1] (i.e., the 50 States, the District of Columbia, the Caribbean insular areas [2] and some of the Pacific insular areas [3]).[4] Because there is a need to provide radio spectrum for both federal government and non-federal government operations, the United States Table is divided into the Government Table of Frequency Allocation and the Non-Government Table of Frequency Allocations. The Government plan, as shown in column 4 of § 2.106, is administered by the National Telecommunications and Information Administration (NTIA) [5], whereas the non-Government plan, as shown in column 5 of § 2.106, is administered by the Federal Communications Commission (FCC) [6]

(b) In the United States, radio spectrum may be allocated to either Government or non-Government use exclusively, or for shared use. In the case of shared use, the type of service(s) permitted need not be the same [e.g., Government FIXED, non-Government MOBILE]. The terms used to designate categories of service [7] in columns 4 and 5 of § 2.106, correspond to the terms employed by the International Telecommunication Union (ITU) in the international *Radio Regulations*.

(c) *Categories of services.*

(1) Any segment of the radio spectrum may be allocated to the Government and/or non-Government sectors either on an exclusive or shared basis for use by one or more radio services. In the case where an allocation has been made to more than one service, such services are listed in the following order:

(i) Services, the names of which are printed in "capitals" [example: FIXED]; these are called "primary" services;

(ii) Services, the names of which are printed in capitals between oblique strokes [example: /RADIOLOCATION/]; these are called "permitted services";

(iii) Services, the names of which are printed in "normal characters" [example: Mobile]; these are called "secondary" services.

(2) Permitted and primary services have equal rights, except that, in the preparation of frequency plans, the primary services, as compared with the permitted services, shall have prior choice of frequencies.

(3) Stations of a secondary service:

(i) Shall not cause harmful interference to stations of primary or permitted services to which frequencies are already assigned or to which frequencies may be assigned at a later date.

(ii) Cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date; and

(iii) Can claim protection, however, from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

(d) *Format of the United States Table.*

[1] See § 2.104(a)(1) for definition of Region 2.

[2] The Caribbean insular areas are: The Commonwealth of Puerto Rico; the unincorporated territory of the United States Virgin Islands; and Navassa Island, Quita Sueno Bank, Roncador Bank, serrana Bank and Serranilla Bank.

[3] The Pacific insular areas located in Region 2 are: Johnston Island and Midway Island.

[4] The operation of stations in the Pacific insular areas located in Region 3 are generally governed by the International plan for Region 3 (i.e., column 3 of § 2.106). The Pacific insular areas located in Region 3 are: the Commonwealth of the Northern Mariana Islands; the unincorporated territory of American Samoa; the unincorporated territory of Guam; and Baker Island, Howland Island, Jarvis Island, Kingman Reef, Palmyra Island and Wake Island.

[5] Section 305(a) of the Communications Act of 1934, as amended; Executive Order 12046 (26 March 1978) and Department of Commerce Organization Order 10-10 (9 May 1979).

[6] The Communiations Act of 1934, as amended.

(1) The frequency band referred to in each allocation, column 4 for Government and column 5 for non-Government, is indicated in the left-hand top corner of the column. If there is no service or footnote indicated for a band of frequencies in either column 4 or 5, then the Government or the non-Government sector, respectively, has no access to that band except as provided for by §2.102.

(2) The Government allocation plan, given in column 4, is included for informational purposes only.

(3) In the case where there is a parenthetical addition to an allocation in the United States Table [example: FIXED-SATELLITE (space-to-earth)], that service allocation is restricted to the type of operation so indicated.

(4) The following symbols are used to designate footnotes in the United States Table:

(i) Any footnote not prefixed by a letter, denotes an international footnote. Where such a footnote is applicable, without modification, to the United States Table, the symbol appears in the United States Table (column 4 or 5) and denotes a stipulation affecting both the Government and non-Government plans.

(ii) Any footnote consisting of the letters US followed by one or more digits, e.g., US, denotes a stipulation affecting both the Government and non-Government plans.

(iii) Any footnote consisting of the letters NG followed by one or more digits, e.g., NG1, denotes a stipulation applicable only to the non-Government plan (column 5).

(iv) Any footnote consisting of the letter G following by one or more digits, e.g., G1, denotes a stipulation applicable only to the Government plan (column 4).

(5) Column 6 provides a reference to indicate which Rule Part(s) (e.g., Private Land Mobile Radio Services, Domestic Public Land Mobile Radio Services, etc.) are given assignments within the allocation plan specified in column 5 for any given band of frequencies. The exact use that can be made of any given frequency or frequencies (e.g., channelling plans, allowable emissions, etc.) is given in the Rule Part(s) so indicated. The Rule Parts in this column are not allocations. They are provided for informational purposes only.

(6) Column 7 is used to denote certain frequencies which have national and/or international significance.

§ 2.106 Table of Frequency Allocations.

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Below 9	(Not allocated). 444 445		Below 9. (Not allocated). 444 445	Below 9. (Not allocated). 444 445		
9–14	RADIONAVIGATION.		9–14 RADIONAVIGATION. US18 US294	9–14 RADIONAVIGATION. US18 US294		
14–19.95	FIXED. MARITIME MOBILE 448 446 447		14–19.95 FIXED. MARITIME MOBILE. US288 US294	14–19.95 Fixed. US288 US294	INTERNATIONAL FIXED PUBLIC (23).	
19.95–20.05	STANDARD FREQUENCY AND TIME SIGNAL (20 kHz).		19.95–20.05 STANDARD FREQUENCY AND TIME SIGNAL. US294	19.95–20.05 STANDARD FREQUENCY AND TIME SIGNAL. US294		20 kHz Standard Frequency.
20.05–70	FIXED. MARITIME MOBILE 448 447 449		20.05–59 FIXED. MARITIME MOBILE. US288 294	20.05–59 FIXED. US288 294	INTERNATIONAL FIXED PUBLIC (23).	
			59–61 STANDARD FREQUENCY AND TIME SIGNAL. US294	59–61 STANDARD FREQUENCY AND TIME SIGNAL. US294		60kHz Standard Frequency.
			61–70 FIXED. MARITIME MOBILE. US288 US294	61–70 FIXED. US288 US294	INTERNATIONAL FIXED PUBLIC (23).	
70–72 RADIONAVIGATION 451	70–90 FIXED. MARITIME MOBILE 448 MARITIME RADIONAVIGATION 451 Radiolocation.	70–72 RADIONAVIGATION 451 Fixed. Maritime Mobile 448. 450	70–90 FIXED. MARITIME MOBILE. Radiolocation. US288 US294	70–90 FIXED. Radiolocation. US288 US294	INTERNATIONAL FIXED PUBLIC (23). Private Land Mobile (90).	

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
72–84 FIXED. MARITIME MOBILE 448 RADIONAVIGATION 451 447	452	72–84 FIXED. MARITIME MOBILE 448 RADIONAVIGATION 451				
84–86 RADIONAVIGATION 451		84–86 RADIONAVIGATION 451 Fixed. Maritime Mobile 448 450				
86–90 FIXED. MARITIME MOBILE 448 RADIONAVIGATION 447		86–90 FIXED. MARITIME MOBILE 448 RADIONAVIGATION 451				
90–110	RADIONAVIGATION 453 Fixed. Maritime Mobile 448 454		90–110 RADIONAVIGATION 453 US18 US104 US294	90–110 RADIONAVIGATION 453 US18 US104 US294	Private Land Mobile (90).	
110–112 FIXED. MARITIME MOBILE. RADIONAVIGATION. 454	110–130 FIXED. MARITIME MOBILE. MARITIME RADIONAVIGATION 451 Radiolocation.	110–112 FIXED. MARITIME MOBILE. RADIONAVIGATION 451 454	110–130 FIXED. MARITIME MOBILE. Radiolocation. 454 US294	110–130 FIXED. MARITIME MOBILE. Radiolocation. 454 US294	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). Private Land Mobile (90).	
112–115 RADIONAVIGATION 451	452 454	112–117.6 RADIONAVIGATION 451 Fixed. Maritime Mobile.				
115–117.6 RADIONAVIGATION 451 Fixed. Maritime Mobile. 454 456		454 455				
117.6–126.0 FIXED. MARITIME MOBILE. RADIONAVIGATION 451 454		117.6–126.0 FIXED. MARITIME MOBILE. RADIONAVIGATION 451 454				
126–129 RADIONAVIGATION 451		126–129 RADIONAVIGATION 451 Fixed. Maritime Mobile. 454 455				
129–130 FIXED. MARITIME MOBILE. RADIONAVIGATION 451 454		129–130 FIXED. MARITIME MOBILE. RADIONAVIGATION 451 454				
130.0–148.5 MARITIME MOBILE. /FIXED/. 454 457 458	130–160 FIXED. MARITIME MOBILE.	130–160 FIXED. MARITIME MOBILE. RADIONAVIGATION.	130–160 FIXED. MARITIME MOBILE.	130–160 FIXED. MARITIME MOBILE.	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
148.5–255.0	454	454	454 US294	454 US294		
BROADCASTING	160–190 FIXED. 459	160–190 FIXED. Aeronautical Radionavigation.	160–190 FIXED. MARITIME MOBILE. 459 US294	160–190 FIXED. 459 US294	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	190–200 AERONAUTICAL RADIONAVIGATION.		190–200 AERONAUTICAL RADIONAVIGATION. US18 US226 US294	190–200 AERONAUTICAL RADIONAVIGATION. US18 US226 US294		
458 460 461 462	200–285 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile.		200–275 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile.	200–275 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile.	AVIATION (87).	
255–283.5 BROADCASTING. /AERONAUTICAL RADIONAVIGATION/ 463 458 462 464			US18 US294 275–285 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile. Maritime Radionavigation (radiobeacons).	US18 US294 275–285 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile. Maritime Radionavigation (radiobeacons).		
283.5–315.0			US18 US294	US18 US294		
MARITIME RADIONAVIGATION (radiobeacons) 466 /AERONAUTICAL RADIONAVIGATION/. 458 465	285–315 MARITIME RADIONAVIGATION (radiobeacons) 466 /AERONAUTICAL RADIONAVIGATION/.		285–325 MARITIME RADIONAVIGATION (radiobeacons) 466 Aeronautical Radionavigation (radiobeacons).	285–325 MARITIME RADIONAVIGATION (radiobeacons) 466 Aeronautical Radionavigation (radiobeacons).	AVIATION (87).	
315–325 AERONAUTICAL RADIONAVIGATION. Maritime Radionavigation (radiobeacons) 466 465 467	315–325 MARITIME RADIONAVIGATION (radiobeacons) 466 Aeronautical Radionavigation.	315–325 AERONAUTICAL RADIONAVIGATION. MARITIME RADIONAVIGATION (radiobeacons) 466	US18 US294	US18 US294		
325–405 AERONAUTICAL RADIONAVIGATION.	325–335 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile Maritime Radionavigation (radiobeacons).	325–405 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile.	325–335 AERONAUTICAL RADIONAVIGATION (radiobeacons). Aeronautical Mobile. Maritime Radionavigation (radiobeacons). US18 US294	325–335 AERONAUTICAL RADIONAVIGATION (radiobeacons). Aeronautical Mobile. Maritime Radionavigation (radiobeacons). US18 US294	AVIATION (87).	
465	335–405 AERONAUTICAL RADIONAVIGATION. Aeronautical Mobile.		335–405 AERONAUTICAL RADIONAVIGATION (radiobeacons). Aeronautical Mobile. US18 US294	335–405 AERONAUTICAL RADIONAVIGATION (radiobeacons). Aeronautical Mobile. US18 US294	AVIATION (87).	
405–415 RADIONAVIGATION 468 465	405–415 RADIONAVIGATION 468 Aeronautical Mobile.		405–415 RADIONAVIGATION 468 Aeronautical Mobile. US18 US294	405–415 RADIONAVIGATION 468 Aeronautical Mobile. US18 US294	AVIATION (87).	
415–435 AERONAUTICAL RADIONAVIGATION. /MARITIME MOBILE/ 470 465	415–495 MARITIME MOBILE 470 469 471		415–435 AERONAUTICAL RADIONAVIGATION. MARITIME MOBILE 470 US294	415–435 AERONAUTICAL RADIONAVIGATION. MARITIME MOBILE 470 US294	AVIATION (87). MARITIME (81 & 83).	
435–495 MARITIME MOBILE 470 Aeronautical Radionavigation. 465 471			435–495 MARITIME MOBILE 470 471 US231 US294	435–495 MARITIME MOBILE 470 471 US231 US294	MARITIME (81 & 83).	
495–505	MOBILE (distress and calling). 472		495–505 MOBILE (distress and calling). 472	495–505 MOBILE (distress and calling). 472	MARITIME (81 & 83).	500 kHz: Distress and calling frequency.

International table			United States table		FCC use designators	
			Government	Non-Government		
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
505.0–526.5 MARITIME MOBILE 470 /AERONAUTICAL RADIONAVIGATION/ 473	505.0–510.0 MARITIME MOBILE 470 471	505.0–526.5 MARITIME MOBILE 470 /AERONAUTICAL RADIONAVIGATION/. Aeronautical Mobile Land Mobile.	505–510 MARITIME MOBILE 470 471	505–510 MARITIME MOBILE 470 471	MARITIME (81 & 83).	
	510–525 MOBILE. AERONAUTICAL RADIONAVIGATION.		510–525 AERONAUTICAL RADIONAVIGATION (radiobeacons). MARITIME MOBILE (Ships only). US14 US18 US225 US232	510–525 AERONAUTICAL RADIONAVIGATION (radiobeacons). MARITIME MOBILE (Ships only). US14 US18 US225 US232	AVIATION (87). Maritime (81 & 83).	
465 471 474 475 476	525–535	471	525–535	525–535		
526.5–1606.5 BROADCASTING.	BROADCASTING 477 AERONAUTICAL RADIONAVIGATION.	526.5–535.0 BROADCASTING. Mobile. 479	MOBILE. AERONAUTICAL RADIONAVIGATION (radiobeacons). US18 US221 US239	MOBILE. AERONAUTICAL RADIONAVIGATION (radiobeacons). US18 US221 US239	AVIATION (87) PRIVATE LAND MOBILE (90)	530 kHz: Travelers information.
	535–1605 BROADCASTING.	535.0–1606.5 BROADCASTING.	535–1605	535–1605 BROADCASTING NG 128	RADIO BROADCASTING (AM) (73).	
478	1605–1625		1605–1615	1605–1615		
1606.5–1625.0 MARITIME MOBILE. /FIXED/. /LAND MOBILE/. 483 484	BROADCASTING 480 481	1606.5–1800 FIXED. MOBILE. RADIOLOCATION. RADIONAVIGATION. 482	MOBILE. 480 US221	MOBILE. 480 US221	AUXILIARY BROADCASTING (74). PRIVATE LAND MOBILE (90).	1610 kHz: Travelers information.
			1615–1625 480 US237	1615–1625 BROADCASTING 480 US237	AUXILIARY BROADCASTING (74). Private Land Mobile (90).	
1625–1635 RADIOLOCATION 487 485 486	1625–1705 BROADCASTING 480 /FIXED/. /MOBILE/. Radiolocation		1625–1705 Radiolocation. 480 US238	1625–1705 BROADCASTING 480 Radiolocation. US238	AUXILIARY BROADCASTING (74). Private Land Mobile (90).	
1635–1800	481					
MARITIME MOBILE /FIXED/. /LAND MOBILE/. 483 484 488	1705–1800 FIXED. MOBILE. RADIOLOCATION. AERONAUTICAL RADIONAVIGATION.		1705–1800 FIXED. MOBILE. RADIOLOCATION. US240	1705–1800 FIXED. MOBILE. RADIOLOCATION. US240	DISASTER (99). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
1800–1810 RADIOLOCATION 487 485 486	1800–1850 AMATEUR.	1800–2000 AMATEUR. FIXED. MOBILE except aeronautical mobile. RADIONAVIGATION. Radiolocation.	1800–1900	1800–1900 AMATEUR.	AMATEUR (97).	
1810–1850 AMATEUR. 490 491 492 493	489					

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1850–2000 FIXED. MOBILE except aeronautical mobile.	1850–2000 AMATEUR. FIXED. MOBILE except aeronautical mobile. RADIOLOCATION. RADIONAVIGATION.					
			1900–2000 RADIOLOCATION.	1900–2000 RADIOLOCATION.	PRIVATE LAND MOBILE (90). Amateur (97).	
484 488 495	489 494	489	US290	US290 NG15		
2000–2025 FIXED. MOBILE except aeronautical mobile (R). 484 495	2000–2065 FIXED. MOBILE.		2000–2065 FIXED. MOBILE.	2000–2065 MARITIME MOBILE.	MARITIME (81 & 83).	
2025–2045 FIXED. MOBILE except aeronautical Mobile (R). Meteorological Aids 496 484 495				NG19		
2045–2160 MARITIME MOBILE. /FIXED/. /LAND MOBILE/. 483 484	2065–2107 MARITIME MOBILE 497 498		2065–2107 MARITIME MOBILE 497	2065–2107 MARITIME MOBILE 497	MARITIME (81 & 83).	
	2107–2170		2107–2170	2107–2170		
2160–2170 RADIOLOCATION 487 485 486 499	FIXED. MOBILE.		FIXED. MOBILE.	FIXED. MARITIME MOBILE. LAND MOBILE. NG19	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
2170.0–2173.5	MARITIME MOBILE.		2170–2173.5 MARITIME MOBILE.	2170–2173.5 MARITIME MOBILE.	MARITIME (81 & 83).	
2173.5–2190.5	MOBILE (distress and calling). 500 501		2173.5–2190.5 MOBILE (distress and calling). 500 501 US279	2173.5–2190.5 MOBILE (distress and calling). 500 501 US279	AVIATION (87). MARITIME (81 & 83).	2 182 kHz: Distress and calling.
2190.5–2194.0	MARITIME MOBILE.		2190.5–2194 MARITIME MOBILE	2190.5–2194 MARITIME MOBILE	MARITIME (81 & 83).	
2194–2300 FIXED. MOBILE except aeronautical mobile (R). 484 495 502	2194–2300 FIXED. MOBILE. 502		2194–2495 FIXED. MOBILE.	2194–2495 FIXED. LAND MOBILE. MARITIME MOBILE.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
2300–2498 FIXED. MOBILE except aeronautical mobile (R). BROADCASTING 503	2300–2495 FIXED. MOBILE. BROADCASTING 503.			NG19		
495	2495–2501		2495–2505	2495–2505		
2498–2501	STANDARD FREQUENCY AND TIME SIGNAL (2500 kHz).		STANDARD FREQUENCY AND TIME SIGNAL.	STANDARD FREQUENCY AND TIME SIGNAL.		2500 kHz: Standard frequency.

International table			United States table		FCC use designators	
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
STANDARD FREQUENCY AND TIME SIGNAL (2500 kHz).						
2501–2502	STANDARD FREQUENCY AND TIME SIGNAL. Space Research.					
2502–2625 FIXED. MOBILE except aeronautical mobile (R).	2502–2505 STANDARD FREQUENCY AND TIME SIGNAL.		G106			
484 495 504	2505–2850 FIXED. MOBILE.		2505–2850 FIXED. MOBILE.	2505–2850 FIXED. LAND MOBILE. MARITIME MOBILE.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
2625–2650 MARITIME MOBILE. MARITIME RADIO-NAVIGATION. 484						
2650–2850 FIXED. MOBILE except aeronautical mobile (R). 484 495			US285	US285		
2850–3025	AERONAUTICAL MOBILE (R). 501 505		2850–3025 AERONAUTICAL MOBILE (R). 501 505 US283	2850–3025 AERONAUTICAL MOBILE (R). 501 505 US283	AVIATION (87).	
3025–3155	AERONAUTICAL MOBILE (OR).		3025–3155 AERONAUTICAL MOBILE (OR).	3025–3155 AERONAUTICAL MOBILE (OR).		
3155–3200	FIXED. MOBILE except aeronautical mobile (R). 506 507		3155–3230 FIXED. MOBILE except aeronautical mobile (R).	3155–3230 FIXED. MOBILE except aeronautical mobile (R).	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
3200–3230	FIXED MOBILE except aeronautical mobile (R). BROADCASTING 503. 506					
3230–3400	FIXED. MOBILE except aeronautical mobile. BROADCASTING 503 506 508		3230–3400 FIXED. MOBILE except aeronautical mobile. Radiolocation.	3230–3400 FIXED. MOBILE except aeronautical mobile. Radiolocation.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
3400–3500	AERONAUTICAL MOBILE (R).		3400–3500 AERONAUTICAL MOBILE (R). US283	3400–3500 AERONAUTICAL MOBILE (R). US283	AVIATION (87).	
3500–3800 AMATEUR 510 FIXED. MOBILE except aeronautical mobile. 484	3500–3750 AMATEUR 510 509 511	3500–3900 AMATEUR 510 FIXED. MOBILE.	3500–4000 510	3500–4000 AMATEUR 510	AMATEUR (97).	
	3750–4000					

International table			United States table		FCC use designators	
			Government	Non-Government		
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
3800–3900 FIXED. AERONAUTICAL MOBILE (OR). LAND MOBILE.	AMATEUR 510 FIXED. MOBILE except aeronautical mobile (R). 511 512 514 515					
3900–3950 AERONAUTICAL MOBILE (OR). 513		3900–3950 AERONAUTICAL MOBILE. BROADCASTING.				
3950–4000 FIXED. BROADCASTING.		3950–4000 FIXED. BROADCASTING. 516				
4000–4063	FIXED. MARITIME MOBILE 517 516		4000–4438 MARITIME MOBILE 520	4000–4438 MARITIME MOBILE 520	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
4063–4438	MARITIME MOBILE 520 518 519		US82 US212 US236	US82 US212 US236		
4438–4650 FIXED. MOBILE except aeronautical mobile (R).		8–4650 ED. BILE except eronautical mobile.	4438–4650 FIXED. MOBILE except aeronautical mobile (R).	4438–4650 FIXED. MOBILE except aeronautical mobile (R).	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
4650–4700	AERONAUTICAL MOBILE (R).		4650–4700 AERONAUTICAL MOBILE (R). US282 US283	4650–4700 AERONAUTICAL MOBILE (R). US282 US283	AVIATION (87).	
4700–4750	AERONAUTICAL MOBILE (OR).		4700–4750 AERONAUTICAL MOBILE (OR).	4700–4750 AERONAUTICAL MOBILE (OR).		
4750–4850 FIXED. AERONAUTICAL MOBILE (OR). LAND MOBILE BROADCASTING 503	4750–4850 FIXED. MOBILE except aeronautical. BROADCASTING 503	4750–4850 FIXED. BROADCASTING 503 Land Mobile.	4750–4850 FIXED. MOBILE except aeronautical mobile.	4750–4850 FIXED. MOBILE except aeronautical mobile (R).	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
4850–4995	FIXED. LAND MOBILE. BROADCASTING 503.		4850–4995 FIXED. MOBILE.	4850–4995 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
4995–5003	STANDARD FREQUENCY AND TIME SIGNAL (5000 kHz).		4995–5005 STANDARD FREQUENCY AND TIME SIGNAL.	4995–5005 STANDARD FREQUENCY AND TIME SIGNAL.		5000 kHz: Standard frequency.
5003–5005	STANDARD FREQUENCY AND TIME SIGNAL. Space Research.		G106			
5005–5060	FIXED. BROADCASTING 503		5005–5060 FIXED.	5005–5060 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
5060–5250	FIXED. Mobile except aeronautical mobile.		5060–5450 FIXED. MOBILE except aeronautical mobile.	5060–5450 FIXED. MOBILE except aeronautical mobile.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	

International table			United States table		FCC use designators	
			Government	Non-Government		
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	521				PRIVATE LAND MOBILE (90).	
5250-5450	FIXED. MOBILE except aeronautical mobile.					
5450-5480 FIXED. AERONAUTICAL MOBILE (OR). LAND MOBILE.	5450-5480 AERONAUTICAL MOBILE (R).	5450-5480 FIXED. AERONAUTICAL MOBILE (OR). LAND MOBILE.	5450-5680 AERONAUTICAL MOBILE (R).	5450-5680 AERONAUTICAL MOBILE (R).	AVIATION (87).	
5480-5680	AERONAUTICAL MOBILE (R). 501 505		501 505 US283	501 505 US283		
5680-5730	AERONAUTICAL MOBILE (OR). 501 505		5680-5730 AERONAUTICAL MOBILE (OR). 501 505	5680-5730 AERONAUTICAL MOBILE (OR). 501 505		
5730-5950 FIXED. LAND MOBILE.	5730-5950 FIXED. MOBILE except aeronautical mobile (R).	5730-5950 FIXED. MOBILE except aeronautical mobile (R).	5730-5950 FIXED. MOBILE except aeronautical mobile (R).	5730-5950 FIXED. MOBILE except aeronautical mobile (R).	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
5950-6200	BROADCASTING. US280		5950-6200 BROADCASTING. US280	5950-6200 BROADCASTING. US280	RADIO BROADCAST (HF) (73).	
6200-6525	MARITIME MOBILE 523. 522		6200-6525 MARITIME MOBILE 523. 522 US82 US284	6200-6525 MARITIME MOBILE 523. 522 US82 US284	MARITIME (81 & 83).	
6525-6685	AERONAUTICAL MOBILE (R).		6525-6685 AERONAUTICAL MOBILE (R). US283	6525-6685 AERONAUTICAL MOBILE (R). US283	AVIATION (87).	
6685-6765	AERONAUTICAL MOBILE (OR).		6685-6765 AERONAUTICAL MOBILE (OR).	6685-6765 AERONAUTICAL MOBILE (OR).		
6765-7000	FIXED. Land Mobile 525 524		6765-7000 FIXED. Mobile. 524	6765-7000 FIXED. Mobile 524	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	6780+15 kHz: Industrial, scientific, and medical frequency.
7000-7100	AMATEUR 510 AMATEUR-SATELLITE. 526 527		7000-7300	7000-7100 AMATEUR 510 AMATEUR-SATELLITE.	AMATEUR (97).	
7100-7300 BROADCASTING.	7100-7300 AMATEUR 510 528	7100-7300 BROADCASTING.	510 528	7100-7300 AMATEUR 510 528	AMATEUR (97).	
7300-8100	FIXED. Land Mobile. 529		7300-8100 FIXED. Mobile.	7300-8100 FIXED. Mobile.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83). PRIVATE LAND MOBILE (90).	
8100-8195	FIXED. MARTIME MOBILE.		8100-8815 MARITIME MOBILE.	8100-8815 MARITIME mobile.	MARITIME (81 & 83).	
8195-8815	MARITIME MOBILE. 501		501 US82 US236 US241	501 US82 US236 US241		
8815-8965			8815-8965	8815-8965		

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	AERONAUTICAL MOBILE (R).		AERONAUTICAL MOBILE (R).	AERONAUTICAL MOBILE (R).	Aviation (87).	
8965-9040	AERONAUTICAL MOBILE (OR).		8965-9040 AERONAUTICAL MOBILE (OR).	8965-9040 AERONAUTICAL MOBILE (OR).		
9040-9500	FIXED.		9040-9500 FIXED.	9040-9050 FIXED.	Aviation (87). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
9500-9900	BROADCASTING. 530 531		9500-9900 BROADCASTING. US235	9500-9900 BROADCASTING. US235	RADIO BROADCAST (HF) (73). INTERNATIONAL FIXED PUBLIC (23).	
9900-9995	FIXED.		9900-9995 FIXED.	9900-9995 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
9995-10003	STANDARD FREQUENCY AND TIME SIGNAL (10000 kHz). 501		9995-10005 STANDARD FREQUENCY AND TIME SIGNAL.	9995-10005 STANDARD FREQUENCY AND TIME SIGNAL.		10000 kHz: Standard frequency.
10003-10005	STANDARD FREQUENCY AND TIME SIGNAL. Space Research. 501		501 G106	501		
10005-10100	AERONAUTICAL MOBILE (R). 501		10005-10100 AERONAUTICAL MOBILE (R). 501 US283	10005-10100 AERONAUTICAL MOBILE (R). 501 US283	AVIATION (87).	
10100-10150	FIXED. Amateur 510.		10100-10150 510 US247	10100-10150 AMATEUR 510. US247	AMATEUR (97).	
10150-11175	FIXED. MOBILE except aeronautical mobile (R).		10150-11175 FIXED. MOBILE except aeronautical mobile (R).	10150-11175 FIXED. MOBILE except aeronautical mobile (R).	10150-11175 AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
11175-11275	AERONAUTICAL MOBILE (OR).		11175-11275 AERONAUTICAL MOBILE (OR).	11175-11275 AERONAUTICAL MOBILE (OR).		
11275-11400	AERONAUTICAL MOBILE (R).		11275-11400 AERONAUTICAL MOBILE (R). US283	11275-11400 AERONAUTICAL MOBILE (R). US283	AVIATION (87).	
11400-11650	FIXED.		11400-11650 FIXED.	11400-11650 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
11650-12050	BROADCASTING. 530 531		11650-12050 BROADCASTING. US235	11650-12050 BROADCASTING. US235	RADIO BROADCAST (HF) (73). INTERNATIONAL FIXED PUBLIC (23).	
12050-12230	FIXED.		12050-12230 FIXED.	12050-12230 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
12230-13200	MARITIME MOBILE.		12230-13200 MARITIME MOBILE.	12230-13200 MARITIME MOBILE.	INTERNATIONAL FIXED PUBLIC (23).	

International table			United States table		FCC use designators	
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	532		US82 US235	US82 US235	MARITIME (81 & 83).	
13200–13260	AERONAUTICAL MOBILE (OR).		13200–13260 AERONAUTICAL MOBILE (OR).	13200–13260 AERONAUTICAL MOBILE (OR).		
13260–13360	AERONAUTICAL MOBILE (R).		13260–13360 AERONAUTICAL MOBILE (R). US283	13260–13360 AERONAUTICAL MOBILE (R). US283	AVIATION (87).	
13360–13410	FIXED. RADIO ASTRONOMY. 533		13360–13410 RADIO ASTRONOMY. 533 G115	13360–13410 RADIO ASTRONOMY. 533		
13410–13600	FIXED. Mobile except aeronautical mobile (R). 534		13410–13600 FIXED. Mobile except aeronautical mobile (R). 534	13410–13600 FIXED. 534	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	13560 ±7 kHz: Industrial, scientific, and medical frequency.
13600–13800	BROADCASTING. 531		13600–13800 BROADCASTING. US235	13600–13800 BROADCASTING. US235	RADIO BROADCAST (HF) (73). INTERNATIONAL FIXED PUBLIC (23).	
13800–14000	FIXED. Mobile except aeronautical mobile (R).		13800–14000 FIXED. Mobile except aeronautical mobile (R).	13800–14000 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
14000–14250	AMATEUR 510 AMATEUR-SATELLITE.		14000–14350	14000–14250 AMATEUR 510 AMATEUR-SATELLITE.	AMATEUR (97).	
14250–14350	AMATEUR 510 535		510	14250–14350 AMATEUR 510	AMATEUR (97).	
14350–14990	FIXED. Mobile except aeronautical mobile (R).		14350–14990 FIXED. Mobile except aeronautical mobile (R).	14350–14990 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
14990–15005	STANDARD FREQUENCY AND TIME SIGNAL (15000 kHz). 501		14990–15010 STANDARD FREQUENCY AND TIME SIGNAL.	14990–15010 STANDARD FREQUENCY AND TIME SIGNAL.		15000 kHz: Standard frequency.
15005–15010	STANDARD FREQUENCY AND TIME SIGNAL. Space Research.		501 G106	501		
15010–15100	AERONAUTICAL MOBILE (OR).		15010–15100 AERONAUTICAL MOBILE (OR).	15010–15100 AERONAUTICAL MOBILE (OR).		
15100–15600	BROADCASTING. 531		15100–15600 BROADCASTING. US235	15100–15600 BROADCASTING. US235	RADIO BROADCAST (HF) (73). INTERNATIONAL FIXED PUBLIC (23).	
15600–16360	FIXED. 536		15600–16360 FIXED.	15600–16360 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
16360–17410	MARITIME MOBILE. 532		16360–17410 MARITIME MOBILE. US82 US235	16360–17410 MARITIME MOBILE. US82 US235	MARITIME (81 & 83).	

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
17410–17550	FIXED.		17410–17550 FIXED.	17410–17550 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
17550–17900	BROADCASTING. 531		17550–17900 BROADCASTING. US235	17550–17900 BROADCASTING. US235	RADIO BROADCAST (HF) (73). INTERNATIONAL FIXED PUBLIC (23).	
17900–17970	AERONAUTICAL MOBILE (R).		17900–17970 AERONAUTICAL MOBILE (R). US283	17900–17970 AERONAUTICAL MOBILE (R). US283	AVIATION (87).	
17970–18030	AERONAUTICAL MOBILE (OR).		17970–18030 AERONAUTICAL MOBILE (OR).	17970–18030 AERONAUTICAL MOBILE (OR).		
18030–18052	FIXED.		18030–18068 FIXED.	18030–18068 FIXED.	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
18052–18068	FIXED. Space Research.					
18068–18168	AMATEUR 510 AMATEUR-SATELLITE. 537 538		18068–18168 510 US248	18068–18168 AMATEUR 510 AMATEUR-SATELLITE. US248	AMATEUR (97). INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
18168–18780	FIXED.		18168–18780 FIXED.	18168–18780 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
18780–18900	MARITIME MOBILE. 532		18780–18900 MARITIME MOBILE. US235	18780–18900 MARITIME MOBILE. US235	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
18900–19680	FIXED.		18900–19680 FIXED.	18900–19680 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
19680–19800	MARITIME MOBILE. 532		19680–19800 MARITIME MOBILE. US235	19680–19800 MARITIME MOBILE. US235	MARITIME (81 & 83).	
19800–19990	FIXED.		19800–19990 FIXED.	19800–19990 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
19990–19995	STANDARD FREQUENCY AND TIME SIGNAL. Space Research. 501		19990–20010 STANDARD FREQUENCY AND TIME SIGNAL.	19990–20010 STANDARD FREQUENCY AND TIME SIGNAL.		20000 kHz: Standard frequency.
19995–20010	STANDARD FREQUENCY AND TIME SIGNAL (20000 kHz). 501		501 G106	501		
20010–21000	FIXED. Mobile.		20010–21000 FIXED. Mobile.	20010–21000 FIXED.		
21000–21450	AMATEUR 510 AMATEUR-SATELLITE.		21000–21450 510	21000–21450 AMATEUR 510 AMATEUR-SATELLITE.	AMATEUR (97).	

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
21450 21850	BROADCASTING. 531		21450–21850 BROADCASTING. US235	21450–21850 BROADCASTING. US235	INTERNATIONAL FIXED PUBLIC (23). RADIO BROADCAST (HF) (73).	
21850–21870	FIXED. 539		21850–21924 FIXED.	21850–21924 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
21870–21924	AERONAUTICAL FIXED.		US293	US293		
21924–22000	AERONAUTICAL MOBILE (R).		21924–22000 AERONAUTICAL MOBILE (R).	21924–22000 AERONAUTICAL MOBILE (R).	AVIATION (87).	
22000–22855	MARITIME MOBILE. 532 540		22000–22855 MARITIME MOBILE. US235 US82	22000–22855 MARITIME MOBILE. US235 US82	INTERNATIONAL FIXED PUBLIC (23). MARITIME (81 & 83).	
22855–23000	FIXED. 540		22855–23000 FIXED.	22855–23000 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
23000–23200	FIXED. Mobile except aeronautical mobile (R). 540		23000–23200 FIXED. Mobile except aeronautical mobile (R).	23000–23200 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
23200–23350	AERONAUTICAL FIXED. AERONAUTICAL MOBILE (OR).		23200–23350 AERONAUTICAL MOBILE (OR).	23200–23350 AERONAUTICAL MOBILE (OR).		
23350–24000	FIXED. MOBILE except aeronautical mobile 541 542		23350–24890 FIXED. MOBILE except aeronautical mobile.	23350–24890 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
24000–24890	FIXED. LAND MOBILE. 542					
24890–24990	AMATEUR 510 AMATEUR-SATELLITE. 542 543		24890–24990 510 US248	24890–24990 AMATEUR 510 AMATEUR-SATELLITE. US248	AMATEUR (97).	
24990–25005	STANDARD FREQUENCY AND TIME SIGNAL (25000 kHz).		24990–25010 STANDARD FREQUENCY AND TIME SIGNAL.	24990–25010 STANDARD FREQUENCY AND TIME SIGNAL.		25000 kHz: Standard frequency.
25005–25010	STANDARD FREQUENCY AND TIME SIGNAL. Space Research.		G106			
25010–25070	FIXED. MOBILE except aeronautical mobile.		25010–25070	25010–25070 LAND MOBILE. NG112	PRIVATE LAND MOBILE (90).	
25070–25210	MARITIME MOBILE. 544		25070–25210 MARITIME MOBILE. US235 US281	25070–25210 MARITIME MOBILE. US235 US281 NG112	MARITIME (81 and 83). PRIVATE LAND MOBILE (90).	

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Allocation kHz	Allocation kHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
25210–25550	FIXED. MOBILE except aeronautical mobile.		25210–25330	25210–25330 LAND MOBILE.	PRIVATE LAND MOBILE (90).	
			25330–25550 FIXED. MOBILE except aeronautical mobile.	25330–25550		
25550–25670	RADIO ASTRONOMY. 545		25550–25670 RADIO ASTRONOMY. 545 US74 US249	25550–25670 RADIO ASTRONOMY. 545 US74 US249		
25670–26100	BROADCASTING.		25670–26100 BROADCASTING. US25	25670–26100 BROADCASTING. US25	AUXILIARY BROADCASTING (74). RADIO BROADCAST (HF) (73).	
26100–26175	MARITIME MOBILE. 544		26100–26175 MARITIME MOBILE. US235	26100–26175 MARITIME MOBILE. US235	AUXILIARY BROADCASTING (74). MARITIME (81 and 83).	
26175–27500	FIXED. MOBILE except aeronautical Mobile.		26175–26480	26175–26480 LAND MOBILE.	AUXILIARY BROADCASTING (74).	
			26480–26950 FIXED. MOBILE except aeronautical mobile. US10	26480–26950 US10		
			26950–27540	26950–26960 FIXED. 546	INTERNATIONAL FIXED PUBLIC (23).	
				26960–27230 MOBILE except aeronautical mobile. 546	PERSONAL (95).	27120±160 kHz: Industrial, scientific, and medical frequency.
				27230–27410 FIXED. MOBILE except aeronautical mobile. 546	PERSONAL (95). PRIVATE LAND MOBILE (90).	
	546					
27500–28000	METEOROLOGICAL AIDS. FIXED. MOBILE.		546	27410–27540 LAND MOBILE.	PRIVATE LAND MOBILE (90).	
			27540–28000 FIXED. MOBILE.	27540–28000		

§ 2.106 Table of Frequency Allocations.

International table			United States table		FCC use designators	
			Government	Non-Government	Rule part(s)	Special-use frequencies
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Allocation MHz	Allocation MHz		
	(2)	(3)	(4)	(5)	(6)	(7)
28.0–29.7	AMATEUR. AMATEUR-SATELLITE.		28.0–29.7	28.0–29.7 AMATEUR. AMATEUR-SATELLITE.	AMATEUR (97).	
29.7–30.005			29.7–29.89	29.7–29.8		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	FIXED. MOBILE.			LAND MOBILE.	PRIVATE LAND MOBILE (90).	
				29.8–29.89 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
			29.89–29.91 FIXED. MOBILE.	29.89–29.91		
			29.91–30.0	29.91–30.0 FIXED.	AVIATION (87). INTERNATIONAL FIXED PUBLIC (23).	
			30.0–30.56	30.0–30.56		
30.005–30.01	FIXED. MOBILE. SPACE RESEARCH. SPACE OPERATIONS (satellite identification).		MOBILE. Fixed.			
30.01–37.5						
	FIXED. MOBILE.		30.56–32.0	30.56–32.0 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
			32.0–33.0 FIXED. MOBILE.	32.0–33.0		
			33.0–34.0	33.0–34.0 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
			34.0–35.0 FIXED. MOBILE.	34.0–35.0		
			35.0–36.0	35.0–35.19 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
				35.19–35.69 LAND MOBILE. NG124	DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90).	
				35.69–36.0 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
			36.0–37.0 FIXED. MOBILE. US220	36.0–37.0 US220		
			37.0–37.5	37.0–37.5 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
37.5–38.25	FIXED. MOBILE. Radio Astronomy.		37.5–38.0 Radio Astronomy. 547	37.5–38.0 LAND MOBILE. Radio Astronomy. 547 NG59 NG124	PRIVATE LAND MOBILE (90).	
			38.0–38.25 FIXED. MOBILE. RADIO ASTRONOMY.	38.0–38.25 RADIO ASTRONOMY.		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	547		547 US81	547 US81		
38.25–39.986	FIXED. MOBILE.		38.25–39.0 FIXED. MOBILE.	38.25–39.0		
39.986–40.02	FIXED. MOBILE. Space Research.		39.0–40.0	39.0–40.0 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
40.02–40.98	FIXED. MOBILE. 548		40.0–42.0 FIXED. MOBILE.	40.0–42.0		40.68 MHz ± .02 MHz industrial, scientific and medical frequency.
40.98–41.015	FIXED. MOBILE. Space Research. 549 550 551					
41.015–44.0	FIXED. MOBILE.		548 US210 US220	548 US210 US220		
	549 550 551		42.0–46.6	42.0–43.19 LAND MOBILE. NG124 NG141	PRIVATE LAND MOBILE (90).	
				43.19–43.69 LAND MOBILE. NG124	DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90).	
44.0–47.0	FIXED. MOBILE.			43.69–46.6 LAND MOBILE. NG124 NG141	PRIVATE LAND MOBILE (90).	
	551 552		46.6–47.0 FIXED. MOBILE.	46.6–47.0		
47.0–68.0 BROADCASTING.	47.0–50.0 FIXED. MOBILE.	47.0–50.0 FIXED. MOBILE. BROADCASTING.	47.0–49.6	47.0–49.6 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
			49.6–50.0 FIXED. MOBILE.	49.6–50.0		
553 554 555 559 561	50.0–54.0 AMATEUR. 556 557 558 560		50.0–54.0	50.0–54.0 AMATEUR.	AMATEUR (97).	
	54.0–68.0 BROADCASTING. Fixed. Mobile. 562	54.0–68.0 FIXED. MOBILE. BROADCASTING.	54.0–72.0	54.0–72.0 BROADCASTING.	RADIO BROADCAST (TV) (73). Auxiliary Broadcasting (74).	
68.0–74.8 FIXED. MOBILE except aeronautical mobile.	68.0–72.0 BROADCASTING. Fixed. Mobile. 563	68.0–74.8 FIXED. MOBILE.				

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
564 585 567 568 571 572	72.0–73.0 FIXED. MOBILE.	566 568 571 572	72.0–73.0	72.0–73.0 FIXED. MOBILE. NG3 NG49 NG56	DOMESTIC PUBLIC LAND MOBILE (22). PERSONAL (95). PRIVATE LAND MOBILE (90).	
	73.0–74.6 RADIO ASTRONOMY. 569 570		73.0–74.6 RADIO ASTRONOMY. 569 US74	73.0–74.6 RADIO ASTRONOMY. 569 US74 NG133		
	746–74.8 FIXED. MOBILE. 572		74.6–74.8 FIXED. MOBILE. 572 US273	74.6–74.8 FIXED. MOBILE. 572 US273		
74.8–75.2	AERONAUTICAL RADIONAVIGATION. 572		74.8–75.2 AERONAUTICAL RADIONAVIGATION. 572	74.8–75.2 AERONAUTICAL RADIONAVIGATION. 572	AVIATION (87).	75 MHZ Marker Beacon.
75.2–87.5 FIXED. MOBILE except aeronautical mobile. 565 571 572 575 578	75.2–75.4 FIXED. MOBILE. 571 572		75.2–75.4 FIXED. MOBILE. 572 US273	75.2–75.4 FIXED. MOBILE. 572 US273		
	75.4–76.0 FIXED. MOBILE.	75.4–87.0 FIXED. MOBILE. 573 574 577 579	75.4–76.0	75.4–76.0 FIXED. MOBILE. NG3 NG49 NG56	DOMESTIC PUBLIC LAND MOBILE (22). PERSONAL (95). PRIVATE LAND MOBILE (90).	
	76.0–88.0 BROADCASTING. Fixed. Mobile.		76.0–88.0	76.0–88.0 BROADCASTING. NG129	RADIO BROADCAST (TV)(73). Auxiliary Broadcasting (74).	
87.5–100.0 BROADCASTING. 581 582	576	87.0–100.0 FIXED. MOBILE. BROADCASTING.				
	88–100 BROADCASTING.	580	88–108	88–108 BROADCASTING.	RADIO BROADCAST (FM) (73). Auxiliary Broadcasting (74).	
100–108	BROADCASTING. 582 583 584 585 586 587 588 589 590		US93	US93 NG2 NG128 NG129		
108.0–117.975	AERONAUTICAL RADIONAVIGATION.		108.0–117.975 AERONAUTICAL RADIONAVIGATION. US93	108.0–117.975 AERONAUTICAL RADIONAVIGATION. US93		
117.975–136.0	AERONAUTICAL MOBILE (R). 501 591 592 593 594		117.975–121.9375 AERONAUTICAL MOBILE (R). 501 591 592 593 US26 US28	117.975–121.9375 AERONAUTICAL MOBILE (R). 501 591 592 593 US26 US28	AVIATION (87).	
			121.9375–123.0875 591 US30 US31 US33 US80 US102 US213	121.9375–123.0875 AERONAUTICAL MOBILE 591 US30 US31 US33 US80 US102 US213	AVIATION (87).	
			123.0875–123.5875 AERONAUTICAL MOBILE	123.0875–123.5875 AERONAUTICAL MOBILE	AVIATION (87).	123.1 MHz for SAR Scene-of-Action Communication.

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			591 593 US32 US33 US112	591 593 US32 US33 US112		
			123.5875–128.8125 AERONAUTICAL MOBILE (R). 591 US26	123.5875–128.8125 AERONAUTICAL MOBILE (R). 591 US26	AVIATION (87).	
			128.8125–132.0125 591	128.8125–132.0125 AERONAUTICAL MOBILE (R). 591	AVIATION (87).	
			132.0125–136.0 AERONAUTICAL MOBILE (R). 591 US26	132.0125–136.0 AERONAUTICAL MOBILE (R). 591 US26	AVIATION (87).	
136.0–137.0 AERONAUTICAL MOBILE (R). FIXED. Mobile except aeronautical mobile (R). 591 595			136.0–137.0 591 US244	136.0–137.0 AERONAUTICAL MOBILE (R). 591 US244	AVIATION (87). SATELLITE COMMUNICATIONS (25).	
137.0–138.0 SPACE OPERATION (space-to-Earth). METEOROLOGICAL-SATELLITE (space-to-Earth). SPACE RESEARCH (space-to-Earth). Fixed. Mobile except aeronautical mobile (R). 596 597 598 599			137.0–138.0 SPACE OPERATION (space-to-Earth). METEOROLOGICAL-SATELLITE (space-to-Earth). SPACE RESEARCH (space-to-Earth).	137.0–138.0 SPACE OPERATION (space-to-Earth). METEOROLOGICAL-SATELLITE (space-to-Earth). SPACE RESEARCH (space-to-Earth).	SATELLITE COMMUNICATIONS (25).	
138.0–143.6 AERONAUTICAL MOBILE (OR). 600 601 602 604	138.0–143.6 FIXED. MOBILE. /RADIOLOCATION/. Space Research (space-to-Earth).	138.0–143.6 FIXED. MOBILE. Space Research (space-to-Earth). 599 603	138.0–144.0 FIXED. MOBILE.	138.0–144.0		
143.6–143.65 AERONAUTICAL MOBILE (OR). SPACE RESEARCH (space-to-Earth). 601 602 604	143.6–143.65 FIXED. MOBILE. SPACE RESEARCH (space-to-Earth). /RADIOLOCATION/.	143.6–143.65 FIXED. MOBILE. SPACE RESEARCH (space-to-Earth). 599 603				
143.65–144.0 AERONAUTICAL MOBILE (OR). 600 601 602 604	143.65–144.0 FIXED. MOBILE. /RADIOLOCATION/. Space Research (space-to-Earth).	143.65–144.0 FIXED. MOBILE. Space Research (space-to-Earth). 599 603	US10 G30	US10		
144.0–146.0 AMATEUR 510 AMATEUR-SATELLITE. 605 606			144.0–146.0 510	144.0–146.0 AMATEUR 510 AMATEUR-SATELLITE.	AMATEUR (97).	
146.0–149.9 FIXED. MOBILE except aeronautical Mobile (R).	146.0–148.0 AMATEUR. 607	146.0–148.0 AMATEUR. FIXED. MOBILE. 607	146.0–148.0	146.0–148.0 AMATEUR.	AMATEUR (97).	
608	148.0–149.9 FIXED. MOBILE. 608		148.0–149.9 FIXED. MOBILE. 608 US10 G30	148.0–149.9 608 US10	SATELLITE COMMUNICATION (25).	
149.9–150.05 RADIONAVIGATION-SATELLITE.			149.9–150.05 RADIONAVIGATION SATELLITE.	149.9–150.05 RADIONAVIGATION SATELLITE.		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	609					
150.05–153.0 FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY.	150.05–156.7625 FIXED. MOBILE.		150.05–150.8 FIXED. MOBILE. US216 G30	150.05–150.8 US216		
			150.8–156.2475	150.8–152.0 LAND MOBILE. NG51 NG112 NG124	PRIVATE LAND MOBILE (90).	
610 612	611 613		613 US216	152.0–152.255 LAND MOBILE. US216	DOMESTIC PUBLIC LAND MOBILE (22).	
				152.255–152.495 LAND MOBILE. NG124	PRIVATE LAND MOBILE (90).	
				152.495–152.855 LAND MOBILE. NG4	DOMESTIC PUBLIC LAND MOBILE (22).	
				152.855–156.2475 LAND MOBILE.	PRIVATE LAND MOBILE (90). AUXILIARY BROADCASTING (74).	
153.0–154.0 FIXED. MOBILE except aeronautical mobile (R). Meteorological Aids.						
154.0–156.7625 FIXED. MOBILE except aeronautical mobile (R). 613				613 NG4 NG112 NG117 NG124		
			156.2475–157.0375	156.2475–157.0375 MARITIME MOBILE. NG117		
156.7625–156.8375	MARITIME MOBILE. (distress and calling). 501 613					
156.8375–174.0 FIXED. MOBILE except aeronautical mobile.	156–8375–174.0 FIXED. MOBILE.					
			613 US77 US106 US107 US266	613 US77 US106 US107 US266		
613 614 615	613 616 617 618		157.0375–157.1875 MARITIME MOBILE. 613 US214 US266 G109	157.0375–157.1875 613 US214 US266	Private Land Mobile (90).	
			157.1875–157.45 613 US223 US266	157.1875–157.45 MARITIME MOBILE. 613 US223 US266 NG111	MARITIME (81 and 83).	
			157.45–161.575	157.45–157.755 LAND MOBILE. 613 US266 NG111 NG124	PRIVATE LAND MOBILE (90).	
				157.755–158.115 LAND MOBILE.	DOMESTIC PUBLIC LAND MOBILE (22).	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
				613		
				158.115–161.575 LAND MOBILE NG6	DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90).	
			613 US266	613 NG6 NG28 NG70 NG112 NG124		
			161.575–161.625 613 US77	161.575–161.625 MARITIME MOBILE. 613 US77 NG6 NG17	DOMESTIC PUBLIC LAND MOBILE (22). MARITIME (81 and 83)	
			161.625–161.775 613	161.625–161.775 LAND MOBILE. 613 NG6	AUXILIARY BROADCASTING (74). DOMESTIC PUBLIC LAND MOBILE (22).	
			161.775–162.0125 613 US266	161.775–162.0125 MARITIME MOBILE. 613 US266 NG6	DOMESTIC PUBLIC LAND MOBILE (22). MARITIME (81 and 83).	
			162.0125–173.2 FIXED. MOBILE. 613 US8 US11 US13 US216 US223. G5	162.0125–173.2 613 US8 US11 US13 US216 US223.	Auxiliary Broadcasting (74). Private Land Mobile (90).	
			173.2–173.4	173.2–173.4 FIXED. Land Mobile. NG124	Private Land Mobile (90).	
			173.4–174.0 FIXED. MOBILE. G5	173.4–174.0		
174–233 BROADCASTING.	174–216 BROADCASTING. Fixed. Mobile. 620	174–233 FIXED. MOBILE. BROADCASTING.	174–216	174–216 BROADCASTING. NG115	RADIO BROADCAST (TV) (73). Auxiliary Broadcasting (74).	
621 623 626 629	216–220 FIXED. MARITIME MOBILE. Radiolocation 627	619 624 625 626 630	216–220 MARITIME MOBILE. Aeronautical Mobile. Fixed. Land Mobile. Radiolocation 627 US210 US229 US274 G2	216–220 MARITIME MOBILE. Aeronautical Mobile. Fixed. Land Mobile. 627 US210 US229 US274 NG121	MARITIME (81 and 83). Private Land Mobile (90).	
	220–225 AMATEUR. FIXED. MOBILE. Radiolocation 627		220–225 FIXED. MOBILE. Radiolocation 627	220–225 AMATEUR. FIXED. MOBILE.	AMATEUR (97).	
223–230 BROADCASTING. Fixed Mobile.		223–230 FIXED.	Fixed.		MOBILE.	Mobile.
622 628 629 631 632 633 634 635.	225–235 FIXED. MOBILE.	636 637	225.0–328.6 FIXED. MOBILE.	225.0–328.6		
230–235 FIXED. MOBILE.		230–235 FIXED. MOBILE.	501 592 642 644	501 592 642 644.		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
629 632 633 634 635 638 639.		AERONAUTICAL RADIONAVIGATION. 637	G30 G100			
235–267	FIXED. MOBILE. 501 592 635 640 641 642					
267–272	FIXED. MOBILE. Space Operation (space-to-Earth). 641 643					
272–273	SPACE OPERATION (space-to-Earth) FIXED. MOBILE. 641					
273–322	FIXED. MOBILE. 641					
322.0–328.6	FIXED. MOBILE. RADIO ASTRONOMY 644					
328.6–335.4	AERONAUTICAL RADIONAVIGATION. 645		328.6–335.4 AERONAUTICAL RADIONAVIGATION. 645	328.6–335.4 AERONAUTICAL RADIONAVIGATION. 645		
335.4–399.9	FIXED. MOBILE. 641		335.4–399.9 FIXED. MOBILE. G30 G100	335.4–399.9		
399.9–400.05	RADIONAVIGATION-SATELLITE. 609		399.9–400.05 RADIONAVIGATION-SATELLITE.	399.9–400.05 RADIONAVIGATION-SATELLITE.		
400.05–400.15	STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE. (400.1 MHz) 646 647		400.05–400.15 STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE. 646	400.05–400.15 STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE. 646		400.1 MHz: Standard frequency.
400.15–401.0	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE (space-to-Earth). SPACE RESEARCH (space-to-Earth). Space Operation (space-to-Earth). 647		400.15–401.0 METEOROLOGICAL AIDS (radiosonde). METEOROLOGICAL-SATELLITE (space-to-Earth). SPACE RESEARCH (space-to-Earth). Space Operation (space-to-Earth). US70	400.15–401.0 METEOROLOGICAL AIDS (radiosonde). SPACE RESEARCH (space-to-Earth). Space Operation (space-to-Earth). US70	SATELLITE COMMUNICATION (25).	
401–402	METEOROLOGICAL AIDS. SPACE OPERATION (space-to-Earth). Earth Exploration-Satellite (Earth-to-space). Fixed. Meteorological-Satellite (Earth-to-space). Mobile except aeronautical mobile.		401–402 METEOROLOGICAL AIDS (radiosonde). SPACE OPERATION (space-to-Earth). Earth Exploration-Satellite (Earth-to-space). Meteorological-Satellite (Earth-to-space). US70	401–402 METEOROLOGICAL AIDS (radiosonde). SPACE OPERATION (space-to-Earth). Earth Exploration-Satellite (Earth-to-space). Meteorological-Satellite (Earth-to-space). US70	SATELLITE COMMUNICATIONS (25).	
402–403			402–403	402–403		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	METEOROLOGICAL AIDS. Earth Exploration-Satellite (Earth-to-space). Fixed. Meteorological-Satellite (Earth-to-space). Mobile except aeronautical mobile.		METEOROLOGICAL AIDS (radiosonde) Earth Exploration-Satellite (Earth-to-space) Meteorological-Satellite (Earth-to-space). US70	METEOROLOGICAL AIDS (radiosonde). Earth Exploration-Satellite (Earth-to-space). Meteorological-Satellite. (Earth-to-space). US70		
403–406	METEOROLOGICAL AIDS. Fixed. Mobile except aeronautical mobile. 648		403–406 METEOROLOGICAL AIDS (radiosonde). US70 G6	403–406 METEOROLOGICAL AIDS (radiosonde). US70		
406.0–406.1	MOBILE-SATELLITE (Earth-to-space). 649		406.0–406.1 MOBILE-SATELLITE (Earth-to-space). 649	406.0–406.1 MOBILE-SATELLITE (Earth-to-space). 649		
406.1–410.0	FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. 648 650		406.1–410.0 FIXED. MOBILE. RADIO ASTRONOMY. US13 US74 US117 G5 G6	406.1–410.0 RADIO ASTRONOMY. US13 US74 US117		
410–420	FIXED. MOBILE except aeronautical mobile.		410–420 FIXED. MOBILE. US13 G5	410–420 US13		
420–430	FIXED. MOBILE except aeronautical mobile. Radiolocation. 651 652 653		420–450 RADIOLOCATION. 664 668 US7 US87 US217 US228 G2 G8 G105	420–450 Amateur. 664 668 US7 US87 US217 US228 NG135	Amateur (97).	
430–440 AMATEUR. RADIOLOCATION. 653 654 655 656 657 658 659 661 662 663 664 665	430–440 RADIOLOCATION. Amateur. 653 658 659 660 663 664					
440–450	FIXED. MOBILE except aeronautical mobile. Radiolocation. 651 652 653 666 667 668					
450–460	FIXED. MOBILE. 653 668 669 670		450–460 668 669 670 US87 G105	450–451 LAND MOBILE. 668 US87	AUXILIARY BROADCASTING (74). SATELLITE COMMUNICATION (25).	
				451–454 LAND MOBILE. NG112 NG124	PRIVATE LAND MOBILE (90).	
				454–455 LAND MOBILE. NG12 NG112	DOMESTIC PUBLIC LAND MOBILE (22).	
				455–456 LAND MOBILE.	AUXILIARY BROADCASTING (74).	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
				456–459 LAND MOBILE. 669 670 NG112 NG124	PRIVATE LAND MOBILE (90).	
				459–460 LAND MOBILE. NG12 NG112	DOMESTIC PUBLIC LAND MOBILE (22).	
460–470	FIXED. MOBILE. Meterological-Statellite (space-to-Earth). 669 670 671 672		460–470 Meterological Satellite (space-to-Earth). 669 670 671 US201 US209 US216	460–462.5375 LAND MOBILE. 671 US201 US209 NG124	PRIVATE LAND MOBILE (90).	
				462.5375–462.7375 LAND MOBILE. 671 US201	PERSONAL (95).	
				462.7375–467.5375 LAND MOBILE. 669 671 US201 US209 US216 NG124	PRIVATE LAND MOBILE (90).	
				467.5375–467.7375 LAND MOBILE. 669 671 US201	PERSONAL (95).	
				467.7375–470.0 LAND MOBILE. 669 670 671 US201 US216 NG124	PRIVATE LAND MOBILE (90).	
470–790 BROADCASTING.	470–512 BROADCASTING. Fixed. Mobile. 674 675	470–585 FIXED. MOBILE. BROADCASTING. 673 677 679	470–512	470–512 BROADCASTING. LAND MOBILE. NG66 NG114 NG127	RADIO BROADCAST (TV) (73). DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90). Auxiliary Broadcasting (74).	
676 680 681 682 683 684 685 686 687 689 693 694	512–608 BROADCASTING. 678	585–610 FIXED. MOBILE. BROADCASTING. RADIONAVIGATION.	512–608	512–608 BROADCASTING.	RADIO BROADCAST (TV) (73). Auxiliary Broadcasting (74).	
	608–614 RADIO ASTRONOMY. Mobile-Satellite except aeronautical mobile-satellite (Earth-to-space).	688 689 690 610–890 FIXED. MOBILE. BROADCASTING.	608–614 RADIO ASTRONOMY. US74 US246	608–614 RADIO ASTRONOMY. US74 US246		
	614–806 BROADCASTING. Fixed. Mobile.		614–806 DBROADCASTING.	614–806 RADIO BROADCAST (TV) (73). Auxiliary Broadcasting (74). NG30 NG43		
790–862 FIXED. BROADCASTING	675 692 693					

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
694 695 696 697 698 699 702	806-890		806-902	806-821		
862-890 FIXED. MOBILE except aeronautical mobile. BROADCASTING 703.	FIXED. MOBILE. BROADCASTING.			LAND MOBILE. NG30 NG43 NG63	PRIVATE LAND MOBILE (90).	
699 704	700	677 688 689 690 691 693 701	US116 US268 G2	821-825 LAND MOBILE. NG30 NG43 NG63	Reserve.	
				825-845 LAND MOBILE. NG30 NG43 NG63	DOMESTIC PUBLIC LAND MOBILE (22).	
				845-851 LAND MOBILE. NG30 NG63	Reserve.	
				851-866 LAND MOBILE. NG30 NG63	PRIVATE LAND MOBILE (90).	
				866-870 LAND MOBILE. NG30 NG63	Reserve.	
				870-890 LAND MOBILE. NG30 NG63	DOMESTIC PUBLIC LAND MOBILE (22).	
890-942 FIXED. MOBILE except aeronautical mobile. BROADCASTING 703. Radiolocation. 704	890-902 FIXED. MOBILE except aeronautical mobile. Radiolocation. 705	890-942 FIXED. MOBILE. BROADCASTING. Radiolocation. 706		890-902 LAND MOBILE. US116 US268	Reserve.	
	902-928 FIXED. Amateur. Mobile except aeronautical mobile. Radiolocation. 705 707		902-928 RADIOLOCATION. 707 US215 US218 US267 US275 G11 G59	902-928 707 US215 US218 US267 US275	Amateur (97).	915 ± 13 MHz: Industrial, scientific and medical frequency.
	928-942 FIXED. MOBILE except aeronautical mobile. Radiolocation. 705		928-947 US116 US215 US268 G2	928-929 FIXED. US116 US215 US268	DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90). PRIVATE OPERATIONAL FIXED MICROWAVE (94).	
				929-932 LAND MOBILE. US116 US215 US268	DOMESTIC PUBLIC LAND MOBILE (22). PRIVATE LAND MOBILE (90).	
				932-947 LAND MOBILE. US116 US215 US268 NG64	Reserve.	
942-960 FIXED. MOBILE except aeronautical mobile.	942-960 FIXED. Mobile.	942-960 FIXED. MOBILE. BROADCASTING.	947-960	947-960	AUXILIARY BROADCASTING (74).	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
BROADCASTING 703 699 704	 708	 701		FIXED.	DOMESTIC PUBLIC LAND MOBILE (22). INTERNATIONAL FIXED PUBLIC (23). PRIVATE OPERATIONAL FIXED MICROWAVE (94).	
960–1215	AERONAUTICAL RADIONAVIGATION. 709		960–1215 AERONAUTICAL RADIONAVIGATION. 709 US224	960–1215 AERONAUTICAL RADIONAVIGATION. 709 US224	AVIATION (87).	
1215–1240	RADIOLOCATION. RADIONAVIGATION-SATELLITE (space-to-Earth) 710. 711 712 713		1215–1240 RADIOLOCATION. RADIONAVIGATION-SATELLITE (space-to-Earth). 713 G56	1215–1240 713		
1240–1260	RADIOLOCATION. RADIONAVIGATION-SATELLITE (space-to-Earth) 710. Amateur. 711 712 713 714		1240–1300 RADIOLOCATION.	1240–1300 Amateur.	Amateur (97).	
1260–1300	RADIOLOCATION. Amateur. 664 711 712 713 714		664 713 714 G56	664 713 714		
1300–1350	AERONAUTICAL RADIONAVIGATION 717 Radiolocation 715 716 718		1300–1350 AERONAUTICAL RADIONAVIGATION 717 Radiolocation 718 G2	1300–1350 AERONAUTICAL RADIONAVIGATION 717 718	AVIATION (87).	
1350–1400 FIXED. MOBILE. RADIOLOCATION. 718 719 720	1350–1400 RADIOLOCATION. 714 718 720		1350–1400 RADIOLOCATION. Fixed. Mobile. 714 718 720 G2 G27 G114	1350–1400 714 718 720		
1400–1427	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY SPACE RESEARCH (passive). 721 722		1400–1427 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 US74 US246	1400–1427 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY SPACE RESEARCH (passive). 722 US74 US246		
1427–1429	SPACE OPERATION (Earth-to-space). FIXED. MOBILE except aeronautical mobile. 722		1427–1429 SPACE OPERATION (Earth-to-space). FIXED. MOBILE except aeronautical mobile. 722 G30	1427–1429 SPACE OPERATION (Earth-to-space). Fixed (telemetering). Land Mobile (telemetering and telecommand). 722	Private Land Mobile (90). Satellite Communications (25).	
1429–1525 FIXED. MOBILE except aeronautical mobile. 722	1429–1525 FIXED. MOBILE 723 722		1429–1435 FIXED. MOBILE. 722 G30	1429–1435 Land Mobile (telemetering and telecommand). Fixed (telemetering) 722	Private Land Mobile (90).	
1525–1530 SPACE OPERATION (space-to-Earth). FIXED. Earth Exploration-Satellite. Mobile except aeronautical mobile 724 722 725	1525–1530 SPACE OPERATION (space-to-Earth). Earth Exploration-Satellite. Fixed. Mobile 723 722	1525–1530 SPACE OPERATION (space-to-Earth). FIXED. Earth Exploration-Satellite. Mobile 723 724 722	1435–1530 MOBILE (aeronautical telemetering). 722 US78	1435–1530 MOBILE (aeronautical telemetering). 722 US78	AVIATION (87).	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1530–1535 SPACE OPERATION (space-to-Earth). MARITIME MOBILE-SATELLITE (space-to-Earth). Earth Exploration-Satellite. Fixed. Mobile except aeronautical mobile. 722 726	1530–1535 SPACE OPERATION (space-to-Earth). MARITIME MOBILE-SATELLITE (space-to-Earth). Earth Exploration-Satellite. Fixed. Mobile 723 722 726		1530–1535 MARITIME MOBILE-SATELLITE (space-to-Earth). Mobile (aeronatuical telemetering). 722 US78 US272	1530–1535 MARITIME MOBILE-SATELLITE (space-to-Earth). Mobile (aeronautical telemetering). 722 US78 US272	AVIATION (87). SATELLITE COMMUNICATION (25).	
1535–1544	MARITIME MOBILE-SATELLITE (space-to-Earth). 722 727		1535–1544 MARITIME MOBILE-SATELLITE (space-to-Earth). 722	1535–1544 MARITIME MOBILE-SATELLITE (space-to-Earth). 722	MARITIME (81 and 83). SATELLITE COMMUNICATIONS (25).	
1544–1545	MOBILE-SATELLITE (space-to-Earth). 722 727 728		1544–1545 MOBILE-SATELLITE (space-to-Earth). 722 728	1544–1545 MOBILE-SATELLITE (space-to-Earth). 722 728	MARITIME (81 and 83). SATELLITE COMMUNICATION (25).	
1545–1559	AERONAUTICAL MOBILE-SATELLITE (R) (space-to-Earth). 722 727 729 730		1545–1559 AERONAUTICAL MOBILE-SATELLITE (R) (space-to-Earth). 722 729	1545–1559 AERONAUTICAL MOBILE-SATELLITE (R) (space-to-Earth). 722 729	AVIATION (87).	
1559–1610	AERONAUTICAL RADIONAVIGATION. RADIONAVIGATION-SATELLITE (space-to-Earth). 722 727 730 731		1559–1610 AERONAUTICAL RADIONAVIGATION. RADIONAVIAGATION-SATELLITE (space-to-Earth). 722 US39 US40 US208 US260	1559–1610 AERONAUTICAL RADIONAVIGATION. RADIONAVIGATION-SATELLITE (space-to-Earth). 722 US39 US40 US208 US260	AVIATION (87).	
1610–1626.5	AERONAUTICAL RADIONAVIGATION. 722 727 730 732 733 734		1610–1626.5 AERONAUTICAL RADIONAVIGATION. 722 732 733 734 US39 US40 US208 US260	1610–1626.5 AERONAUTICAL RADIONAVIGATION. 722 732 733 734 US39 US40 US208 US260	AVIATION (87).	
1626.5–1645.5	MARITIME MOBILE-SATELLITE (Earth-to-space). 722 727 730		1626.5–1645.5 MARITIME MOBILE-SATELLITE (Earth-to-space). 722 US39	1626.5–1645.5 MARITIME MOBILE-SATELLITE (Earth-to-space). 722 US39	MARITIME (81 and 83). SATELLITE COMMUNICATION (25).	
1645.5–1646.5	MOBILE-SATELLITE (Earth-to-space). 722 728		1645.5–1646.5 MOBILE-SATELLITE (Earth-to-space). 722 728 US39	1645.5–1646.5 MOBILE-SATELLITE (Earth-to-space). 722 728 US39	MARITIME (81 and 83). SATELLITE COMMUNICATION (25).	
1646.5–1660	AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). 722 727 730 735		1646.5–1660 AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). 722 735 US39	1646.5–1660 AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). 722 735 US39	AVIATION (87).	
1660–1660.5	AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). RADIO ASTRONOMY. 722 735 736		1660–1660.5 AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). RADIO ASTRONOMY. 722 735 736	1660–1660.5 AERONAUTICAL MOBILE-SATELLITE (R) (Earth-to-space). RADIO ASTRONOMY. 722 735 736	AVIATION (87).	
1660.5–1668.4	RADIO ASTRONOMY. SPACE RESEARCH (passive). Fixed. Mobile except aeronautical mobile.		1660.5–1668.4 RADIO ASTRONOMY. SPACE RESEARCH (passive).	1660.5–1668.4 RADIO ASTRONOMY. SPACE RESEARCH (passive).		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	722 736 737 738 739		722 US74 US246	722 US74 US246		
1668.4–1670.0	METEOROLOGICAL AIDS. FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY 722 736		1668.4–1670.0 METEOROLOGICAL AIDS (radiosonde). RADIO ASTRONOMY. 722 736 US74 US99	1668.4–1670.0 METEOROLOGICAL AIDS (radiosonde). RADIO ASTRONOMY. 722 736 US74 US99		
1670–1690	METEOROLOGICAL AIDS. FIXED. METEOROLOGICAL-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile. 722		1670–1690 METEOROLOGICAL AIDS (radiosonde). METEOROLOGICAL-SATELLITE (space-to-Earth). 722 US211	1670–1690 METEOROLOGICAL AIDS (radiosonde). METEOROLOGICAL-SATELLITE (space-to-Earth). 722 US211		
1690–1700 METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth). Mobile except aeronautical mobile. 671 722 741	1690–1700 METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE (space-to-Earth). 671 722 740 742		1690–1700 METEOROLOGICAL-AIDS (Radiosonde). METEOROLOGICAL-SATELLITE (space-to-Earth). 671 722	1690–1700 METEOROLOGICAL-AIDS (Rdiosonde). METEOROLOGICAL-SATELLITE (space-to-Earth). 671 722		
1700–1710 FIXED. METEOROLOGICAL-SATELLITE (space-to-Earth). Mobile except aeronautical mobile. 671 722	1700–1710 FIXED METEOROLOGICAL SATELLITE (space-to-Earth). MOBILE except aeronautical mobile. 671 722 743		1700–1710 FIXED METEOROLOGICAL-SATELLITE (space-to-Earth). 671 722 G118	1700–1710 METEOROLOGICAL-SATELLITE (space-to-Earth). Fixed. 671 722		
1710–2290 FIXED. Mobile.	1710–2290 FIXED. MOBILE.		1710–1850 FIXED. MOBILE. 722 US256 G42	1710–1850 722 US256		
722 744 746 747 748 750	722 744 745 746 747 748 749 750		1850–1990	1850–1990 FIXED.	1850–1990 PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
			1990–2110 US90 US111 US219 US222	1990–2110 FIXED. MOBILE. US90 US111 US219 US222 NG23 NG118	AUXILIARY BROADCASTING (74).	
			2110–2200 US111 US252	2110–2200 FIXED. US111 US252 NG23	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
			2200–2290 FIXED. MOBILE. SPACE RESEARCH (space-to-Earth) (space-to-space) G101	2200–2290		
2290–2300 FIXED. SPACE RESEARCH (space-to-Earth) (deep space). MOBILE except aeronautical mobile.	2290–2300 FIXED. MOBILE except aeronautical mobile. SPACE RESEARCH (space-to-Earth) (deep space).		2290–2300 FIXED. MOBILE except aeronautical mobile. SPACE RESEARCH (space-to-Earth) (deep space only).	2290–2300 SPACE RESEARCH (space-to-Earth) (deep space only).		
2300–2450	2300–2450		2300–2310	2300–2310		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
FIXED. Amateur. Mobile. Radiolocation.	FIXED. MOBILE. RADIOLOCATION. Amateur.		RADIOLOCATION Fixed. Mobile. US253 G2	Amateur. US253	Amateur (97).	
			2310–2390 MOBILE. RADIOLOCATION. Fixed. US276 G2	2310–2390 MOBILE US276		
664 752	664 751 752		2390–2450 RADIOLOCATION. 664 752 G2	2390–2450 Amateur. 664 752	Amateur (97).	
2450–2500 FIXED. MOBILE. Radiolocation.	2450–2500 FIXED. MOBILE. RADIOLOCATION.		2450–2500	2450–2500 FIXED. MOBILE. Radiolocation.	AUXILLIARY BROADCASTING (74). PRIVATE OPERATIONAL-FIXED MICROWAVE (94). PRIVATE LAND MOBILE (90).	2450 ± 50 MHz: Industrial, scientific and medical frequency.
752 753	752		752 US41	752 US41		
2500–2655 FIXED 762 763 764 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760	2500–2655 FIXED 762 764 FIXED-SATELLITE (space-to-Earth) 761 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760	2500–2535 FIXED 762 764 FIXED SATELLITE (space-to-Earth) 761 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760 754	2500–2655	2500–2655 FIXED. BROADCASTING-SATELLITE.	AUXILLIARY BROADCASTING (74).	
		2535–2655 FIXED 762 764 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760				
720 753 756 758 759	720 755	720	720 US205 US269	720 US205 US269 NG47 NG101 NG102		
2655–2690 FIXED 762 763 764 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760 Earth Exploration-Satellite (passive). Radio Astronomy. Space Research (passive).	2655–2690 FIXED 762 764 FIXED-SATELLITE (Earth-to-space) (space-to-Earth) 761 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760 Earth Exploration-Satellite (passive). Radio Astronomy. Space Research (passive).	2655–2690 FIXED 762 764 FIXED-SATELLITE (Earth-to-space) 761 MOBILE except aeronautical mobile. BROADCASTING-SATELLITE 757 760 Earth Exploration-Satellite (passive). Radio Astronomy. Space Research (passive).	2655–2690 Earth Exploration-Satellite (passive). Radio Astronomy. Space Research (passive).	2655–2690 FIXED. BROADCASTING-SATELLITE. Earth Exploration-Satellite (passive). Radio Astronomy. Space Research (passive).	AUXILIARY BROADCASTING (74). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
758 759 765	765	765 766	US205 US269	US205 US269 NG47 NG101 NG102		
2690–2700	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 767 768 769		2690–2700 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246	2690–2700 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246		
2700–2900	AERONAUTICAL RADIONAVIGATION 717. Radiolocation. 770 771		2700–2900 AERONAUTICAL RADIONAVIGATION 717. METEOROLOGICAL AIDS. Radiolocation. 770 US18 G2 G15	2700–2900 717 770 US18		
2900–3100			2900–3100	2900–3100		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	RADIONAVIGATION 773 774 775 Radiolocation. 772		MARITIME RADIONAVIGATION 774 775 Radiolocation. US44 US286 G56	MARITIME RADIONAVIGATION 774 775 Radiolocation. US44 US286	MARITIME (81 and 83).	
3100–3300	RADIOLOCATION. 713 776 777 778		3100–3300 RADIOLOCATION. 713 776 778 US110 G59	3100–3300 Radiolocation. 713 776 778 US110		
3300–3400 RADIOLOCATION 778 779 780	3300–3400 RADIOLOCATION. Amateur. Fixed. Mobile. 778 780	3300–3400 RADIOLOCATION. Amateur. 778 779	3300–3500 RADIOLOCATION. 664 778 US108 G31	3300–3500 Amateur. Radiolocation. 664 778 US108	Amateur (97).	
3400–3600 FIXED. FIXED-SATELLITE (space-to-Earth). Mobile. Radiolocation.	3400–3500 FIXED. FIXED-SATELLITE (space-to-Earth). Amateur. Mobile. Radiolocation 784 664 783					
     781 782 785	3500–3700 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile Radiolocation 784		3500–3600 AERONAUTICAL RADIONAVIGATION (ground-based). RADIOLOCATION US110 G59 G110	3500–3600 Radiolocation. US110		
3600–4200 FIXED. FIXED-SATELLITE (space-to-Earth). Mobile.	 786		3600–3700 AERONAUTICAL RADIONAVIGATION (ground-based). RADIOLOCATION US110 US245 G59 G110	3600–3700 FIXED-SATELLITE (space-to-Earth). Radiolocation. US110 US245		
	3700–4200 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile. 787		3700–4200	3700–4200 FIXED. FIXED-SATELLITE (space-to-Earth). NG41	DOMESTIC PUBLIC FIXED (21). SATELLITE COMMUNICATIONS (25).	
4200–4400	AERONAUTICAL RADIONAVIGATION 789 788 790 791		4200–4400 AERONAUTICAL RADIONAVIGATION. 791 US261	4200–4400 AERONAUTICAL RADIONAVIGATION. 791 US261	AVIATION (87).	
4400–4500	FIXED. MOBILE.		4400–4500 FIXED. MOBILE.	4400–4500		
4500–4800	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. 792		4500–4800 FIXED. MOBILE. US245	4500–4800 FIXED-SATELLITE (space-to-Earth). US245		
4800–4990	FIXED. MOBILE 793 Radio Astronomy. 720 778 794		4800–4990 FIXED. MOBILE. 720 778 US203 US257	4800–4990 720 778 US203 US257		
4990–5000	FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. Space Research (passive). 795		4990–5000 RADIO ASTRONOMY. Space Research (passive). US74 US246	4990–5000 RADIO ASTRONOMY. Space Research (passive). US74 US246		
5000–5250			5000–5250	5000–5250		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	AERONAUTICAL RADIONAVIGATION. 733 796 797		AERONAUTICAL RADIONAVIGATION. 733 796 797 US211 US260	AERONAUTICAL RADIONAVIGATION. 733 796 797 US211 US260	AVIATION (87).	
5250–5255	RADIOLOCATION. Space Research. 713 798		5250–5350 RADIOLOCATION.	5250–5350 Radiolocation.		
5255–5350	RADIOLOCATION. 713 798		713 US110 G59	713 US110		
5350–5460	AERONAUTICAL RADIONAVIGATION 799 Radiolocation.		5350–5460 AERONAUTICAL RADIONAVIGATION 799 RADIOLOCATION. US48 G56	5350–5460 AERONAUTICAL RADIONAVIGATION 799 Radiolocation. US48	AVIATION (87).	
5460–5470	RADIONAVIGATION 799 Radiolocation.		5460–5470 RADIONAVIGATION 799 Radiolocation. US49 US65 G56	5460–5470 RADIONAVIGATION 799 Radiolocation. US49 US65		
5470–5650	MARITIME RADIONAVIGATION 772 Radiolocation.		5470–5600 MARITIME RADIONAVIGATION. Radiolocation. US50 US65 US288 G56	5470–5600 MARITIME RADIONAVIGATION Radiolocation. US50 US65 US286	MARITIME (81 and 83).	
	800 801 802		5600–5650 MARITIME RADIONAVIGATION. METEOROLOGICAL AIDS. Radiolocation. 802 US51 US65 G56	5600–5650 MARITIME RADIONAVIGATION. METEOROLOGICAL AIDS. Radiolocation. 802 US51 US65	MARITIME (81 and 83).	
5650–5725	RADIOLOCATION. Amateur. Space Research (deep space). 664 801 803 804 805		5650–5850 RADIOLOCATION.	5650–5850 Amateur.	Amateur (97). Industrial, Scientific, and Medical Equipment (18).	58000±75 MHz Industrial, scientific and medical frequency.
5725–5850 FIXED-SATELLITE (Earth-to-space). RADIOLOCATION. Amateur. 801 803 805 806 807 808	5725–5850 RADIOLOCATION. Amateur. 803 805 806 808		664 806 808 G2	644 806 808		
5850–5925 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 806	5850–5925 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Amateur. Radiolocation. 806	5850–5925 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Radiolocation. 806	5850–5925 RADIOLOCATION. 806 US245 G2	5850–5925 FIXED-SATELLITE (Earth-to-space). Amateur. 806 US245	Amateur (97).	
5925–7075	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 791 809		5925–7125 791 809	5925–6425 FIXED. FIXED SATELLITE (Earth-to-space). NG41	DOMESTIC PUBLIC FIXED (21). SATELLITE COMMUNICATIONS (25).	
				6425–6525 FIXED-SATELLITE (Earth-to-space). MOBILE. 791 809 NG122	DOMESTIC PUBLIC FIXED (21). Auxiliary Broadcasting (74).	
				6525–6875		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
				FIXED. FIXED-SATELLITE (Earth-to-space). 809	PRIVATE OPERATION-FIXED MICROWAVE (94).	
				6875–7075 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 809 NG118	AUXILIARY BROADCASTING (74).	
7075–7250	FIXED. MOBILE. 809 810 811			7075–7125 FIXED. MOBILE. 809 NG118	AUXILIARY BROADCASTING (74).	
			7125–7190 FIXED. 809 US252 G116	7125–8450		
			7190–7235 FIXED. SPACE RESEARCH (Earth-to-space). 809			
			7235–7250 FIXED. 809	809 US252 US258		
7250–7300	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. 812		7250–7300 FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). Fixed. G117			
7300–7450	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautial mobile. 812		7300–7450 FIXED. FIXED-SATELLITE (space-to-Earth). Mobile-Satellite (space-to-Earth). G117			
7450–7550	FIXED. FIXED-SATELLITE (space-to-Earth). METEOROLOGICAL-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile.		7450–7550 FIXED. FIXED-SATELLITE (space-to-Earth). METEOROLOGICAL-SATELLITE (space-to-Earth). Mobile-Satellite (space-to-Earth). G104 G117			
7550–7750	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile.		7550–7750 FIXED. FIXED-SATELLITE (space-to-Earth). Mobile-Satellite (space-to-Earth). G117			
7750–7900	FIXED. MOBILE except aeronautical mobile.		7750–7900 FIXED.			
7900–7975	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 812		7900–8025 FIXED-SATELLITE (Earth-to-space). MOBILE-SATELLITE (Earth-to-space). Fixed.			
7975–8025	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 812		G117			
8025–8175	8025–8175	8025–8175	8025–8175			

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	EARTH EXPLORATION-SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE 814	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	EARTH EXPLORATION-SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE (Earth-to-space). Mobile-Satellite (Earth-to-space) (no airborne transmission). US258 G117			
8175–8215 FIXED. FIXED-SATELLITE (Earth-to-space). METEOROLOGICAL-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	8175–8215 EARTH EXPLORATION-SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE (Earth-to-space). METEOROLOGICAL-SATELLITE (Earth-to-space). MOBILE 814	8175–8215 FIXED. FIXED-SATELLITE (Earth-to-space). METEOROLOGICAL-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	8175–8215 EARTH EXPLORATION SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE (Earth-to-space). METEOROLOGICAL-SATELLITE (Earth-to-space). Mobile-Satellite (Earth-to-space) (no airborne transmissions). US258 G104 G117			
8215–8400 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	8125–8400 EARTH EXPLORATION-SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE. (Earth-to-space). MOBILE 814	8215–8400 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-Earth) 813 815	8215–8400 EARTH EXPLORATION SATELLITE (space-to-Earth). FIXED. FIXED-SATELLITE (Earth-to-space). Mobile-Satellite (Earth-to-space) (no airborne transmissions). US258 G117			
8400–8500	FIXED. MOBILE except aeronautical mobile. SPACE RESEARCH (space-to-Earth) 816 817		8400–8450 FIXED. SPACE RESEARCH (space-to-Earth) (deep space only).			
	818		8450–8500 FIXED. SPACE RESEARCH (space-to-Earth).	8450–8500 SPACE RESEARCH (space-to-Earth).		
8500–8750	RADIOLOCATION. 713 819 820		8500–9000 RADIOLOCATION.	8500–9000 Radiolocation.		
8750–8850	RADIOLOCATION. AERONAUTICAL RADIONAVIGATION 821 822					
8850–9000	RADIOLOCATION. MARITIME RADIONAVIGATION 823 824		713 US53 US110 G59	713 US53 US110		
9000–9200	AERONAUTICAL RADIONAVIGATION 717 Radiolocation. 822		9000–9200 AERONAUTICAL RADIONAVIGATION 717 Radiolocation. US48 US54 G2 G19	9000–9200 AERONAUTICAL RADIONAVIGATION 717 Radiolocation. US48 US54	AVIATION (87).	
9200–9300	RADIOLOCATION. MARITIME RADIONAVIGATION 772 823 824		9200–9300 MARITIME RADIONAVIGATION. RADIOLOCATION. US110 G59 772 823	9200–9300 MARITIME RADIONAVIGATION. Radiolocation. US110 772 823		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
9300–9500	RADIONAVIGATION 774 775 Radiolocation. 825		9300–9500 RADIONAVIGATION 774 775 Meteorological Aids. Radiolocation. US51 US66 US67 US71 G56	9300–9500 RADIONAVIGATION 774 775 Meterological Aids. Radiolocation. US51 US66 US67 US71		
9500–9800	RADIOLOCATION. RADIONAVIGATION. 713		9500–10,000 RADIOLOCATION.	9500–10,000 Radiolocation.		
9800–10,000	RADIOLOCATION. Fixed. 826 827 828		713 828 US110	713 828 US110		

§ 2.106 Table of Frequency Allocations.

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
10.0–10.45 FIXED. MOBILE. RADIOLOCATION. Amateur. 828	10.00–10.45 RADIOLOCATION. Amateur. 828 829	10.00–10.45 FIXED. MOBILE. RADIOLOCATION. Amateur. 828	10.0–10.45 RADIOLOCATION. 828 US58 US108 G32	10.0–10.45 Amateur. Radiolocation. 828 US58 US108 NG42	Amateur (97). Private Land Mobile (90).	
10.45–10.5	RADIOLOCATION. Amateur. Amateur-Satellite. 830		10.45–10.50 RADIOLOCATION. US58 US108 G32	10.45–10.50 Amateur. Amateur-Satellite. Radiolocation. US58 US108 NG42 NG134	Amateur (97). Private Land Mobile (90).	
10.50–10.55 FIXED. MOBILE. Radiolocation.	10.50–10.55 FIXED. MOBILE. RADIOLOCATION.		10.50–10.55 RADIOLOCATION. US59	10.50–10.55 RADIOLOCATION. US59	PRIVATE LAND MOBILE (90).	
10.55–10.60	FIXED. MOBILE except aeronautical mobile. Radiolocation.		10.55–10.60	10.55–10.60 FIXED.	DOMESTIC PUBLIC FIXED (21).	
10.60–10.68	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. SPACE RESEARCH (passive). Radiolocation. 831 832		10.60–10.68 EARTH-EXPLORATION-SATELLITE (passive). SPACE REASEARCH (passive). US265 US277	10.60–10.68 EARTH EXPLORATION-SATELLITE (passive). FIXED. SPACE RESEARCH (passive). US265 US277	DOMESTIC PUBLIC FIXED (21).	
10.68–10.70	EARTH EXPLORATION-STATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 833 834		10.68–10.70 EARTH-EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246	10.68–10.70 EARTH EXPLORATION-STATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246		
10.7–11.7 FIXED. FIXED-SATELLITE (space-to Earth). (Earth-to-space) 835 MOBILE except aeronautical mobile.	10.7–11.7 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile.		10.7–11.7 US211	10.7–11.7 FIXED. FIXED-SATELLITE (space-to-Earth). US211 NG41 NG104	DOMESTIC PUBLIC FIXED (21).	
11.7–12.5	11.7–12.1	11.7–12–2	11.7–12.2	11.7–12.2		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
FIXED. BROADCASTING. BROADCASTING-SATELLITE. Mobile except aeronautical mobile.	FIXED 837 FIXED-SATELLITE (space-to Earth). Mobile except aeronautical mobile. 836 839 840	FIXED. MOBILE except aeronautical mobile. BROADCASTING. BROADCASTING-SATELLITE.		FIXED.SATELLITE (space-to Earth). Mobile except aeronautical mobile.	DOMESTIC PUBLIC FIXED (21). SATELLITE COMMUNICATION (25).	
	12.1–12.3 FIXED 837 FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile. BROADCASTING. BROADCASTING-SATELLITE.					
838 840	839 840 841 842 843 844	838 840	839 840	839 840 NG143 NG145		
		12.2–12.5 FIXED. MOBILE except aeronautical mobile. BROADCASTING.	12.2–12.7	12.2–12.7 FIXED. BROADCASTING-SATELLITE.	INTERNATIONAL PUBLIC (23). PRIVATE OPERATIONAL-FIXED MICROWAVE (94). DIRECT BROADCAST SATELLITE SERVICE (100).	
	12.3–12.7 FIXED. MOBILE except aeronautical mobile.	838 840 845				
12.5–12.75 FIXED-SATELLITE (space-to-Earth) (Earth-to-space).	BROADCASTING. BROADCASTING-SATELLITE. 839 840 843 844 846	12.5–12.75 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile.	839 840 843 844	839 840 843 844 NG139		
	12.7–12.75 FIXED. FIXED-SATELLITE. MIBILE except aeronautical mobile.	BROADCASTING-SATELLITE 847	12.7–12.75	12.7–12.75 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE.	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
840 848 849 850	840	840	840	840 NG53 NG118		
12.75.13–25	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE Space Research (deep space) (space-to-Earth).		12.75–13.25 US251	12.75–13.25 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. US251 NG53 NG104 NG118	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
13.25–13.40	AERONAUTICAL RADIONAVIGATION 851 852 853		13.25–13.40 AERONAUTICAL RADIONAVIGATION 851 Space Research (Earth-to-space)	13.25–13.40 AERONAUTICAL RADIONAVIGATION 851 Space Research (Earth-to-space).	AVIATION (87).	
13.4–14.0	RADIOLOCATION. Standard Frequency and Time Signal-Satellite (Earth-to-space). Space Research. 713 853 854 855		13.4–14.0 RADIOLOCATION. Standard Frequency and Time Signal-Satellite (Earth-to-space). Space Research 713 US110 G59	13.4–14.0 Radiolocation. Standard Frequency and Time Signal-Satellite (Earth-to-space). Space Research 713 US110	PRIVATE LAND MOBILE (90).	
14.00–14.25			14.0–14.2	14.0–14.2		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	FIXED-SATELLITE (Earth-to-space) 858 RADIONAVIGATION 856 Space Research. 857 859		RADIONAVIGATION. Space Research. US287 292	FIXED-SATELLITE (Earth-to-space). RADIONAVIGATION. Space Research. US287 US292	Aviation (87). Maritime (81 & 83). SATELLITE COMMUNICATION (25).	
			14.2–14.3 US287	14.2–14.3 FIXED-SATELLITE (Earth-to-space). US287	SATELLITE COMMUNICATION (25).	
4.25–14.30	FIXED-SATELLITE (Earth-to-space) 858 RADIONAVIGATION 856 Space Research. 857 859 860 861					
14.3–14.4 FIXED. FIXED-SATELLITE (Earth-to-space) 858 MOBILE except aeronautical mobile. Radionavigation-Satellite. 859	14.3–14.4 FIXED-SATELLITE (Earth-to-space) 858 Radionavigation-Satellite. 859	14.3–14.4 FIXED. FIXED-SATELLITE (Earth-to-space) 858 MOBILE except aeronautical mobile. Radionavigation-Satellite. 859	14.3–14.4 US287	14.3–14.4 FIXED-SATELLITE (Earth-to-space). US287	SATELITE COMMUNICATION (25).	
14.40–14.47	FIXED. FIXED-SATELLITE (Earth-to-space) 858 MOBILE except aeronautical mobile. Space Research (space-to-Earth). 859		14.4–14.5 Fixed. Mobile. 862 US203 US234 US287	14.4–14.5 FIXED-SATELLITE (Earth-to-space). 862 US203 US234 US287	SATELLITE COMMUNICATION (25).	
14.47–14.50	FIXED. FIXED-SATELLITE (Earth-to-space) 858 MOBILE except aeronautical mobile. Radio Astronomy. 859 862					
14.5–14.8	FIXED. FIXED-SATELLITE (Earth-to-space) 863 MOBILE. Space Research.		14.5000–14.7145 FIXED. Mobile. Space Research.	14.50–15.35		
			14.7145–15.1365 MOBILE. Fixed. Space Research. G119			
14.80–15.35	FIXED. MOBILE. Space Research. 720		15.1365–15.35 FIXED. Mobile. Space Research. 720 US211	720 US211		
15.35–15.40	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 864 865		15.35–15.40 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246	15.35–15.40 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246		
15.4–15.7	AERONAUTICAL RADIONAVIGATION. 733 797		15.4–15.7 AERONAUTICAL RADIONAVIGATION. 733 797 US211 US260	15.4–15.7 AERONAUTICAL RADIONAVIGATION. 733 797 US211 US260	AVIATION (87).	
15.7–16–6	RADIOLOCATION.		15.7–16.6 RADIOLOCATION.	15.7–17.2 Radiolocation.	Private Land Mobile (90).	

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	866 867		US110 G59			
16.6–17.1	RADIOLOCATION. Space Research (deep space) (Earth-to-space). 866 867		16.6–17.1 RADIOLOCATION. Space Research (deep space) (Earth-to-space). US110 G59	US110		
17.1–17.2	RADIOLOCATION. 866 867		17.1–17.2 RADIOLOCATION. US110 G59			
17.2–17.3	RADIOLOCATION. Earth Exploration-Satellite (active). Space Research (active). 866 867		17.2–17.3 RADIOLOCATION. Earth Exploration-Satellite (active). Space Research (active). US110 G59	17.2–17.3 Radiolocation. Earth Exploration-Satellite (active). Space Research (active). US110	Private Land Mobile (90).	
17.3–17.7	FIXED-SATELLITE (Earth-to-space) 869 Radiolocation. 868		17.3–17.7 Radiolocation. US259 US271 G59	17.3–17.7 FIXED-SATELLITE (Earth-to-space). US259 US271 NG140		
17.7–18.1	FIXED. FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 869 MOBILE.		17.7–17.8 US271	17.7–17.8 FIXED. FIXED-SATELLITE (space-to-Earth) (Earth-to-space). MOBILE. US271 NG140 NG144	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). DOMESTIC PUBLIC FIXED (21) PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
18.1–18.6	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. 870		17.8–18.6 870	17.8–18.6 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. 870 NG144	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
18.6–18.8 FIXED. FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile. Earth Exploration-Satellite (passive). Space Research (passive). 871	18.6–18.8 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile. SPACE RESEARCH (passive). 871	18.6–18.8 FIXED. FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile. Earth-Exploration-Satellite (passive). Space Research (passive). 871	18.6–18.8 EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). US254 US255	18.6–18.8 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE except aeronautical mobile. SPACE RESEARCH (passive). US254 US255	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
18.8–19.7	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.		18.8–19.7	18.8–19.7 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.	AUXILIARY BROADCASTING (74). CABLE TELEVISION RELAY (78). DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
19.7–20.2	FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). 873		19.7–20.2	19.7–20.2 FIXED SATELLITE (space-to-Earth). Mobile-Satellite (space-to-Earth).		
20.2–21.2			20.2–21.2	20.2–21.2		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
	(2)	(3)	(4)	(5)	(6)	(7)
	FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). Standard Frequency and Time Signal-Satellite (space-to-Earth). 873		FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). Standard Frequency and Time Signal-Sateilite (space-to-Earth). G117	Standard Frequency and Time Signal-Satellite (space-to-Earth).		
21.2-21.4	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive).		21.2-21.4 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). US263	21.2-21.4 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). US263	21.2-21.4 DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
21.4-22.0	FIXED. MOBILE.		21.4-22.0 FIXED. MOBILE.	21.4-22.0 FIXED. MOBILE.	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
22.00-22.21	FIXED. MOBILE except aeronautical mobile. 874		22.00-22.21 FIXED. MOBILE except aeronautical mobile. 874	22.00-22.21 FIXED. MOBILE except aeronautical mobile. 874	DOMESTIC PUBLIC MOBILE (22). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
22.21-22.50	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. SPACE RESEARCH (passive). 875 876		22.21-22.50 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. SPACE RESEARCH (passive). 875 US263	22.21-22.50 EARTH EXPLORATION SATELLITE (passive). FIXED. MOBILE except aeronautical mobile. RADIO ASTRONOMY. SPACE RESEARCH (passive). 875 US263	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
22.50-22.55 FIXED. MOBILE.	22.50-22.55 BROADCASTING-SATELLITE 877 FIXED. MOBILE. 878		22.50-22.55 FIXED. MOBILE. US211	22.50-22.55 BROADCASTING-SATELLITE. FIXED. MOBILE. US211	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
22.55-23.00 FIXED. INTER-SATELLITE. MOBILE. 879	22.55-23.00 BROADCASTING-SATELLITE 877 FIXED. INTER-SATELLITE. MOBILE. 878 879		22.55-23.00 FIXED. INTER-SATELLITE. MOBILE. 879 US278	22.55-23.00 BROADCASTING-SATELLITE. FIXED. INTER-SATELLITE. MOBILE. 879 US278	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
23.00-23.55	FIXED. INTER-SATELLITE. MOBILE. 879		23.00-23.55 FIXED. INTER-SATELLITE. MOBILE. 879 US278	23.00-23.55 FIXED. INTER-SATELLITE. MOBILE. 879 US278	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
23.55-23.60	FIXED. MOBILE.		23.55-23.60 FIXED. MOBILE.	23.55-23.60 FIXED. MOBILE.	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
23.6-24.0	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 880		23.6-24.0 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246	23.6-24.0 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246		
24.00-24.05	AMATEUR. AMATEUR-SATELLITE. 881		24.00-24.05 881 US211	24.00-24.05 AMATEUR. AMATEUR-SATELLITE. 881 US211	AMATEUR (97).	

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
	(2)	(3)	(4)	(5)	(6)	(7)
24.05–24.25	RADIOLOCATION. Amateur. Earth Exploration-Satellite (active). 881		24.05–24.25 RADIOLOCATION. Earth Exploration-Satellite (active). 881 US110 G59	24.05–24.25 Amateur. Radiolocation. Earth Exploration-Satellite (active). 881 US110	Amateur (97). Private Land Mobile (90).	24.125 ± 125 GHz: Industrial, scientific and medical frequency.
24.25–25.25	RADIONAVIGATION.		24.25–25.25 RADIONAVIGATION.	24.24–25.25 RADIONAVIGATION.	AVIATION (87).	
25.25–27.00	FIXED. MOBILE. Earth Exploration-Satellite (space-to-space). Standard Frequency and Time Signal-Satellite (Earth-to-space).		25.25–27.00 FIXED. MOBILE. Earth Exploration-Satellite (space-to-space). Standard Frequency and Time Signal-Satellite (Earth-to-space).	25.25–27.00 Earth Exploration-Satellite (space-to-space). Standard Frequency and Time Signal-Satellite (Earth-to-space).		
27.0–27.5 FIXED. MOBILE. Earth Exploration-Satellite (space-to-space).	27.0–27.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. Earth Exploration-Satellite (space-to-space).		27.0–27.5 FIXED. MOBILE. Earth-Exploration-Satellite (space-to-space).	27.0–27.5 Earth Exploration Satellite (space-to-space).		
27.5–29.5	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE.		27.5–29–5	27.5–29.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE.	DOMESTIC PUBLIC FIXED (21).	
29.5–30.0	FIXED-SATELLITE (Earth-to-space). Mobile-Satellite (Earth-to-space). 882 883		29.5–30.0 882	29.5–30.0 FIXED-SATELLITE (Earth-to-space). Mobile-Satellite (Earth-to-space). 882		
30.0–31.0	FIXED-SATELLITE (Earth-to-space). MOBILE-SATELLITE (Earth-to-space). Standard Frequency and Time Signal-Satellite (space-to-Earth). 883		30.0–31.0 FIXED-SATELLITE (Earth-to-space). MOBILE-SATELLITE (Earth-to-space). Standard Frequency and Time Signal-Satellite (space-to-Earth). G117	30.0–31.0 Standard Frequency and Time Signal-Satellite (space-to-Earth).		
31.0–31.3	FIXED. MOBILE. Standard Frequency and Time Signal-Satellite (space-to-Earth). Space Research 884. 885 886		31.0–31.3 Standard Frequency and Time Signal-Satellite (space-to-Earth). 886 US211	31.0–31.3 FIXED. MOBILE. Standard Frequency and Time Signal-Satellite (space-to-Earth). 886 US211	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
31.3–31.5	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 887		31.3–31.8 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive).	31.3–31.8 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive).		
31.5–31.8 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). Fixed. Mobile except aeronautical mobile. 888 889	31.5–31.8 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 888	31.5–31.8 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). Fixed. Mobile except aeronautical mobile. 888	US74 US246	US74 US246		
31.8–32.0	RADIONAVIGATION. Space Research. 890 891 892		31.8–32.0 RADIONAVIGATION. US69 US211 US262	31.8–32.0 RADIONAVIGATION. US69 US211 US262		
32.0–32.3			32.0–33.0	32.0–33.0		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	INTER-SATELLITE RADIONAVIGATION. Space Research. 890 891 892 893		INTER-SATELLITE RADIONAVIGATION.	INTER-SATELLITE RADIONAVIGATION.		
32.3–33.0	INTER-SATELLITE RADIONAVIGATION. 892 893		893 US69 US262 US278	893 US69 US262 US278		
33.0–33.4	RADIONAVIGATION. 892		33.0–33.4 RADIONAVIGATION. US69	33.0–33.4 RADIONAVIGATION. US69		
33.4–34.2	RADIOLOCATION. 892 894		33.4–36.0 RADIOLOCATION. 897 US110 US252 G34	33.4–36.0 Radiolocation. 897 US110 US252	Private Land Mobile (90).	
34.2–35.2	RADIOLOCATION. Space Research 895 896 894					
35.2–36.0	METEOROLOGICAL AIDS. RADIOLOCATION. 894 897					
36.0–37.0	EARTH EXPLORATION- SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 898		36.0–37.0 EARTH EXPLORATION- SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 898 US263	36.0–37.0 EARTH EXPLORATION- SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 898 US263		
37.0–37.5	FIXED. MOBILE. 899		37.0–38.6 FIXED. MOBILE.	37.0–38.6 FIXED. MOBILE.	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94).	
37.5–39.5	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.					
	899		38.6–39.5 US291	38.6–39.5 FIXED. MOBILE. FIXED-SATELLITE (space-to-Earth). US291	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (90). Auxiliary Broadcasting (74).	
39.5–40.5	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. MOBILE-SATELLITE (space-to-Earth).		39.5–40.0 FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). US291 G117	39.5–40.0 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. MOBILE-SATELLITE (space-to-Earth). US291	DOMESTIC PUBLIC FIXED (21). PRIVATE OPERATIONAL-FIXED MICROWAVE (94). Auxiliary Broadcasting (74).	
			40.0–40.5 FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth). G117	40.0–40.5 FIXED-SATELLITE (space-to-Earth). MOBILE-SATELLITE (space-to-Earth).		
40.5–42.5			40.5–42.5	40.5–42.5		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	BROADCASTING-SATELLITE. /BROADCASTING/. Fixed. Mobile.		US211	BROADCASTING-SATELLITE. /BROADCASTING/. Fixed. Mobile. US211		
42.5–43.5	FIXED. FIXED-SATELLITE (Earth-to-space) 901 MOBILE except aeronautical mobile. RADIO ASTRONOMY. 900		42.5–43.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE except aeronautical mobile. RADIO ASTRONOMY. 900	42.5–43.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE except aeronautical mobile. RADIO ASTRONOMY. 900		
43.5–47.0	MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903		43.5–45.5 FIXED-SATELLITE (Earth-to-space). MOBILE-SATELLITE (Earth-to-space). G117	43.5–45.5		
			45.5–47.0 MOBILE. MOBILE-SATELLITE (Earth-to-space). RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903	45.5–47.0 MOBILE. MOBILE-SATELLITE (Earth-to-space). RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903		
47.0–47.2	AMATEUR. AMATEUR-SATELLITE.		47.0–47.2	47.0–47.2 AMATEUR. AMATEUR-SATELLITE.	AMATEUR (97).	
47.2–50.2	FIXED. FIXED-SATELLITE (Earth-to-space) 901. MOBILE 905. 904		47.2–50.2 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 904 US264 US297	47.2–50.2 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 904 US264 US297		
50.2–50.4	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive).		50.2–50.4 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). US263	50.2–50.4 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). US263		
50.4–51.4	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE Mobile-Satellite (Earth-to-space).		50.4–51.4 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. MOBILE-SATELLITE (Earth-to-space). G117	50.4–51.4 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. MOBILE-SATELLITE (Earth-to-space).		
51.4–54.25	EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 906 907		51.4–54.25 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246	51.4–54.25 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246		
54.25–58.2	EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). 908		54.25–58.2 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). US263	54.25–58.2 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). US263		
58.2–59.0	EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 906 907		58.2–59.0 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246	58.2–59.0 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
59–64	FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910 911		59–64 FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910 911	59–64 FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910 911		61.25 GHz ± 250 MHz: Industrial, scientific and medical frequency.
64–65	EARTH EXPLORATION-SATELLITE (passive). SPEACE RESEARCH (passive). 906 907		64–65 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246	64–65 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246		
65–66	EARTH EXPLORATION-SATELLITE. SPACE RESEARCH. Fixed. Mobile.		65–66 EARTH EXPLORATION-SATELLITE. SPACE RESEARCH. Fixed. Mobile.	65–66 EARTH EXPLORATION-SATELLITE. SPACE RESEARCH. Fixed. Mobile.		
66–71	MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903		66–71 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903	66–71 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903		
71–74	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. MOBILE-SATELLITE (Earth-to-space). 906		71–74 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. MOBILE-SATELLITE (Earth-to-space). US270	71–74 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. MOBILE-SATELLITE (Earth-to-space). US270		
74.0–75.5	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE.		74.0–75.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. US297	74.0–75.5 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. US297		
75.5–76.0	AMATEUR. AMATEUR-SATELLITE.		75.5–76.0	75.5–76.0 AMATEUR. AMATEUR-SATELLITE.	AMATEUR (97).	
76–81	RADIOLOCATION. Amateur. Amateur-Satellite. 912		76–81 RADIOLOCATION. 912	76–81 RADIOLOCATION. Amateur. Amateur-Satellite. 912	Amateur (97).	
81–84	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. MOBILE-SATELLITE (space-to-Earth).		81–84 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. MOBILE-SATELLITE (space-to-Earth).	81–84 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. MOBILE-SATELLITE (space-to-Earth).		
84–86	FIXED. MOBILE. BROADCASTING. BROADCASTING-SATELLITE. 913		84–86 FIXED. MOBILE. 913 US211	84–86 FIXED. MOBILE. BROADCASTING. BROADCASTING-SATELLITE. 913 US211		
86–92	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 907		86–92 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246	86–92 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US74 US246		
92–95	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. RADIOLOCATION. 914		92–95 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. RADIOLOCATION. 914	92–95 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. RADIOLOCATION. 914		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
95–100	MOBILE 902. MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation. 903 904		95–100 MOBILE 902. MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation. 903 904	95–100 MOBILE 902. MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation. 903 904		
100–102	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 722		100–102 EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 722 US246	100–102 EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 722 US246		
102–105	FIXED. FIXED-SATELLITE (space-to-Earth). 722		102–105 FIXED. FIXED-SATELLITE (space-to-Earth). 722 US211	102–105 FIXED. FIXED-SATELLITE (space-to-Earth). 722		
105–116	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 907		105–116 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 US74 US246	105–116 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 US74 US246		
116–126	EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909 722 915 916		116–126 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909 SPACE RESEARCH (passive). 722 915 916 US211 US263	116–126 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909 SPACE RESEARCH (passive). 722 915 916 US211 US263		122.5 ± 5 GHz: Industrial scientific and medical frequency.
126–134	FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910		126–134 FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910	126–134 FIXED. INTER-SATELLITE. MOBILE 909 RADIOLOCATION 910		
134–142	MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation. 903 917 918		134–142 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation 903 917 918	134–142 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. Radiolocation. 903 917 818		
142–144	AMATEUR. AMATEUR-SATELLITE.		142–144	142–144 AMATEUR. AMATEUR-SATELLITE.	AMATEUR (97).	
144–149	RADIOLOCATION. Amateur. Amateur-Satellite. 918		144–149 RADIOLOCATION. 918	144–149 RADIOLOCATION. Amateur. Amateur-Satellite. 918	Amateur (97).	
149–150	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.		149–150 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.	149–150 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE.		
150–151	EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (passive). 919		150–151 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (passive). 919 US263	150–151 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (passive). 919 US263		
151–164			151–164	151–164		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	FIXED. FIXED-SATELLITE (space-to-Earth).		FIXED. FIXED-SATELLITE. 211	FIXED. FIXED-SATELLITE. 211		
164–168	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive).		164–168 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246	164–168 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246		
168–170	FIXED. MOBILE.		168–170 FIXED. MOBILE.	168–170 FIXED. MOBILE.		
170.0–174.5	FIXED. INTER-SATELLITE. MOBILE 909. 919		170.0–174.5 FIXED. INTER-SATELLITE. MOBILE 909. 919	170.0–174.5 FIXED. INTER-SATELLITE. MOBILE 909. 919		
174.5–176.5	EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). 919		174.5–176.5 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). 919 US263	174.5–176.5 EARTH EXPLORATION-SATELLITE (passive). FIXED. INTER-SATELLITE. MOBILE 909. SPACE RESEARCH (passive). 919 US263		
176.5–182.0	FIXED. INTER-SATELLITE. MOBILE 909 919		176.5–182.0 FIXED. INTER-SATELLITE. MOBILE 909 919 US211	176.5–182.0 FIXED. INTER-SATELLITE. MOBILE 909. 919 US211		
182–185	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 920 921		182–185 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246	182–185 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). US246		
185–190	FIXED. INTER-SATELLITE. MOBILE 909 919		185–190 FIXED. INTER-SATELLITE. MOBILE 909 919 US211	185–190 FIXED. INTER-SATELLITE. MOBILE 909 919 US211		
190–200	MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 722 903		190–200 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 722 903	190–200 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 722 903		
200–202	EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 722		200–202 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 722 US263	200–202 EARTH EXPLORATION-SATELLITE (passive). FIXED. MOBILE. SPACE RESEARCH (passive). 722 US263		
202–217	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 722		202–217 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 722	202–217 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. 722		
217–231	EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 907		217–231 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 US74 US246	217–231 EARTH EXPLORATION-SATELLITE (passive). RADIO ASTRONOMY. SPACE RESEARCH (passive). 722 US74 US246		
231–235			213–235	231–235		

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Region 3—allocation GHz	Government	Non-Government	Rule part(s)	Special-use frequencies
			Allocation GHz	Allocation GHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation.		FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation. US211	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation. US211		
235–238	EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (passive).		235–238 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (passive). US263	235–238 EARTH EXPLORATION-SATELLITE (passive). FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. SPACE RESEARCH (Passive). US263		
238–241	FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation.		238–241 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation.	238–241 FIXED. FIXED-SATELLITE (space-to-Earth). MOBILE. Radiolocation.		
241–248	RADIOLOCATION. Amateur. Amateur-Satellite. 922		241–248 RADIOLOCATION. 922	241–248 RADIOLOCATION. Amateur. Amateur-Satellite. 922	Amateur (97).	245 ± 1 GHz: Industrial scientific and medical frequency.
248–250	AMATEUR. AMATEUR-SATELLITE.		248–250	248–250 AMATEUR. AMATEUR-SATELLITE	AMATEUR (97).	
250–252	EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 923		250–252 EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 923	250–252 EARTH EXPLORATION-SATELLITE (passive). SPACE RESEARCH (passive). 923		
252–265	MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONATIVATION-SATELLITE. 903 923 924 925		252–265 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903 923 924 US211	252–265 MOBILE 902 MOBILE-SATELLITE. RADIONAVIGATION. RADIONAVIGATION-SATELLITE. 903 923 924 US211		
265–275	FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. RADIO ASTRONOMY. 926		265–275 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE. RADIO ASTRONOMY. 926	265–275 FIXED. FIXED-SATELLITE (Earth-to-space). MOBILE RADIO ASTRONOMY. 926		
275–400	(Not allocated)		275–300 FIXED. MOBILE. 927	275–300 FIXED. MOBILE. 927		
	927		Above 300. (Not allocated). 927	Above 300. (Not allocated). 927	Amateur (97).	

International Footnotes

444 Administrations authorizing the use of frequencies below 9 kHz shall ensure that no harmful interference is caused thereby to the services to which the bands above 9 kHz are allocated (see also No. 1816).

445 Administrations conducting scientific research using frequencies below 9 kHz are urged to advise other administrations that may be concerned in order that such research may be afforded all practicable protection from harmful interference.

446 *Additional allocation:* In Bulgaria, Hungary, Poland, the German Democratic Republic, Czechoslovakia, and the U.S.S.R., the band 14—17 kHz is also allocated to the radionavigation service on a permitted basis.

447 The stations of services to which the bands 14—19.95 kHz and 20.5—70 kHz and in Region 1 also the bands 72—84 kHz and 86—90 kHz are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Bulgaria, Hungary, Mongolia, Poland, Czechoslovakia, and the U.S.S.R., the frequencies 25 kHz and 50 kHz will be used for this purpose under the same conditions.

448 The use of the bands 14—19.95 kHz, 20.05—70 kHz, 70—90 kHz (72—84 kHz and 86—90 kHz in Region 1) and 90—110 kHz by the maritime mobile service is limited to cost radiotelegraph stations (A1A and F1B only). Exceptionally, the use of class J2B or J7B emissions is authorized subject to the necessary bondwidth not exceeding that normally used for class A1A or F1B emissions in the bands concerned.

449 *Additional allocation:* In Bulgaria, Hungary, Poland, the German Democratic Republic, Czechoslovakia, and the U.S.S.R.,

the band 67—70 kHz is also allocated to the radionavigation service on a permitted basis.

450 *Different category of service:* In Bangladesh, Iran and Pakistan the allocation of the bands 70—72 kHz and 84—86 kHz to the fixed and maritime mobile services is on a primary basis (see No. 425).

451 The use of the bands 70—90 kHz (70—86 kHz in Region 1) and 110—130 kHz (112—130 kHz in Region 1) by the radionavigation service is limited to continuous wave systems.

452 In Region 2, the establishment and operation of stations in the maritime radionavigation service in the bands 70—90 kHz and 110—130 kHz shall be subject to agreement obtained under the procedure set forth in Article 14 with administrations whose services, operating in accordance with the Table, may be affected. However, stations of the fixed, maritime mobile and radiolocation services shall not cause harmful interference to stations in the maritime radionavigation service under such agreements.

453 Administrations which operate stations in the radionavigation service in the band 90—110 kHz are urged to coordinate technical and operating characteristics in such a way as to avoid harmful interference to the services provided by these stations.

454 Only classes A1A or F1B, A2C, A3C, F1C or F3C emissions are authorized for stations of the fixed service in the bands allocated to this service between 90 kHz and 160 kHz (148.5 kHz in Region 1) and for stations of the maritime mobile service in the bands allocated to this service between 110 kHz and 160 khz (148.5 kHz in Region 1). Exceptionally, class J2B or J7B emissions are also authorized in the bands between 110 kHz and 160 kHz (148.5 kHz in Region 1) for stations of the maritime mobile service.

455 *Different category of service:* In Bangladesh, Iran and Pakistan, the allocation of the bands 112—117.6 kHz and 126—129 kHz to the fixed and maritime mobile services is on a primary basis (see No. 425).

456 *Different category of service:* In Federal Republic of Germany, the allocation of the band 115—117.6 kHz to the fixed and maritime mobile services is on a primary basis (see No. 425) and to the radionavigation service on a secondary basis (see No. 424).

457 *Additional allocation:* In Bulgaria, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia, and the U.S.S.R., the band 130—148.5 kHz is also allocated to the radionavigation service on a secondary basis. Within and between these countries this service shall have an equal right to operate.

458 In Region 1, the change of the band limits from 150 kHz and 285 kHz to 148.5 kHz and 283.5 kHz respectively shall take place on 1 February 1986 for the lower limit and 1 February 1990 for the upper limit (see Resolution 500).

459 In the Region 2 polar areas (north of 60° N and south of 60° S) which are subject to auroral disturbances, the aeronautical fixed service is the primary service in the band 160—190 kHz.

460 *Alternative allocation:* In Angola, Botswana, Burundi, the Congo, Malawi, Rwanda, South Africa and Zaire, the band 160—200 kHz is allocated to the fixed service on a primary basis.

461 *Additional allocation:* In Somalia, the band 200—255 kHz is also allocated to the aeronautical radionavigation service on a primary basis.

462 *Alternative allocation:* In Angola, Botswana, Burundi, Cameroon, Central African Republic, the Congo, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Nigeria, Oman, Rwanda, South Africa, Swaziland, Tanzania, Chad, Zaire, Zambia and Zimbabwe, the band 200—283.5 kHz is allocated to the aeronautical radionavigation service on a primary basis.

463 *Different category of service:* In Sudan and Yemen (P.D.R. of), the allocation of the band 255—283.5 kHz to the aeronautical radionavigation service is on a primary basis (see No. 425).

464 *Alternative allocation:* In Tunisia, the band 255—283.5 kHz is allocated to the broadcasting service on a primary basis.

465 Norwegian stations of the fixed service situated in northern areas (north of 60° N) subject to auroral disturbances are allowed to continue operation on four frequencies in the bands 283.5—490 kHz and 510—526.5 kHz.

466 In the band 285—325 kHz (283.5—325 kHz in Region 1), in the maritime radionavigation service, radiobeacon stations may also transmit supplementary navigational information using narrow-band techniques, on condition that the prime function of the beacon is not significantly degraded.

467 *Different category of service:* In the U.S.S.R., and the Black Sea areas of Bulgaria, Roumania and Turkey, the allocation of the band 315—325 kHz to the maritime radionavigation service is on a primary basis (see No. 425) under the following conditions:

(a) In the Black Sea and White Sea areas, the maritime radionavigation service is the primary service and the aeronautical radionavigation service is the permitted service;

(b) In the Baltic Sea area, the assignment of frequencies in this band to new stations in the maritime or aeronautical radionavigation services shall be subject to prior consultation between the administrations concerned.

468 The frequency 410 kHz is designated for radio direction-finding in the maritime radionavigation service. The other radionavigation services to which the band 405—415 kHz is allocated shall not cause harmful interference to radio direction-finding in the band 406.5—413.5 kHz.

469 *Additional allocation:* In Afghanistan, Australia, China, the Overseas French Territories of Region 3, India, Japan and Papua New Guinea, the band 415—495 kHz is also allocated to the aeronautical radionavigation service on a permitted basis.

470 The use of the bands 415—495 kHz and 505—526.5 kHz (505—510 kHz in Region 2) by the maritime mobile service is limited to radiotelegraphy.

471 The bands 490—495 kHz and 505—510 kHz shall be subject to the provisions of No. 3018 until the provisions of Recommendation 200 have been implemented.

472 The frequency 500 kHz is the international distress and calling frequency for radiotelegraphy. The conditions for its use are prescribed in Article 38.

473 In Region 1, in the band 505—526.5 kHz, the administrations which operate stations of the aeronautical radionavigation service shall take the technical steps necessary to avoid harmful interference to the maritime mobile service.

474 In the Federal Republic of Germany, Belgium, Spain, France, Iceland, Italy, Norway, the Netherlands, the United Kingdom, Sweden and Yugoslavia, the frequency 518 kHz is used on an experimental basis for the transmission by coast stations of meteorological and navigational warnings to ships, by means of narrowband direct-printing telegraphy.

475 In the band 515.5—526.5 kHz, Austria may continue to operate only those broadcasting stations listed in Additional Protocol III to the Final Acts of the Regional Administrative LF/MF Broadcasting Conference (Regions 1 and 3), Geneva, 1975. This operation is allowed until the entry into force of a revision of the Geneva Plan, 1975, and subject to not causing harmful interference to the maritime mobile and aeronautical radionavigation services.

476 *Additional allocation:* In the United Kingdom, the band 519.5—526.5 kHz is also allocated to the broadcasting service on a secondary basis for the transmission of public utility information.

477 In Region 2, in the band 525—535 kHz the carrier power of broadcasting stations shall not exceed 1 kilowatt during the day and 250 watts at night.

478 *Additional allocation:* In Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe, the band 526.5—535 kHz is also allocated to the mobile service on a secondary basis.

479 *Additional allocation:* In China, the band 526.5—535 kHz also allocated to the aeronautical radionavigation service on a secondary basis.

480 In Region 2, the use of the band 1 605—1 705 kHz by stations of the broadcasting service shall be subject to a plan to be established by a regional administrative radio conference (see Recommendation 504).

481 In Region 2, until the dates decided by the regional administrative radio conference referred to in No. 480, the band 1 605—1 705 kHz is allocated to the fixed, mobile and aeronautical radionavigation services on a primary basis and to the radiolocation service on a secondary basis (see Recommendation 504).

482 *Additional allocation:* In Australia, Indonesia, New Zealand, the Philippines, Singapore, Sri Lanka and Thailand, the band 1 606.5—1 705 kHz is also allocated to the broadcasting service on a secondary basis.

483 *Different category of service:* In Bulgaria, Hungary, Mongolia, Nigeria, Poland, the German Democratic Republic, Chad, Czechoslovakia and the U.S.S.R., the allocation of the bands 1 606.5—1 625 kHz, 1 635–1 800 kHz and 2 107—2 160 kHz to the fixed and land mobile services is on a primary basis (see No. 425).

484 Some countries of Region 1 use radiodetermination systems in the bands 1 606.5—1 625 kHz, 1 635—1 800 kHz, 1 850—2 160 kHz, 2 194–2 300 kHz, 2 502—2 850 kHz and 3 500—3 800 kHz. The establishment and operation of such systems are subject to agreement obtained under the procedure set forth in Article 14. The radiated mean power of these stations shall not exceed 50 W.

485 *Additional allocation:* In Angola, Bulgaria, Hungary, Mongolia, Nigeria, Poland, the German Democratic Republic, Chad, Czechoslovakia and the U.S.S.R., the bands 1 625—1 635 kHz, 1 800—1 810 kHz and 2 160—2 170 kHz are also allocated to the fixed and land mobile services on a primary basis subject to agreement obtained under the procedure set forth in Article 14.

486 In Region 1, in the bands 1 625—1 635 kHz, 1 800—1 810 kHz and 2 160—2 170 kHz (except in the countries listed in No. 485 and those listed in No. 499 for the band 2 160—2 170 kHz), existing stations in the fixed and mobile except aeronautical mobile services (and stations of the aeronautical mobile (OR) service in the band 2 160—2 170 kHz) may continue to operate on a primary basis until satisfactory replacement assignments have been found and implemented in accordance with Resolution 38.

487 In Region 1, the establishment and operation of radiolocation stations in the bands 1 625—1 635 kHz, 1 800—1 810 kHz and 2 160—2 170 kHz shall be subject to agreement obtained under the procedure set forth in Article 14 (see also No. 486). The radiated mean power of radiolocation stations shall not exceed 50 W. Pulse systems are prohibited.

488 In the Federal Republic of Germany, Denmark, Finland, Hungary, Ireland, Israel, Jordan, Malta, Norway, Poland, the German Democratic Republic, the United Kingdom, Sweden, Czechoslovakia and the U.S.S.R., administrations may allocate up to 200 kHz to their amateur service in the band 1 715—1 800 kHz and 1 850—2 000 kHz. However, when allocating the bands within this range to their amateur service, administration shall, after prior consultation with administrations of neighbouring countries, take such steps as may be necessary to prevent harmful interference from their amateur service to the fixed and mobile services of other countries. The mean power of any amateur station shall not exceed 10 W.

489 In Region 2, Loran stations operating in the band 1 800—2 000 kHz shall cease operation by 31 December 1982. In Region 3, the Loran system operates either on 1 850 kHz or 1 950 kHz, the bands occupied being 1 825—1 875 kHz and 1 925—1 975 kHz respectively. Other services to which the band 1 800—2 000 kHz is allocated may use any frequency therein on condition that no harmful interference is caused to the Loran system operating on 1 850 kHz or 1 950 kHz.

490 *Alternative allocation:* In the Federal Republic of Germany, Angola, Austria, Belgium, Bulgaria, Cameroon, the Congo, Denmark, Egypt, Spain, Ethiopia, France, Greece, Italy, Lebanon, Luxembourg, Malawi, the Netherlands, Portugal, Syria, the German Democratic Republic, Somalia, Tanzania, Tunisia, Turkey and the U.S.S.R., the band 1 810—1 830 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

491 *Additional allocations:* In Saudi Arabia, Iraq, Israel, Libya, Poland, Roumania, Chad, Czechoslovakia, Togo and Yugoslavia, the band 1 810—1 830 kHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

492 In Region 1, the use of the band 1 810—1 850 kHz by the amateur service is subject to the condition that satisfactory replacement assignments have been found and implemented in accordance with Resolution 38, for frequencies to all existing stations of the fixed and mobile, except aeronautical mobile, services operating in this band (except for the stations of the countries listed in Nos. 490, 491 and 493). On completion of satisfactory transfer, the authorization to use the band 1 810—1 830 kHz by the amateur service in countries situated totally or partially north of 40° N shall be given only after consultation with the countries mentioned in Nos. 490 and 491 to define the necessary steps to be taken to prevent harmful interference between amateur stations and stations of other services operating in accordance with Nos. 490 and 491.

493 *Alternative allocations:* In Burundi and Lesotho, the band 1 810—1 850 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

494 *Alternative allocation:* In Argentina, Bolivia, Chile, Mexico, Paraguay, Peru, Uruguay and Venezuela, the band 1 850—2 000 kHz is allocated to the fixed, mobile except aeronautical mobile, radiolocation and radionavigation services on a primary basis.

495 In Region 1, in making assignments to stations in the fixed and mobile services in the bands 1 850—2 045 kHz, 2 194—2 498 kHz, 2 502—2 625 kHz and 2 650—2 850 kHz, administrations should bear in mind the special requirements of the maritime mobile service.

496 In Region 1, the use of the band 2 025—2 045 kHz by the meteorological aids service is limited to oceanographic buoy stations.

497 In Region 2, except in Greenland, coast stations and ship stations using radiotelephony in the band 2 065—2 107 kHz shall be limited to class R3E or J3E emissions and to a peak envelope power not exceeding 1 kW. Preferably, the following carrier frequencies should be used: 2 065.0 kHz, 2 079.0 kHz, 2 082.5 kHz, 2 086.0 kHz, 2 093.0 kHz, 2 096.5 kHz, 2 100.0 kHz and 2 103.5 kHz. In Argentina, Brazil, and Uruguay, the carrier frequency 2 068.5 kHz and 2 075.5 kHz are also used for this purpose, while the frequencies within the band 2 072—2 075.5 kHz are used as provided in No. 4245.

498 In Regions 2 and 3, provided no harmful interference is caused to the maritime mobile service, the frequencies between 2 065 kHz and 2 107 kHz may be used by stations of the fixed service com ## Saudi Arabia, Botswana, Ethiopia, Iraq, Lesotho, Libya, Malawi, Somalia, Swaziland and Zambia, the band 2 160—2 170 kHz is also allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis. The mean power of stations in these services shall not exceed 50 W.

500 The frequency 2 182 kHz is the international distress and calling frequency for radiotelephone. The conditions for the use of the band 2 173.5—2 190.5 kHz are prescribed in Articles 38 and 60.

501 The frequency 2 182 kHz, 3 023 kHz, 5 680 kHz, 8 364 kHz, 121.5 MHz, 156.8 MHz and 243 MHz may also be used, in accordance with the procedures in force for terrestrial radiocommunication services, for search and rescue operations concerning manned space vehicles.

The same applies to the frequency 10 003 kHz, 14 993 kHz and 19 993 kHz, but in each of these cases emissions must be confined in a band of ±3 kHz about the frequency.

502 *Alternative allocation:* In Belgium, Cyrus, Denmark, Spain, France, Greece, Iceland, Italy, Malta, Norway, the Netherlands, Portugal, the United Kingdom, Singapore, Sri Lanka, Sweden, Turkey and Yugoslavia, the band 2 194—2 300 kHz is allocated to the maritime mobile service on a primary basis and the fixed and land mobile services on a permitted basis.

503 For the conditions for the use of the band 2 300—2 495 kHz (2 498 kHz in Region 1), 3 200—3 400 kHz, 4 750—4 995 kHz and 5 005—5 060 kHz by the broadcasting service, see Nos. 406 to 410, 411 and 2666 to 2673.

504 *Alternative allocation:* In Belgium, Cyrus, Denmark, Spain, France, Greece, Iraq, Italy, Malta, Norway, the Netherlands, Portugal, the United Kingdom, Sweden, Turkey and Yugoslavia, the band 2 502—2 625 kHz is allocated to the maritime mobile service on a primary basis and to the fixed and land mobile services on a permitted basis.

505 The carrier (reference) frequencies 3 023 kHz and 5 680 kHz may also be used, in accordance with Nos. 2980 and 2984 respectively, by stations of the maritime mobile service engaged in coordinated search and rescue operations.

506 Administrations are urged to authorize the use of the band 3 155—3 195 kHz to provide a common world-wide channel for low power wireless hearing aids. Additional channels for these devices may be assigned by administrations in the bands between 3 155 kHz and 3 400 kHz to suit local needs.

It should be noted that the frequencies in the range 3 000 kHz to 4 000 kHz are suitable for hearing aid devices which are designed to operate over short distances within the induction field.

507 *Alternative allocation:* In Belgium, Cameroon, Cyprus, Ivory Coast, Denmark, Egypt, Spain, France, Greece, Iceland, Italy, Liberia, Malta, Norway, the Netherlands, the United Kingdom, Singapore, Sri Lanka, Sweden, Togo, Turkey and Yugoslavia, the band 3 155—3 200 kHz is allocated to the maritime mobile service on a primary basis and to the fixed and land mobile services on a permitted basis.

508 *Additional allocation:* In Australia, Brazil, Canada, the United States, Japan, Mexico, New Zealand, Peru and Uruguay, the band 3 230—3 400 kHz is also allocated to the radiolocation service on a secondary basis.

509 *Additional allocation:* In Honduras, Mexico, Peru and Venezuela, the band 3 500—3 750 kHz is also allocated to the fixed and mobile services on a primary basis.

510 For the use of these bands allocated to the amateur service at 3.5 MHz, 7.0 MHz, 10.1 MHz, 14.0 MHz, 18.068 MHz, 21.0 MHz, 24.89 MHz and 144 MHz in the event of natural disasters, see Resolution 640.

511 *Additional allocation:* In Brazil, the band 3 700—4 000 kHz is also allocated to the radiolocation service on a primary basis.

512 *Alternative allocation:* In Argentina, Bolivia, Chile, Ecuador, Paraguay, Peru and Uruguay, the band 3 750—4 000 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

513 *Alternative allocation:* In Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe, the band 3 900—3 950 kHz is allocated to the broadcasting service on a primary basis. The use of this band by the broadcasting service is subject to agreement obtained under the procedure set forth in Article 14 with neighbouring countries having services operating in accordance with the Table.

514 *Additional allocation:* In Canada, the band 3 950—4 000 kHz is also allocated to the broadcasting service on a primary basis. The power of broadcasting stations operating in this band shall not exceed that necessary for a national service within the frontier of this country and shall not cause harmful interference to other services operating in accordance with the Table.

515 *Additional allocation:* In Greenland, the band 3 950—4 000 kHz is also allocated to the broadcasting service on a primary basis. The power of the broadcasting stations operating in this band shall not exceed that necessary for a national service and shall in no case exceed 5 kW.

516 In Region 3, the stations of those services to which the band 3 995—4 005 kHz is allocated may transmit standard frequency and time signals.

517 The use of the band 4 000—4 063 kHz by the maritime mobile service is limited to ship stations using radiotelephony (see No. 4373).

518 In Afghanistan, Argentina, Australia, Botswana, China, India, Swaziland, Chad and the U.S.S.R., in the bands 4 063—4 123 kHz, 4 130—4 133 kHz and 4 408—4 438 kHz, stations of limited power in the fixed service which are situated at least 600 km from the coast may operate on condition that harmful interference is not caused to the maritime mobile service.

519 On condition that harmful interference is not caused to the maritime mobile service, the frequencies in the bands 4 063—4 123 kHz and 4 130—4 438 kHz may be used exceptionally by stations in the fixed service communicating only within the boundary of the country in which they are located with a mean power not exceeding 50 W.

520 For the use of the carrier frequency 4 125 kHz in the zone of Regions 1 and 2 south of latitude 15° N., including Mexico, and in the zone of Region 3 south of latitude 25° N., see No. 2982.

521 *Different category of service:* In the U.S.S.R., the allocation of band 5 130—5 250 kHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. 425).

522 On condition that harmful interference is not caused to the maritime mobile service, the bands 6 200—6 213.5 kHz and 6 220.5—6 525 kHz may be used exceptionally by stations in the fixed service, communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 W. At the time of notification of these frequencies, the attention of the International Frequency Registration Board will be drawn to the above conditions.

523 For the use of the carrier frequency 6 215.5 kHz in the zone of Region 3 south of latitude 25° N., see No. 2986.

524 The band 6 765—6 795 kHz (centre frequency 6 780 kHz) is designated for industrial, scientific and medical (ISM) applications. The use of this frequency band for ISM applications shall be subject to special authorization by the administration concerned, in agreement with other administrations whose radiocommunication services might be affected. In applying this provision, administrations shall have due regard to the latest relevant CCIR Recommendations.

525 *Different category of service:* In Mongolia and the U.S.S.R., the allocation of the band 6 765—7 000 kHz to the land mobile service is on a primary basis.

526 *Additional allocation:* In Angola, Iraq, Kenya, Rwanda, Somalia and Togo, the band 7 000—7 050 kHz is also allocated to the fixed service on a primary basis.

527 *Alternative allocation:* In Egypt, Ethiopia, Guinea, Libya, Madagascar, Malawi and Tanzania, the band 7 000—7 050 kHz is allocated to the fixed service on a primary basis.

528 The use of the band 7 100—7 300 kHz in Region 2 by the amateur service shall not impose constraints on the broadcasting service intended for use within Region 1 and Region 3.

529 In Region 3, the stations of those services to which the band 7 995—8 005 kHz is allocated may transmit standard frequency and time signals.

530 On condition that harmful interference is not caused to the broadcasting service, frequencies in the bands 9 775—9 900 kHz, 11 650—11 700 kHz and 11 975—12 050 kHz may be used by stations in the fixed service communicating only within the boundary of the country in which they are located, each station not using a total radiated power exceeding 24 dBW.

531 The bands 9 775—9 900 kHz, 11 650—11 700 kHz, 11 975—12 050 kHz, 13 600—13 800 kHz, 15 450—15 600 kHz, 17 550—17 700 kHz and 21 750—21 850 kHz are allocated to the fixed service on a primary basis subject to the procedure described in Resolution 8. The use of these bands by the broadcasting service shall be subject to provisions to be established by the world administrative radio conference for the planning of HF bands allocated to the broadcasting service (see Resolution 508). Within these bands, the date of commencement of operations in the broadcasting service on a planned channel shall not be earlier than the date of completion of satisfactory transfer, according to the procedures described in Resolution 8, of all assignments to stations in the fixed service operating in accordance with the Table and other provisions of the Radio Regulations, which are recorded in the Master Register and which may be affected by broadcasting operations on that channel.

532 The bands 12 230—12 330 kHz, 16 360—16 460 kHz, 17 360—17 410 kHz, 18 780—18 900 kHz, 19 680—19 800 kHz and 22 720—22 kHz are allocated to the fixed service on a primary basis subject to the procedure described in Resolution 8. The use of these bands by the maritime mobile service shall be subject to provisions to be decided by a competent world administrative radio conference. The date of commencement of operations in the maritime mobile service on a frequency in accordance with the above-mentioned provisions shall not be earlier than the date of completion of satisfactory transfer, in accordance with the procedure described in Resolution 8, of all assignments to stations in the fixed service operating in accordance with the Table and other provisions of the Radio Regulations which are recorded in the Master Register and which may be affected by maritime mobile operations on that frequency.

533 In making assignments to stations of other services to which the band 13 360—13 410 kHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

534 The band 13 553—13 567 kHz (centre frequency 13 560 kHz) is designed for industrial, scientific and medical (ISM) applications. Radiocommunication services operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

535 *Additional allocation:* In Afghanistan, China, the Ivory Coast, Iran and the U.S.S.R., the band 14 250—14 350 kHz is also allocated to the fixed service on a primary basis. Stations of the fixed services shall not use a radiated power exceeding 24 dBW.

536 In Region 3, the stations of those services to which the band 15 995—16 005 kHz is allocated may transmit standard frequency and time signals.

537 The band 18 068—18 168 kHz is allocated to the fixed service on primary basis subject to the procedure described in Resolution 8. The use of this band by the amateur and amateur-satellite service shall be subject to the completion of satisfactory transfer of all assignments to stations in the fixed service operating in this band and recorded in the Master Register, in accordance with the procedure described in Resolution 8.

538 *Additional allocation:* In the U.S.S.R., the band 18 068—18 168 kHz is also allocated to the fixed service on a primary basis for use

within the boundary of the U.S.S.R., with a peak envelope power not exceeding 1 kW.

539 *Alternative allocation:* In Bulgaria, Hungary, Mongolia, Poland, Czechoslovakia and the U.S.S.R., the band 21 850—21 870 kHz is allocated to the aeronautical fixed and the aeronautical mobile (R) services on a primary basis.

540 *Additional allocation:* In Nigeria, the band 22 720—23 200 kHz is also allocated to the meteorological aids service (radiosondes) on a primary basis.

541 The use of the band 23 350—24 000 kHz by the maritime mobile service is limited to inter-ship radiotelegraphy.

542 *Additional allocation:* In Kenya, the band 23 600—24 900 kHz is also allocated to the meteorological aids service (radiosondes) on a primary basis.

543 The band 24 890—24 900 kHz is allocated to the fixed and land mobile services on a primary basis subject to the procedure described in Resolution 8. The use of this band by the amateur and amateur-satellite services shall be subject to the completion of the satisfactory transfer of all assignments to fixed and land mobile stations operating in this band and recorded in the Master Register, in accordance with the procedure described in Resolution 8.

544 The bands 25 110—25 210 kHz and 26 100—26 175 kHz are also allocated to the fixed and land mobile services on a primary basis subject to the procedure described in Resolution 8. The use of these bands on an exclusive basis by the maritime mobile service shall be subject to provisions to be decided by a competent world administrative radio conference. The date of commencement of operations in maritime mobile service on a frequency in accordance with the above-mentioned provisions shall not be earlier than the date of completion of satisfactory transfer, in accordance with the procedure described in Resolution 8, of all assignments to stations in the fixed and land mobile services operating in accordance with the Table and other provisions of the Radio Regulations recorded in the Master Register and which may be affected by such maritime mobile operations on that frequency.

545 The band 25 500—25 600 kHz is allocated to the fixed and mobile, except aeronautical mobile, service on a primary basis subject to the procedure described in Resolution 8. The use of the band by the radio astronomy service shall be subject to the completion of the satisfactory transfer of all assignments to stations in the fixed and mobile, except aeronautical mobile, services operating in this band and recorded in the Master Register, in accordance with the procedure described in Resolution 8. The band 25 600—25 670 kHz is allocated to the broadcasting service on a primary basis, subject to provisions to be established by the world administrative radio conference for the planning of HF bands allocated to the broadcasting service (see Resolution 508). After completion of all the above-mentioned provisions, all emissions capable of causing harmful interference to the radio astronomy service in the band 25 550—25 670 kHz shall be avoided. The use of passive sensors by other services will also be authorized.

546 The band 26 957—27 283 kHz (center frequency 27 120 kHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication service operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

547 In making assignments to stations of other services to which the band 37.5—38.25 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

548 The band 40.66—40.70 MHz (centre frequency 40.68 MHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication services operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

549 *Additional allocation:* In Botswana, Burundi, Lesotho, Malawi, Namibia, Rwanda, South Africa, Swaziland, Zaire, Zambia and Zimbabwe and band 41—44 MHz is also allocated to the aeronautial radionavigation service on a primary basis.

550 *Additional allocation:* In Iran and Japan, the band 41—44 MHz is also allocated to the radiolocation service on a secondary basis.

551 *Additional allocation:* In France and Monaco, the band 41—47 MHz is also allocated to the broadcasting service on a primary basis until 1 January 1986 and, in the United Kingdom, until 1 January 1987.

552 *Additional allocation:* In Australia and New Zealand, the band 44—47 MHz is also allocated to the broadcasting service on a primary basis.

553 *Additional allocation:* In Hungary, Kenya, Mongolia, Czechoslovakia and the U.S.S.R., the bands 47—48.5 and 56.5—58 MHz are also allocated to the fixed and land mobile services on a secondary basis.

554 *Additional allocation:* In Albania, the Federal Republic of Germany, Austria, Belgium, Bulgaria, Denmark, Finland, France, Gabon, Greece, Italy, Lebanon, Liechtenstein, Luxembourg, Mali, Malta, Morocco, Nigeria, Norway, the Netherlands, Poland, the German Democratic Republic, the United Kingdom, Senegal, Sweden, Switerland, Tunisia, Turkey and Yugoslavia, the band 47—68 MHz, and in Rozmania, the band 47—58 MHz, are also allocated to the land mobile service on a permitted basis. However, stations of the land mobile service in the countries mentioned in connection with each band referred to in this footnote shall not cause harmful interference to, or claim protection from, existing or planned broadcasting stations of countries other than those mentioned in connection with the band.

555 *Additional allocation:* In Angola, Cameroon, Congo, Nadagascar, Mozambique, Somalia, Sudan, Tanzania, Chad and Yemen (P.D.R.), the band 47—68 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a permitted basis.

556 Alternative allocation: In New Zealand, the band 50—51 MHz is allocated to the fixed, mobile and broadcasting services on a primary basis; the band 53—54 MHz is allocated to the fixed and mobile services on a primary basis.

557 Alternative allocation: In Afghanistan, Bangladesh, Brunei, India, Indonesia, Iran, Malaysia, Pakistan, Singapore and Thailand, the band 50—54 MHz is allocated to the fixed, mobile and broadcasting services on a primary basis.

558 *Additional allocation:* In Australia, China and the Democratic People's Republic of Korea, the band 50—54 MHz is also allocated to the broadcasting service on a primary basis.

559 *Additional allocation:* In Botswana, Burundi, Lesotho, Malawi, Namibia, Rwanda, South Africa, Swaziland, Zaire, Zambia and Zimbabwe, the band 50—54 MHz is also allocated to the amateur service on a primary basis.

560 *Additional allocation:* In New Zealand, the band 51—53 MHz is also allocated to the fixed and mobile services on a primary basis.

561 *Additional allocation:* In Botswana, Burundi, Lesotho, Malawi, Mali, Namibia, Rwanda, South Africa, Swaziland, Zaire, Zambia and Zimbabwe, the band 54—68 MHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

562 Different category of service: In the French Overseas Departments in Region 2, Guyana, Jamaica and Mexico, the allocation of the band 54—68 MHz to the fixed and mobile services is on a primary basis (see No. 425).

563 Different category of service: In Cuba, the French Overseas Departments in Region 2, Guyana, Jamaica and Mexico, the allocation of the band 68—72 MHz to the fixed and mobile services is on a primary basis (see No. 425).

564 *Additional allocation:* In Bulgaria, Hungary, Poland, Roumania and Czechoslovakia, the band 68—73 MHz is allocated to the broadcasting service on a primary basis and used in accordance with the decisions in the Final Acts of the Special Regional Conference, Geneva, 1960.

565 *Additional allocation:* In Mongolia and the U.S.S.R., the bands 68—73 MHz and 76—87.5 MHz are allocated to the broadcasting service on a primary bais. The services to which these bands are allocated in other countries and the broadcasting service in Mongolia and the U.S.S.R., are subject to agreements with the neighboring countries concerned.

566 *Additional allocation:* In Australia, China, the Republic of Korea, the Philippines, the Democratic People's Republic of Korea and Western Samoa, the band 68—74 MHz is also allocated to the broadcasting service on a primary basis.

567 *Additional allocation:* In Bulgaria, Hungary, Mongolia, Poland, Czechoslovakia and the U.S.S.R., the band 73—74 MHz is also allocated to the broadcasting service on a primary basis. The use of this band by the broadcasting service in Bulgaria, Hungary, Mongolia, Poland, Czechoslovakia and the

U.S.S.R., is subject to agreement obtained under the procedure set forth in Article 14.

568 In making assignments to stations of other services to which the band 73—74.6 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

569 In Region 2, the fixed, mobile and broadcasting services previously authorized in the band 73—74.6 MHz may continue to operate on a non-interference basis to the radio astronomy service until 31 December 1985.

570 *Additional allocation:* In Columbia, Costa Rica, Cuba, El Salvador, Ecuador, Guatemala, Guyana, Honduras and Nicaragua, the band 73—74.6 MHz is also allocated to the fixed and mobile services on a secondary basis.

571 *Additional allocation:* In Bulgaria, China, Hungary, Mongolia, Poland, Czechoslovakia and the U.S.S.R., the bands 74.6—74.8 and 75.2—75.4 MHz are also allocated to the aeronautical radionavigation service, on a primary basis, for ground-based transmitters only.

572 *Additional allocation:* The frequency 75 MHz is assigned to aeronautical marker beacons. Administrations shall refrain from assigning frequencies close to the limits of the guardband to stations of other services which, because of their power or geographical position, might cause harmful interference or otherwise place a constraint on marker beacons.

Until 31 December 1989, administrations in Regions 2 and 3 should refrain from assigning frequencies to other services in the bands 74.6—74.8 MHz and 75.2—75.4 MHz.

In the future every effort should be made to improve further the characteristics of airborne receivers and to limit the power of transmitting stations close to the limits 74.8 and 75.2 MHz.

573 *Additional allocation:* In Western Samoa, the band 75.4—87 MHz is also allocated to the broadcasting service on a primary basis.

574 *Additional allocation:* In China, the Republic of Korea, Japan, the Philippines and the Democratic People's Republic of Korea, the band 76—87 MHz is also allocated to the broadcasting service on a primary basis.

575 *Additional allocation:* In Bulgaria, Hungary, Poland, Roumania and Czechoslovakia, the band 76—87.5 MHz is also allocated to the broadcasting service on a primary basis and used in accordance with the decisions contained in the Final Acts of the Special Regional Conference, Geneva, 1960.

576 *Different category of service:* In the United States, the French Overseas Departments in Region 2, Guyana, Jamaica, Mexico and Paraguay the allocation of the band 76—88 MHz to the fixed and mobile services is on a primary basis (see No. 425).

577 In Region 3 (except in the Republic of Korea, India, Japan, Malaysia, the Philippines, Singapore and Thailand) the band 79.75—80.25 MHz is also allocated to the radio astronomy service on a primary basis. In making assignments to stations of other services, administrations are urged to take all practicable steps in the band to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

578 *Alternative allocation:* In Albania, the band 81—87.5 MHz is allocated to the broadcasting service on a primary basis and used in accordance with the decisions contained in the Final Acts of the Special Regional Conference, Geneva, 1960.

579 *Additional allocation:* In Afghanistan and Australia the band 85—87 MHz is also allocated to the broadcasting service on a primary basis. The introduction of the broadcasting service in these countries is subject to special agreements between the administrations concerned.

580 *Additional allocation:* In New Zealand, the band 87—88 MHz is allocated to the land mobile service on a primary basis.

581 *Additional allocation:* In the Federal Republic of Germany, Spain, France, Ireland, Italy, Liechtenstein, Monaco, the United Kingdom, Switzerland and Yemen (P.D.R. of), the band 87.5—88 MHz is also allocated to the land mobile service on a permitted basis and subject to agreement obtained under the procedure set forth in Article 14.

582 *Additional allocation:* In the United Kingdom the band 97.6—102.1 MHz is also allocated to the land mobile service on a permitted basis until 31 December 1989. The use of this band by the land mobile service is restricted to those stations in operation on 1 January 1980. The withdrawal of land mobile stations will be arranged in consultation with the administrations concerned.

583 In Region 1, existing systems in the fixed and mobile, except aeronautical mobile (R), services may continue to use the band 100—104 MHz on a primary basis until the date of entry into force of the new regional broadcasting agreement referred to in Resolution 510 or 1 January 1985, whichever is the earlier date.

584 Broadcasting stations in the band 100—108 MHz in Region 1 shall be established and operated in accordance with an agreement and associated plan for the band 87.5—108 MHz to be drawn up by a regional broadcasting conference (see Resolution 510). Prior to the date of entry into force of this agreement, broadcasting stations may be introduced subject to agreement between administrations concerned, on the understanding that such an operation shall in no case prejudice the establishment of the plan.

585 *Additional allocation:* In China, the Republic of Korea, the Philippines and Singapore, the band 100—108 MHz is also allocated to the fixed and mobile services on a permitted basis.

586 *Alternative allocation:* In New Zealand the band 100—108 MHz is allocated to the land mobile service on a primary basis and to the broadcasting service on a secondary basis.

587 *Additional allocation:* In Austria, Bulgaria, Hungary, Israel Kenya, Mongolia, Poland, Syria, the German Democratic Republic, the United Kingdom, Somalia, Czechoslovakia and the U.S.S.R., the band 104—108 MHz is also allocated to the mobile, except aeronautical mobile (R), service on a permitted basis until 31 December 1995 and, thereafter, on a secondary basis.

588 *Additional allocation:* In Finland and Yugoslavia, the band 104—108 MHz is also allocated to the fixed service on a permitted basis, until 31 December 1995. The effective radiated power of any station shall not exceed 25 W.

589 *Additional allocation:* In France, Roumania, Sweden, Turkey and Yughoslavia, the band 104—108 MHz is also allocated to the mobile, except aeronautical mobile (R), service on a permitted basis until 31 December 1995.

590 *Additional allocation:* In Italy, the band 104—108 MHz is also allocated to the land mobile service on a primary basis until the date of entry into force of the new regional broadcasting agreement referred to in Resolution 510 or 1 January 1985 which ever is the earlier date.

591 Subject to agreement obtained under the procedure set forth in article 14, the band 117.975—137 MHz is also allocated to the aeronautical mobile-satellite (R) service on a secondary basis and on the condition that harmful interference is not caused to the aeronautical mobile (R) service.

592 The bands 121.45—121.55 MHz and 242.95—243.05 MHz are also allocated to the mobile-satellite service for the receptio on board satellites of emissions from emergency position-indicating radiobeacons transmitting at 121.5 MHz and 243 MHz.

593 In the band 117.975—136 MHz, the frequency 121.5 MHz is the aeronautical emergency frequency and where required the frequency 123.1 MHz is the aeronautical frequency auxiliary to 121.5 MHz. Mobile stations of the maritime mobile service may communicate on these frequencies for safety purposes with stations of the aeronautical mobile service.

594 *Additional allocation:* In Angola, Bulgaria, Hungary, Iran, Iraq, Japan, Mongolia, Mozambique, Papua New Guinea, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 132—136 MHz is also alocated to the aeronautical mobile (RO) service on a permitted basis.

595 Until 1 January 1990, the band 136—137 MHz is also allocated to the space operation service (space-to-Earth), meteorological-satellite service (space-to-Earth) and the space research service (space-to-Earth) on a primary basis. The introduction of stations of the aeronautical mobile (R) service shall only occur after that date and shall be effected in accordance with internationally agreed plans for that service. After 1 January 1990, the band 136—137 MHz will also be allocated to the above-mentioned space radiocommunication services on a secondary basis (see Recommendation 404).

596 *Different category of service:* In Afghanistan, Saudi Arabia, Bahrain, Brunei, China, the United Arab Emirates, India, Indonesia, Iran, Iraq, Kuwait, Malaysia, Oman, Pakistan, Qatar, Singapore, Thailand,

Yemen A.R. and Yemen (P.D.R. of), the allocation of the band 137—138 MHz to the fixed and mobile, except aeronautical mobile (R), services is on a primary basis (see No. 425).

597 *Different category of service:* In Israel, Jordan and Syria, the allocation of the band 137—138 MHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 425).

598 *Different category of service:* In Austria, Bulgaria, Egypt, Finland, Greece, Hungary, Lebanon, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia, the U.S.S.R. and Yogoslavia, the allocation of the band 137—138 MHz to the aeronautical mobile (OR) service is on a primary basis.

599 *Additional allocation:* In Australia, the band 137—144 MHz is also allocated to the broadcasting service on a primary basis until that service can be accommodated within regional broadcasting allocations.

600 *Additional allocation:* In the Federal Republic of Germany, Austria, Belgium, France, Israel, Italy, Liechtenstein, Luxembourg, the United Kingdom, Sweden, Switzerland and Czechoslovakia, the bands 138—143.6 MHz and 143.65—144 MHz are also allocated to the space research service (space-to-Earth) on a secondary basis.

601 *Additional allocation:* In the Federal Republic of Germany, Saudi Arabia, Austria, Bahrain, Belgium, Denmark, the United Arab Emirates, Spain, Finland, Greece, Ireland, Israel, Kenya, Kuwait, Liechtenstein, Luxembourg, Mali, Malta, Norway, the Netherlands, Qatar, the United Kingdom, Sweden, Switzerland, Somalia, Tanzania, Tunisia, Turkey and Yugoslavia, the band 138—144 MHz is also allocated to the maritime mobile and land mobile services on a primary basis.

602 *Alternative allocation:* In Angola, Botswana, Burundi, Cameroon, the Central African Republic, the Congo, Gabon, Gambia, Ghana, Guinea, Iraq, Jordan, Lesotho, Liberia, Libya, Malawi, Mozambique, Namibia, Nigeria, Oman, Rwanda, Sierra Leone, South Africa, Swaziland, Chad, Togo, Zaire, Zambia and Zimbabwe, the band 138—144 MHz is allocated to the fixed and mobile services on a primary basis.

603 *Additional allocation:* In China, the band 138—144 MHz is also allocated to the radiolocation service on a primary basis.

604 *Additional allocation:* In Ethiopia, Finland, Kenya, Malta, Somalia, Sudan, Tanzania, Yemen A.R. and Yugoslavia, the band 138—144 MHz is also allocated to the fixed service on a primary basis.

605 *Additional allocation:* In Singapore, the band 144—145 MHz is also allocated to the fixed and mobile services on a primary basis. Such use is limited to systems in operation on or before 1 January 1980, which in any case shall cease by 31 December 1995.

606 *Additional allocation:* In China, the band 144—146 MHz is also allocated to the aeronautical mobile (OR) service on a secondary basis.

607 *Alternative allocation:* In Afghanistan, Bangladesh, Cuba, Guyana and India, the band 146—148 MHz is allocated to the fixed and mobile services on a primary basis.

608 Subject to agreement obtained under the procedure set forth in Article 14, the band 148—149.9 MHz may be used by the space operation service (Earth-to-space). The bandwidth of an individual transmission shall not exceed ±25 kHz.

609 Emissions of the radionaviagation-satellite service in the bands 149.9—150.05 MHz and 399.9—400.05 MHz may also be used by receiving earth stations of the space research service.

610 In making assignments to stations of other services to which the band 150.05—153 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

611 *Additional allocation:* In Australia and India, the band 150.05—153 MHz is also allocated to the radio astronomy service on a primary basis.

612 *Additional allocation:* In Sweden and Switzerland the band 150.05—153 MHz is also allocated to the aeronautical mobile (OR) service on a secondary basis.

613 The Frequency 156.8 MHz is the international distress, safety and calling frequency for the maritime mobile VHF radiotelephone service. The conditions for the use of this frequency are contained in Article 38.

In the bands 156—156.7625 MHZ, 156.8375—157.45 MHz, 160.6—160.975 MHz and 161.475—162.05 MHz, each administration shall give priority to the maritime mobile service on only such frequencies as are assigned to stations of the maritime mobile srvice by that admnistration (see Article 60).

Any use of frequencies in these bands by stations of other servics to which they are allocated should be avoided in areas where such use might cause harmful interference to the maritime mobile VHF radiocommunication service.

However, the frequency 156.8 MHz and the frequency bands in which priority is given to the mobile maritime service may be used for radiocommunications on inland waterways subject to agreement between interested and affected administrations and taking into account current frequency usage and existing agreements.

614 *Alternative allocation:* In France and Monaco, the band 162—174 MHz is allocated to the broadcasting service on a primary basis until 1 January 1985.

615 *Alternative allocation:* In Morocco, the band 162—174 MHz is allocated to the broadcasting service on a primary basis. The use of this band shall be subject to agreement with administrations having services, operating or planned, in accordance with the Table which are likely to be affected. Stations in existence on 1 January 1981, with their technical characteristics as of that date, are not affected by such agreement.

616 *Additional allocation:* In China, the band 163—167 MHz is also allocated to the space operation service (space-to-Earth) on a primary basis subject to agreement obtained under the procedure set forth in Article 14.

617 *Additional allocation:* In Afghanistan, China and Pakistan, the band 167—174 MHz is also allocated to the broadcasting service on a primary basis. The introduction of the broadcasting service into this band shall be subject to agreement with the neighbouring countries in Region 3, whose services are likely to be affected.

618 *Additional allocation:* In Japan, the band 170—174 MHz is also allocated to the broadcasting service on a primary basis.

619 *Additional allocation:* In China, the band 174—184 MHz is also allocated to the space research (space-to-Earth) and the space operation (space-to-Earth) services on a primary basis subject to agreement obtained under the procedure set forth in Article 14. These services shall not cause harmful interference to, or claim protection from, existing or planned broadcasting stations.

620 *Different category of service:* In Mexico, the allocation of the band 174—216 MHz to the fixed and mobile services is on a primary basis (see No. 425).

621 *Additional allocation:* In Austria, the Federal Republic of Germany, Belgium, Denmark, Finland, France, Italy, Liechtenstein, Monaco, Norway, the Netherlands, the United Kingdom, Sweden, Switzerland and Yemen (P.D.R. of) the band 174—223 MHz is also allocated to the land mobile service on a permitted basis. However, the stations of the land mobile service shall not cause harmful interference to, nor claim protection from, broadcasting stations, existing or planned, in countries other than those listed in this footnote.

622 *Different category of service:* In Austria, the Federal Republic of Germany, Belgium, Denmark, Spain, Finland, France, Israel, Italy, Liechtenstein, Luxembourg, Monaco, Norway, the Netherlands, Portugal, the United Kingdom, Sweden, Switzerland and Yemen (P.D.R. of), the band 223—230 MHz is allocated to the land mobile service on a permitted basis. However, the stations of the land mobile service shall not cause harmful interference to, nor claim protection from, broadcasting stations, existing or planned, in countries other than those listed in this footnote.

623 *Additional allocation:* In Congo, Ethiopia, Gambia, Guinea, Kenya, Libya, Malawi, Mali, Uganda, Senegal, Sierra Leone, Somalia, Tanzania, and Zimbabwe, the band 174—223 MHz is also allocated to the fixed and mobile services on a secondary basis.

624 *Additional allocation:* In Bangladesh, India, Pakistan, and the Philippines, the band 200—216 MHz is also allocated to the aeronautical radionavigation service on a primary basis.

625 *Additional allocation:* In Australia and Papuaa New Guinea, the bands 204—208 MHz and 222—223 MHz are also allocated to the aeronautical radionavigation service on a primary basis.

626 *Additional allocation:* In China, India and Thailand, the band 216—223 MHz is also allocated to the aeronautical radionavigation service on a primary basis and to the radiolocation service on a secondary basis.

627 In Region 2, the band 216—225 MHz is also allocated to the radiolocation service on

a primary basis until 1 January 1990. On and after 1 January 1990, no new stations in that service may be authorized. Stations authorized prior to 1 January 1990 may continue to operate in a secondary basis.

628 *Additional allocation:* In Somalia, the band 216—225 MHz is also allocated to the aeronautical radionavigation service on a primary basis, subject to not causing interference to existing or planned broadcating services in other countries.

629 *Additional allocation:* In Oman, the United Kingdom and Turkey, the band 216—235 MHz is also allocated to the radiolocation service on a secondary basis.

630 *Additional allocation:* In Japan, the band 222—223 MHz is also allocated to the aeronautical radionavigation service on a primary basis and to the radiolocation service on a secondary basis.

631 *Different category of service:* In Spain and Portugal, the band 223—230 MHz is allocated to the fixed service on a permitted basis (see No. 425). Stations of this service shall not cause harmful interference to, or claim protection from, broadcasting stations of other countries, whether existing or planned, that operate in accordance with the Table.

632 *Additional allocation:* In Saudi Arabia, Bahrain, the United Arab Emirates, Israel, Jordan, Oman, Qatar and Syria, the band 223—235 MHz is also allocated to the aeronatutical radionavigation service on a permited basis.

633 *Additional allocation:* In Spain and Portugal, the band 223—235 MHz is also allocated to the aeronautical radionavigation service on a permitted basis until 1 January 1990, subject to or not causing harmful interference to existing or planned broadcasting stations in other countries.

634 *Additional allocation:* In Sweden, the band 223—235 MHz is also allocated to the aeronautical radionavigation service on a permitted basis, until 1 January 1990, subject to agreement obtained under the procedure set forth in Article 14, and on condition that no harmful interference is caused to existing and planned broadcasting stations in other countries.

635 *Alternative allocation:* In Botswana, Lesotho, Namibia, South Africa, Swaziland and Zambia, the bands 223—238 MHz and 246—254 MHz are allocated to the broadcasting service on a primary basis subject to agreeement obtained under the procedure set forth in Article 14.

636 *Alternative allocation:* In New Zealand, Western Samoa, Niue and Cook Islands, the band 225—230 MHz is allocated to the fixed, mobile and aeronautical radionavigation services on a primary basis.

637 *Additional allocation:* In China, the band 225—235 MHz is also allocated to the radio astronomy service on a secondary basis.

638 *Additional allocation:* In Nigeria, the band 230—235 MHz is also allocated to the aeronautical radionavigation service on a primary basis, subject to agreement obtained under the procedure set forth in Article 14.

639 *Additional allocation:* In Yugoslavia, the band 230—235 MHz is also allocated to the aeronautical radionavigation service on a primary basis, until 1 January 1995. The use of this band by the aeronautical radionavigation service in Yngoslavia is restricted to the stations in operation by 1 January 1980.

640 *Additional allocation:* In New Zealand, the band 235—239.5 MHz is also allocated to the aeronautical radionavigation service on a primary basis.

641 Subject to agreement obtained under the procedure set forth in Article 14, the bands 235—322 MHz and 335.4—399.9 MHz may be used by the mobile-satellite service, on condition that stations in this service do not cause harmful interference to those of other services operating or planned to be operated in accordance with the Table.

642 The frequency 243 MHz is the frequency in this band for use by survival craft stations and equipment used for survival purposes.

643 Subject to agreement obtained under the procedure set forth in Article 14, the band 267—272 MHz may be used by administrations for space telemetry in their countries on a primary basis.

644 In making assignments to stations of other services to which the band 322—328.6 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

645 Limited to Instrument Landing Systems (glide path).

646 Emissions shall be confined in a band of ± 25 kHz about the standard frequency 400.1 MHz.

647 *Additional allocation:* In Afghanistan, Saudi Arabia, Austria, Bahrain, Bulgaria, Colombia, Costa Rica, Cuba, Egypt, the United Arab Emirates, Ecuador, Hungary, Indonesia, Iran, Iraq, Israel, Kuwait, Liberia, Malaysia, Nigeria, Oman, Pakistan, the Philippines, Poland, Qatar, Syria, the German Democratic Republic, Roumania, Singapore, Somalia, Sri Lanka, Czechoslovakia, Thailand, the U.S.S.R. and Yugoslavia, the band 400.05—401 MHz is also allocated to the fixed and mobile services on a primary basis.

648 *Additional allocation:* In Canada, the bands 405.5—406 MHz and 406.1—410 MHz are also allocated to the mobile-satellite, except aeronautical mobile-satellite, service (Earth-to-space), on a primary basis, subject to agreement obtained under the procedure set forth in Article 14.

649 The band 406—406.1 MHz is reserved solely for the use and development of low-power (not to exceed 5 W) emergency position-indicating radiobeacon (EPIRB) system using space techniques.

650 In making assignments to stations of other services to which the band 406.1—410 MHz is allocated, administrations are urged to take all parcticable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

651 *Different category of service:* In Australia, the United States, India, Japan and the United Kingdom, the allocation of the bands 420—430 MHz and 440—450 MHz to the radiolocation service is on a primary basis (see No. 425).

652 *Additional allocation:* In Australia, the United States, Jamaica and the Philippines, the bands 420—430 MHz and 440—450 MHz are also allocated to the amateur service on a secondary basis.

653 *Additional allocation:* In China, India, the German Democratic Republic, the United Kingdom and the U.S.S.R., the band 420—460 MHz is also allocated to the aeronautical radionavigation service (radio altimeters) on a secondary basis.

654 *Different category of service:* In France, the allocation of the band 430—434 MHz to the amateur service is on a secondary basis (see No. 424).

655 *Different category of service:* In Denmark, Libya, Norway and Sweden, the allocation of the bands 430—432 MHz and 438—440 MHz to the radiolocation service on a secondary basis (see No. 424).

656 *Alternative allocation:* In Denmark, Norway and Sweden, the bands 430—432 MHz and 438—440 MHz are allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

657 *Additional allocation:* In Finland, Libya and Yugoslavia, the bands 430—432 MHz and 438—440 MHz are also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

658 *Additional allocation:* In Afghanistan, Algeria, Saudi Arabia, Bahrain, Bangladesh, Brunei, Burundi, Egypt, the United Arab Emirates, Ecuador, Ethiopia, Greece, Guinea, India, Indonesia, Iran, Iraq, Israel, Italy, Jordan, Kenya, Kuwait, Lebanon, Liechtenstein, Libya, Malaysia, Malta, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syria, Singapore, Somalia, Switzerland, Tanzania, Thailand and Togo, the band 430—440 MHz is also allocated to the fixed service on a primary basis and the bands 430—435 MHz and 438—440 MHz are also allocated to the mobile, except aeronautical mobile, service on a primary basis.

659 *Additional allocation:* In Angola, Bulgaria, Cameroon, Congo, Gabon, Hungary, Mali, Mongolia, Niger, Poland, the German Democratic Republic, Roumania, Rwanda, Chad, Czechoslovakia and the U.S.S.R., the band 430—440 MHz is also allocated to the fixed service on a primary basis.

660 *Different category of service:* In Argentina, Colombia, Costa Rica, Cuba, Honduras, Panama and Venezuela, the allocation of the band 430—440 MHz to the amateur service is on a primary basis (see No. 425).

661 In Region 1, except in the countries mentioned in No. 662, the band 433.05—434.79 MHz (centre frequency 433.92 MHz) is designated for industrial scientific and medical (ISM) applications. The use of this frequency band for ISM applications shall be subject to special authorization by the administration concerned, in agreement with other administrations whose radiocommunications services might be affected. In applying this provision,

administrations shall have due regard to the latest relevant CCIR Recommendations.

662 In the Federal Republic of Germany, Austria, Liechtenstein, Portugal, Switzerland and Yugoslavia, the band 433.05—434.79 MHz (centre frequency 433.92 MHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication services of these countries operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

663 *Additional allocation:* In Brazil, France and the French Overseas Departments in Region 2, and India, the band 433.75—434.25 MHz is also allocated to the space operation service (Earth-to-space) on a primary basis until 1 January 1990, subject to agreement obtained under the procedure set forth in Article 14. After 1 January 1990, the band 433.75—434.25 MHz will be allocated in the same countries to the same service on a secondary basis.

664 In the bands 435—438 MHz, 1 260—1 270 MHz, 2 400—2 450 MHz, 3 400—3 410 MHz (in Regions 2 and 3 only) and 5 650—5 670 MHz, the amateur-satellite service may operate subject to not causing harmful interference to other services operating in accordance with the Table (see No. 435). Administrations authorizing such use shall ensure that any harmful interference caused by emissions from a station in the amateur-satellite service is immediately eliminated in accordance with the provisions of No. 2741. The use of the bands 1 260—1 270 MHz and 5 650—5 670 MHz by the amateur-satellite service is limited to the Earth-to-space direction.

665 *Additional allocation:* In Austria, the band 438—440 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

666 *Additional allocation:* In Canada, New Zealand and Papua New Guinea, the band 440—450 MHz is also allocated to the amateur service on a secondary basis.

667 *Different category of service:* In Canada, the allocation of the band 440—450 MHz to the radiolocation service is on a primary basis (see No. 425).

668 Subject to agreement obtained under the procedure set forth in Article 14, the band 449.75—450.25 MHz may be used for the space operation service (Earth-to-space) and the space research service (Earth-to-space).

669 In the maritime mobile service, the frequencies 457.525 MHz, 457.550 MHz, 457.575 MHz, 467.525 MHz, 467.550 MHz and 467.575 MHz may be used by on-board communication stations. The use of these frequencies in territorial waters may be subject to the national regulations of the administration concerned. The characteristics of the equipment used shall conform to those specified in Appendix 20.

670 In the territorial waters of Canada, the United States and the Philippines, the preferred frequencies for use by on-board communication stations shall be 457.525 MHz, 457.550 MHz, 457.575 MHz and 457.600 MHz paired, respectively, with 467.750 MHz, 467.775 MHz, 467.800 MHz and 467.825 MHz. The characteristics of the equipment used shall conform to those specified in Appendix 20.

671 Earth exploration-satellite service applications, other than the meteorological-satellite service, may also be used in the bands 460—470 MHz and 1 690—1 710 MHz for space-to-Earth transmissions subject to not causing harmful interference to stations operating in accordance with the Table.

672 *Different category of service:* In Afghanistan, Bulgaria, China, Cuba, Hungary, Japan, Mongolia, Poland, Czechoslovakia and the U.S.S.R, the allocation of the band 460—470 MHz to the meteorological-satellite service (space-to-Earth) is on a primary basis (see No. 425) and is subject to agreement obtained under the procedure set forth in Article 14.

673 *Additional allocation:* In China, the band 470—485 MHz is also allocated to the space research (space-to-Earth) and the space operation (space-to-Earth) services on a primary basis subject to agreement obtained under the procedure set forth in Article 14, subject to not causing harmful interference to existing and planned broadcasting stations.

674 *Different category of service:* In Mexico and Venezuela, the allocation of the band 470—512 MHz to the fixed and mobile services is on a primary basis (see No. 425), subject to agreement obtained under the procedure set forth in Article 14.

675 *Different category of service:* In Chile, Colombia, Ecuador, the United States, Guyana and Jamaica, the allocation of the bands 470—512 MHz and 614—806 MHz to the fixed and mobile services is on a primary basis (see No. 425), subject to agreement obtained under the procedure set forth in Article 14.

676 *Additional allocation:* In Burundi, Cameroon, the Congo, Ethiopia, Israel, Kenya, Libya, Senegal, Sudan, Syria, and Yemen (P.D.R. of), the band 470—582 MHz is also allocated to the fixed service on a secondary basis.

677 *Alternative allocation:* In Pakistan, the bands 470—582 MHz and 610—890 MHz are allocated to the broadcasting service on a primary basis.

678 *Additional allocation:* In Costa Rica, El Salvador, Ecuador, the United States, Guatemala, Guyana, Honduras, Jamaica and Venezuela, the band 512—608 MHz is also allocated to the fixed and mobile services on a primary basis, subject to agreement obtained under the procedure set forth in Article 14.

679 *Additional allocation:* In India, the band 549.75—550.25 MHz is also allocated to the space operation service (space-to-Earth) on a secondary basis.

680 *Additional allocation:* In the United Kingdom, the following bands are also allocated to the aeronautical radionavigation service on a primary basis: 582—590 MHz until 31 December 1987; 598—606 MHz until 31 December 1994. All new assignments to stations in the aeronautical radionavigation service in these bands are subject to the agreement of the administrations of the following countries: the Federal Republic of Germany, Belgium, Denmark, Spain, France, Ireland, Luxembourg, Morocco, Norway and the Netherlands.

681 *Additional allocation:* In Belgium, the band 582—606 MHz is also allocated to the radionavigation service on a primary basis until 31 December 1984.

682 *Additional allocation:* In France and Italy, the band 582—606 MHz is also allocated to the radionavigation service on a permitted basis until 1 January 1990.

683 *Additional allocation:* In Oman, the band 582—606 MHz is also allocated to the radionavigation service on a secondary basis.

684 *Additional allocation:* In Israel, Libya, Syria and Sudan, the band 582—790 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis.

685 *Additional allocation:* In Denmark and Kuwait, the band 590—598 MHz is also allocated to the aeronautical radionavigation service on a primary basis until 1 January 1995.

686 *Additional allocation:* In the United Kingdom, the band 598—590 MHz is also allocated to the aeronautical radionavigation service on a primary basis. All new assignments to stations in the aeronautical radionavigation service, including those transferred from the adjacent bands, shall be subject to coordination with the administrations of the following countries: the Federal Republic of Germany, Belgium, Denmark, Spain, France, Ireland, Luxembourg, Morocco, Norway and the Netherlands.

687 *Additional allocation:* In the African Broadcasting Area (see Nos. 400 to 403), the band 606—614 MHz is also allocated to the radio astronomy service on a permitted basis.

688 *Additional allocation:* In China, the band 606—614 MHz is also allocated to the radio astronomy service on a primary basis.

689 In Region 1, except in the African Broadcasting Area (see Nos. 400 to 403), and in Region 3, the band 608—614 MHz is also allocated to the radio astronomy service on a secondary basis. In making assignments to stations or other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

690 *Additional allocation:* In India, the band 608—614 MHz is also allocated to the radio astronomy service on a primary basis.

691 *Additional allocation:* In New Zealand, the band 610—620 MHz is also allocated to the amateur service on a secondary basis.

692 *Different category of service:* In Costa Rica, El Salvador and Honduras, the allocation of the band 614—806 MHz to the fixed service is on a primary basis (see No. 425), subject to agreement obtained under the procedure set forth in Article 14.

693 Within the frequency band 620—790 MHz, assignments may be made to television stations using frequency modulation in the broadcasting-satellite service subject to agreement between administrations concerned and those having services, operating in accordance with the Table, which may be affected (see Resolutions 33 and 507). Such stations shall not produce a power flux-density in excess of the value

−129 dB(W/m²) for angles of arrival less than 20° (see Recommendation 705) within the territories of other countries without the consent of the administrations of those countries.

694 *Additional allocation:* In Bulgaria, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 645—862 MHz is also allocated to the aeronautical radionavigation service on a permitted basis.

695 *Alternative allocation:* In Spain and France, the band 790—830 MHz is allocated to the broadcasting service on a primary basis.

696 *Alternative allocation:* In Greece, Italy, Morocco and Tunisia, the band 790—838 MHz is allocated to the braodcasting service on a primary basis.

697 *Additional allocation:* In the Federal Republic of Germany, Denmark, Finland, Israel, Liechtenstein, Norway, the Netherlands, Sweden, Switzerland and Yugoslavia, the band 790—830 MHz, and in these same countries and in Spain and France, the band 830—862 MHz are also allocated to the mobile, except aeronautical mobile, service, on a primary basis. However, mobile service stations in the countries mentioned in connection with each band referred to in this footnote shall not cause harmful interference to or claim protection from, stations of services operating in accordance with the Table in countries other than those mentioned in connection with the band.

698 *Additional allocation:* In Austria the band 790—862 MHz is also allocated to the mobile, except aeronautical mobile, on a secondary basis.

699 *Additional allocation:* In Norway and Sweden, the bands 806—890 MHz and 942—960 MHz are also allocated to the mobile-satellite, except aeronautical mobile-satellite, service on a primary basis. The use of this service is limited to operation within national boundaries and subject to agreement obtained under the procedure set forth in Article 14. This service shall not cause harmful interference to services operating in accordance with the Table.

700 *Additional allocation:* In Region 2, the band 806—890 MHz is also allocated to the mobile-satellite, except aeronautical mobile-satellite, service on a primary basis. The use of this service is intended for operation within national boundaries and subject to agreement obtained under the procedure set forth in Article 14.

701 *Additional allocation:* In Region 3, the bands 806—890 MHz and 942—960 MHz are also allocated to the mobile-satellite, except aeronautical mobile-satellite service on a primary basis. The use of national boundaries and subject to agreement obtained under the procedure set forth in Article 14. This service shall not cause harmful interference to services operating in accordance with the Table.

702 *Alternative allocation:* In Italy, the band 838—854 MHz is allocated to the broadcasting service on a primary basis as from 1 January 1995.

703 In Region 1, in the band 862—960 MHz, stations of the broadcasting service shall be operated only in the African Broadcasting Area (see Nos. 400 to 403) excluding Algeria, Egypt, Libya and Morocco. Such operations shall be in accordance with the Final Acts of the African VHF/UHF Broadcasting Conference, Geneva, 1963.

704 *Additional allocation:* In Bulgaria, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 862—960 MHz is also allocated to the aeronautical radionavigation service on a permitted basis until 1 January 1998. Up to this date, the aeronautical radionavigation service may use the band, subject to agreement obtained under the procedure set forth in Article 14. After this date, the aeronautical radionavigation service may continue to operate on a secondary basis.

705 *Different category of service:* In the United States, the allocation of the band 890—942 MHz to the radiolocation service is on a primary basis (see No. 425) and subject to agreement obtained under the procedure set forth in Article 14.

706 *Different category of service:* In Australia, the allocation of the band 890—942 MHz to the radiolocation service is on a primary basis (see No. 425).

707 In Region 2, the band 902—928 MHz (centre frequency 915 MHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication service operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

708 *Different category of service:* In the United States, the allocation of the bands 942—947 MHz and 952—960 MHz to the mobile service is on a primary basis (see No. 425) and subject to agreement obtained under the procedure set forth in Article 14.

709 The band 960—1 215 MHz is reserved on a worldwide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities.

710 Use of the radionavigation-satellite service in the band 1 215—1 260 MHz shall be subject to the condition that no harmful interference is caused to the radionavigation service authorized under footnote 712.

711 *Additional allocation:* In Afghanistan, Angola, Saudi Arabia, Bahrain, Bangladesh, Cameroon, China, the United Arab Emirates, Ethiopia, Guinea, Guyana, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Libya, Malawi, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syria, Somalia, Sudan, Sri Lanka, Chad, Thailand, Togo and Yemen (P.D.R. of), the band 1 215—1 300 MHz is also allocated to the fixed and mobile services on a primary basis.

712 *Additional allocation:* In Algeria, the Federal Republic of Germany, Austria, Bahrain, Belgium, Benin, Burundi, Cameroon, China, Denmark, the United Arab Emirates, France, Greece, India, Iran, Iraq, Kenya, Liechtenstein, Luxembourg, Mali, Mauritania, Norway, Oman, Pakistan, the Netherlands, Portugal, Qatar, Senegal, Somalia, Sudan, Sri Lanka, Sweden, Switzerland, Tanzania, Turkey and Yugoslavia, the band 1 215—1 300 MHz is also allocated to the radionavigation service on a primary basis.

713 In the bands 1 215—1 300 MHz, 3 100—3 300 MHz, 5 250—5 350 MHz, 8 550—8 650 MHz, 9 500—9 800 MHz and 13.4—14.0 GHz, radiolocation stations installed on spacecraft may also be employed for the earth exploration-satellite and space research services on a secondary basis.

714 *Additional allocation:* In Canada and the United States the bands 1 240—1 300 MHz and 1 350—1 370 MHz are also allocated to the aeronautical radionavigation service on a primary basis.

715 *Additional allocation:* In Indonesia, the band 1 300—1 350 MHz is also allocated to the fixed and mobile services on a primary basis.

716 *Alternative allocation:* In Ireland and the United Kingdom, the band 1 300—1 350 MHz is allocated to the radiolocation service on a primary basis.

717 The use of the bands 1 300—1 350 MHz, 2 700—2 900 MHz and 9 000—9 200 MHz by the aeronautical radionavigation service is restricted to ground-based radars and to associated airborne transponders which transmit only on frequencies in these bands and only when actuated by radars operating in the same band.

718 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the spectral line observations of the radio astronomy service from harmful interference in the band 1 330—1 400 MHz. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

719 In Bulgaria, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the existing installations of the radionavigation service may continue to operate in the band 1 350—1 400 MHz.

720 The bands 1 370—1 400 MHz, 2 640—2 655 MHz, 4 950—4 990 MHz and 15.20—15.35 GHz are also allocated to the space research (passive) and earth exploration-satellite (passive) services on a secondary basis.

721 All emissions in the band 1 400—1 427 MHz are prohibited.

722 In the bands 1 400—1 727 MHz, 101—120 GHz and 197—220 GHz, passive research is being conducted by some countries in a programme for the search for intentional emissions of extra-terrestrial origin.

723 In Region 2, in Australia and Papua New Guinea, the use of the band 1 435—1 535 MHz by the aeronautical mobile service for telemetry has priority over other uses by the mobile service.

724 *Different category of service:* In Afghanistan, Saudi Arabia, Bahrain, Bulgaria, Cameroon, Egypt, the United Arab Emirates, France, Hungary, Iran, Iraq, Israel, Kuwait, Lebanon, Morocco, Mongolia, Oman, Poland, Qatar, Syria, the German Democratic Republic, Roumania, Czechoslovakia, the U.S.S.R., Yemen (P.D.R. of) and Yugoslavia, the allocation of the band 1 525—1 530 MHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. 425).

725 *Additional allocation:* In the U.S.S.R., the band 1 525—1 530 MHz is also allocated to the aeronautical mobile service on a primary basis.

726 The allocation to the maritime mobil-satellite service in the band 1 530—1 535 MHz shall be effective from 1 January 1990. Up to that date the allocation to the fixed service shall be on a primary basis in Regions 1 and 3.

727 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Bangladesh, Congo, Egypt, the United Arab Emirates, Ethiopia, Iran, Iraq, Israel, Jordan, Pakistan, Qatar, Sudan, Sri Lanka, Syria, Somalia, Chad, Thailand, Togo, Yemen (P.D.R. of) and Zambia, the bands 1 540—1 645.5 and 1 646.5—1 660 MHz are also allocated to the fixed service on a secondary basis.

728 The use of the bands 1 544—1 545 MHz (space-to-Earth) and 1 645.5—1 646.5 MHz (Earth-to-space) by the mobile-satellite service is limited to distress and safety operations.

729 Transmissions in the band 1 545—1 559 MHz from terrestrial aeronautical stations directly to aircraft stations, or between aircraft stations, in the aeronautical mobile (R) service are also authorized when such transmissions are used to extend or supplement the satellite-to-aircraft links.

730 *Additional allocation:* In the Federal Republic of Germany, Austria, Bulgaria, Cameroon, Guinea, Hungary, Indonesia, Libya, Mali, Mongolia, Nigeria, Poland, the German Democratic Republic, Roumania, Senegal, Czechoslovakia and the U.S.S.R., the bands 1 550—1 645.5 and 1 646.5—1660 MHz are also allocated to the fixed service on a primary basis.

731 *Alternative allocation:* In Sweden, the band 1 590—1 610 MHz is allocated to the aeronautical radionavigation service on a primary basis.

732 The band 1610—1626.5 MHz is reserved on a worldwide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based or satellite-borne facilities. Such satellite use is subject to agreement obtained under the procedure set forth in Article 14.

733 The band 1 610—1 626.5 MHz, 5 000—5 250 MHz and 15.4—15.7 GHz are also allocated to the aeronautical mobile-satellite (R) service on a primary basis. Such use is subject to agreement obtained under the procedure set forth in Article 14.

734 The band 1 610.6—1 613.8 MHz is also allocated to the radio astronomy service on a secondary basis for spectral line observations. In making assignments to stations of other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

735 Transmissions in the band 1 646.5—1 660.5 MHz from aircraft stations in the aeronautical mobile (R) service directly to terrestrial aeronautical stations, or between aircraft stations, are also authorized when such transmissions are used to extend or supplement the aircraft-to-satellite links.

736 In making assignments to stations of other services to which the band 1 660—1 670 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

737 *Different category of service:* In Afghanistan, Saudi Arabia, Bahrain, Benin, Bulgaria, Cameroon, the Central African Republic, the Congo, Cuba, Egypt, the United Arab Emirates, Ethiopia, Hungary, India, Indonesia, Pakistan, Poland, Qatar, Syria, the German Democratic Republic, Singapore, Somalia, Sri Lanka, Chad, Thailand, Czechoslovakia, Tunisia, the U.S.S.R., Yemen A.R., Yemen (P.D.R. of) and Yugoslavia, the allocation of the band 1 660.5—1 668.4 MHz to the fixed and the mobile, except aeronautical mobile, services is on a primary basis until 1 January 1990.

738 *Additional allocation:* In Bangladesh, India, Indonesia, Nigeria, Pakistan, Sri Lanka and Thailand, the band 1 660.5—1 668.4 MHz is also allocated to the meteorological aids service on a secondary basis.

739 In view of the successful detection by radio astronomers of two hydroxyl spectral lines in the region of 1 665 MHz and 1 667 MHz, administrations are urged to give all practicable protection in the band 1 660.5—1 668.4 MHz for future research in radio astronomy, particularly by eliminating air-to-ground transmissions in the meteorological aids service in the band 1 664.4—1 668.4 MHz as soon as practicable.

740 *Additional allocation:* In Afghanistan, Costa Rica, Cuba, India, Iran, Malaysia, Pakistan, Singapore, Sri Lanka and Thailand, the band 1 690—1 700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

741 *Different category of service:* In Saudia Arabia, Austria, Bahrain, Bulgaria, the Congo, Egypt, the United Arab Emirates, Ethiopia, Guinea, Hungary, Iraq, Israel, Jordan, Kenya, Kuwait, Lebanon, Mauritania, Mongolia, Oman, Poland, Qatar, Syria, the German Democratic Republic, Roumania, Somalia, Tanzania, Czechoslovakia, the U.S.S.R., Yemen A.R., Yemen (P.D.R. of) band 1 690—1 700 MHz to the fixed and mobile, except aeronautical mobile, service is on a primary basis (see No. 425).

742 *Additional allocation:* In Australia and Indonesia, the band 1 690—1 700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis.

743 *Additional allocation:* In India, Indonesia, Japan and Thailand, the band 1 700—1 710 MHz is also allocated to the space research service (space-to-Earth) on a primary basis.

744 The band 1 718.8—1 722.2 MHz is also allocated to the radio astronomy service on a secondary basis for spectral line observations. In making assignments to stations of other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

745 Subject to agreement obtained under the procedure set forth in Article 14 and having particular regard to tropospheric scatter systems, the band 1 750—1 850 MHz may also be used for space operation (Earth-to-space) and space research (Earth-to-space) services in Region 2, in Afghanistan, Australia, India, Indonesia, Japan and Thailand.

746 *Additional allocation:* In Bulgaria, Cuba, Hungary, Mali, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 1 770—1 790 MHz is also allocated to the meteorological-satellite service on a primary basis, subject to agreement obtained under the procedure set forth in Article 14.

747 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 025—2 110 MHz may also be used for Earth-to-space and space-to-space transmissions in the space research, space operation and earth exploration-satellite services. The services using space-to-space transmissions shall operate in accordance with the provisions of Nos. 2557 to 2560 and shall not cause harmful interference to the other space services.

748 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 110—2 120 MHz may also be used for Earth-to-space transmissions in the space research (deep space) service.

749 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 110—2 120 MHz may also be used in Japan for the space research (Earth-to-space) and space operation (Earth-to-space) services until 31 December 1990.

750 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 200—2 290 MHz may also be used for space-to-Earth and space-to-space transmissions in the space research, space operations and earth exploration-satellite services. These services shall operate in accordance with the provisions of Nos. 2557 to 2560; the space-to-space transmissions shall not cause harmful interference to the other space services.

751 In Australia, the United States and Papua New Guinea, the use of the band 2 310—2 390 MHz by the aeronautical mobile service for telemetry has priority over other uses by the mobile services.

752 The band 2 400—2 500 MHz (centre frequency 2 450 MHz) is designated for industrial, scientific and medical (ISM) applications. Radio services operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

753 In France, the band 2 450—2 550 MHz is allocated on a primary basis to the radiolocation service and on a secondary basis to the fixed and mobile services (see Nos. 424 and 425). Such use is subject to agreement with the administrations having services, operating or planned to operate in accordance with the Table, which may be affected.

754 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 500—2 535 MHz may also be used in Region 3 for the mobile-satellite (space-to-Earth), except aeronautical mobile-Satellite, service for operation limited to within national boundaries.

755 *Additional allocation:* In Canada, the band 2 500—2 550 MHz is also allocated to the radiolocation service on a primary basis.

756 *Additional allocation:* In the United Kingdom, the band 2 500—2 600 MHz is also allocated to the radiolocation service on a secondary basis.

757 The use of the band 2 500—2 690 MHz by the broadcasting-satellite service is limited to national and regional systems for community reception and such use shall be subject to agreement obtained under the procedure set forth in Article 14. The power flux-density at the Earth's surface shall not exceed the values given in Nos. 6561 to 6564.

758 *Alternative allocation:* In the Federal Republic of Germany and Greece, the band 2 500—2 690 MHz is allocated to the fixed service on a primary basis.

759 *Alternative allocation:* In Bulgaria and the U.S.S.R., the band 2 500—2 690 MHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

760 In the design of systems in the broadcasting-satellite service in the bands between 2 500—2 690 MHz, administrations are urged to take all necessary steps to protect the radio astronomy service in the band 2 690—2 700 MHz

761 The use of the bands 2 500—2 690 MHz in Region 2 and 2 500—2 535 MHz and 2 655—2 690 MHz in Region 3 by the fixed-satellite service is limited to national and regional systems; such use shall be subject to agreement obtained under the procedure set forth in Article 14, giving particular attention to the broadcasting-satellite service in Region 1. In the direction space-to-Earth, the power flux-density at the Earth's surface shall not exceed the values given in Nos. 2561 to 2564.

762 Administrations shall make all practicable efforts to avoid developing new tropospheric scatter systems in the band 2 500—2 690 MHz.

763 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 500—2 690 MHz may be used for tropospheric scatter systems in Region 1.

764 When planning new tropospheric scatter radio-relay links in the band 2 500—2 690 MHz; all possible measures shall be taken to avoid directing the antennae of these links toward the geostationary-satellite orbit.

765 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference in the band 2 655—2 690 MHz. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

766 Subject to agreement obtained under the procedure set forth in Article 14, the band 2 655—2 690 MHz may also be used in Region 3 for the mobile-satellite (Earth-to-space), except aeronautical mobile-satellite, service for operation limited to within national boundaries.

767 *Additional allocation:* In the Federal Republic of Germany and Austria, the band 2 690—2 695 MHz is also allocated to the fixed service on a primary basis. Such use is limited to equipment in operation by 1 January 1985.

768 All emissions in the band 2 690—2 700 MHz are prohibited, except those provided for by Nos. 767 and 769.

769 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Bulgaria, Cameroon, the Central African Republic, the Congo, the Ivory Coast, Cuba, Egypt, the United Arab Emirates, Ethiopia, Gabon, Guinea, Guinea-Bissau, Hungary, Iran, Iraq, Israel, Lebanon, Malaysia, Malawi, Mali, Morocco, Mauritania, Mongolia, Nigeria, Oman, Pakistan, the Philippines, Poland, Qatar, the Syria, German Democratic Republic, Roumania, Singapore, Somalia, Sri Lanka, Czechoslovakia, Tunisia, Thailand, the U.S.S.R., Yemen A.R., Yemen (P.D.R. of), Yugoslavia, Zaire and Zambia, the band 2 690—2 700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985.

770 In the band 2 700—2 900 MHz, ground-based radars used for meteorological purposes are authorized to operate on a basis of equality with stations of the aeronautical radionavigation service.

771 *Additional allocation:* In Canada, the band 2 850—2 900 MHz is also allocated to the maritime radionavigation service, on a primary basis, for use by shore-based radars.

772 In the bands 2 900—3 100 MHz, 5 470—5 650 MHz and 9 200—9 300 MHz, the use of shipborne transponder systems shall be confined to the sub-bands 2 930—2 950 MHz, 470—5 480 MHz and 9 280—9 300 MHz.

773 The use of the band 2 900—3 100 MHz by the aeronautical radionavigation service is limited to ground based radars.

774 In the bands 2 900—2 920 MHz and 9 300—9 320 MHz in the maritime radionavigation service, the use of shipborne radars other than those existing on 1 January 1976 is not permitted.

775 In the bands 2 920—3 100 MHz and 9 320—9 500 MHz in the maritime radionavigation service, the use of fixed-frequency radar beacons (racons) on land or at sea is not permitted.

776 In the band 3 100—3 300 MHz, radar beacons (racons) and shipborne radars on merchant ships may operate within the band 3 100—3 266 MHz.

777 *Additional location:* In Bulgaria, Canada, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 3 100—3 300 MHz is also allocated to the radionavigation service on a primary basis.

778 In making assignments to stations of other service, administrations are urged to take all practicable steps to protect the spectral line observations of the radio astronomy service from harmful interference in the bands 3 260—3 267 MHz, 3 332—3 339 MHz, 3 345.8—3 352.5 MHz and 4 825—4 835 MHz. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

779 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Bangladesh, China, the Congo, the United Arab Emirates, India, Indonesia, Iran, Iraq, Israel, Japan, Kuwait, Lebanon, Libya, Malaysia, Oman, Pakistan, Qatar, Syria, Singapore, Sri Lanka and Thailand, the band 3 300—3 400 MHz is also allocated to the fixed and mobile services on a primary basis. The countries bordering the Mediterranean shall not claim protection for their fixed and mobile services from the radiolocation service.

780 *Additional location:* In Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 3 300—3 400 MHz is also allocated to the radionavigation service on a primary basis.

781 *Additional allocation:* In the Federal Republic of Germany, Israel and the United Kingdom, the band 3 400—3 475 MHz is also allocated to the amateur service on a secondary basis.

782 *Different category of service:* In Austria, the allocation of the band 3 400—3 500 MHz to the radiolocation service is on a primary basis (see No. 425), subject to the agreement of the administrations of the following countries: Hungary, Italy, the German Democratic Republic, Czechoslovakia and Yugoslavia. Such use is limited to ground-based stations. However, this administration is urged to cease operations by 1985. After this date this administration shall take all practicable steps to protect the fixed-satellite service and coordination requirements shall not be imposed on the fixed-satellite service.

783 *Different category of service:* In Indonesia, Japan, Pakistan and Thailand, the allocation of the band 3 400—3 500 MHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. 425).

784 In Regions 2 and 3, in the band 3 400—3 600 MHz the radiolocation service is allocated on a primary basis. However, all administrations operating radiolocation systems in this band are urged to cease operations by 1985. Thereafter, administrations shall take all practicable steps to protect the fixed-satellite service and coordination requirements shall not be imposed on the fixed-satellite service.

785 In Denmark, Norway and the United Kingdom, the fixed, radiolocation and fixed-satellite services operate on a basis of equality of rights in the band 3 400—3 600 MHz. However, these administrations operating radiolocation systems in this band are urged to cease operations by 1985. After this date these administrations shall take all practicable steps to protect the fixed-satellite service and coordination requirements shall not be imposed on the fixed-satellite service.

786 In Japan, in the band 3 620—3 700 MHz, the radiolocation service is excluded.

787 *Additional allocation:* In New Zealand, the band 3 700—3 770 MHz is also allocated to the radiolocation service on a secondary basis.

788 *Additional allocation:* In the Federal Republic of Germany, Denmark, Norway and Sweden, the band 4 200—4 210 MHz is also allocated to the fixed service on a secondary basis.

789 Use of the band 4 200—4 400 MHz by the aeronautical radionavigation service is reserved exclusively for radio altimeters installed on board aircraft and for the associated transponders on the ground. However, passive sensing in the Earth exploration-satellite and space research services may be authorized in this band on a secondary basis (no protection is provided by the radio altimeters).

790 *Additional allocation:* In China, Iran, Libya, the Philippines and Sri Lanka, the band 4 200—4 400 MHz is also allocated to the fixed service on a secondary basis.

791 The standard frequency and time signal-satellite service may be authorized to use the frequency 4 202 MHz for space-to-Earth transmissions and the frequency 6 427 MHz for Earth-to-space transmissions. Such transmissions shall be confined within the limits of ±2 MHz of these frequencies and shall be subject to agreement obtained under the procedure set forth in Article 14.

792 *Alternative allocation:* In Belgium, Norway, the Netherlands and the United Kingdom, the band 4 500—4 800 MHz, is allocated to the fixed and mobile services on a primary basis. Such use shall not impose power flux-density limitations on the fixed-satellite service greater than those given in No. 2566.

793 In the bands 4 825—4 835 MHz and 4 950—4 990 MHz, the allocation to the mobile service is restricted to the mobile, except aeronautical mobile, service.

794 *Different category of service:* In Argentina, Australia and Canada, the allocation of the bands 4 825—4 835 MHz and 4 950—4 990 MHz to the radio astronomy service is on a primary basis. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

795 In making assignments to stations of other services to which the band 4 990—5 000 MHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

796 The band 5 000—5 250 MHz is to be used for the operation of the international standard system (microwave landing system) for precision approach and landing. The requirements of this system shall take precedence over other uses of this band.

797 The bands 5 000—5 250 MHz, and 15.4—15.7 GHz are also allocated to the fixed-satellite service and the inter-satellite service, for connection between one or more earth stations at specified fixed points on the Earth and space stations, when these services are used in conjunction with the aeronautical radionavigation and/or aeronautical mobile (R) service. Such use shall be subject to agreement obtained under the procedure set forth in Article 14.

798 *Additional allocation:* In Austria, Bulgaria, Hungary, Libya, Mongolia, Poland, the German Democratic Repubilc, Roumania, Czechoslovakia and the U.S.S.R., the band 5 250—5 350 MHz is also allocated to the radionavigation service on a primary basis.

799 The use of the band 5 350—5 470 MHz by the aeronautical radionavigational service is limited to airborne radars and associated airborne beacons.

800 *Additional allocation:* In Afghanistan, Austria, Bulgaria, Hungary, Iran, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 5 470—5 650 MHz is also allocated to the aeronautical radionavigation service on a primary basis.

801 *Additional allocation:* In the United Kingdom, the band 5 470—5 850 MHz is also allocated to the land mobile service on a secondary basis. The power limits specified in Nos. 2502, 2505, 2506 and 2507 shall apply in the band 5 725—5 850 MHz.

802 Between 5 600 MHz and 5 650 MHz, ground-based radars used for meterological purposes are authorized to operate on a basis of equality with stations of the maritime radionavigation service.

803 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Bangladesh, Cameroon, Central African Republic, China, Congo, the Republic of Korea, Egypt, the United Arab Emirates, Gabon, Guinea, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Malawi, Malta, Niger, Nigeria, Pakistan, the Philippines, Qatar, Syria, Singapore, Sri Lanka, Tanzania, Chad, Thailand and Yemen (P.D.R. of) the band 5 650—5 850 MHz is also allocated to the fixed and mobile services on a primary basis.

804 *Different category of service:* In Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the allocation of the band 5 670—5 725 MHz to the space research service is on a primary basis (see No. 425).

805 *Additional allocation:* In Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the bank 5 670—5 850 MHz is also allocated to the fixed service on a primary basis.

806 The band 5 725— 5 875 MHz (centre frequency 5 800 MHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication services operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

807 *Additional allocation:* In the Federal Republic of Germany, the band 5 755—5 850 MHz is also allocated to the fixed service on a primary basis.

808 The band 5 830—5 850 MHz is also allocated to the amateur-satellite service (space-to-Earth) on a secondary basis.

809 In the band 6 425—7 075 MHz, passive microwave sensor measurements are carried out over the oceans. In the band 7 075—7 250 MHz, passive microwave sensor measurements are carried out. Administrations should bear in mind the needs of the earth exploration-satellite (passive) and space research (passive) services in their future planning of this band.

810 Subject to agreement obtained under the procedure set forth in Article 14, in Region 2, the band 7 125—7 155 MHz may be used for Earth-to-space transmissions in the space operation service.

811 Subject to agreement obtained under the procedure set forth in Article 14, the band 7 145—7 235 MHz may be used for Earth-to-space transmissions in the space research service. The use of the band 7 145—7 190 MHz is restricted to deep space; no emissions to deep space shall be effected in the band 7 190—7 235 MHz.

812 The bands 7 250—7 375 MHz (space-to-Earth) and 7 900—8 025 MHz (Earth-to-space) may also be used by the mobile-satellite service. The use of these bands by this service shall be subject to agreement obtained under the procedure set forth in Article 14.

813 In the band 8 025—8 400 MHz the power flux-density limits specified in No. 2570 shall apply in Regions 1 and 3 to the earth exploration-satellite service.

814 In Region 2, aircraft stations are not permitted to transmit in the band 8 025—8 400 MHz.

815 Subject to agreement obtained under the procedure set forth in Article 14, the band 8 025—8 400 MHz may be used for the earth exploration-satellite service (space-to-Earth) in Bangladesh, Benin, Cameroon, China, the Central African Republic, the Ivory Coast, Egypt, France, Guinea, Upper Volta, India, Iran, Israel, Italy, Japan, Kenya, Libya, Mali, Niger, Pakistan, Senegal, Somalia, Sudan, Sweden, Tanzania, Zaire and Zambia, on a primary basis.

816 In the space research service, the use of the band 8 400—8 450 MHz is limited to deep space.

817 *Different category of service:* In Belgium, Israel, Luxembourg, Malaysia, Singapore and Sri Lanka, the allocation of the band 8 400—8 500 MHz to the space research service is on a secondary basis (see No. 424).

818 *Alternative allocation:* In the United Kingdom, the band 8 400—8 500 MHz is allocated to the radiolocation and space research services on a primary basis.

819 *Additional allocation:* In Saudi Arabia, Bahrain, Bangladesh, Burundi, Cameroon, China, the Congo, Costa Rica, Egypt, the United Arab Emirates, Gabon, Guinea, Guyana, Indonesia, Iran, Iraq, Israel, Jamaica, Kuwait, Libya, Malaysia, Mali, Morocco, Mauritania, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Syria, Senegal, Singapore, Somalia, Sri Lanka, Tanzania, Chad, Thailand, Togo and Tunisia, the band 8 500—8 750 MHz is also allocated to the fixed and mobile services on a primary basis.

820 *Additional allocation:* In Bulgaria, Hungary, Mongola, Poland, the German Democratic Republic, Rounmania, Czechoslovakia and the U.S.S.R., the band 8 500—8 750 MHz is also allocated to the land mobile and radionavigation services on a primary basis.

821 The use of the band 8 750—8 850 MHz by the aeronautical radionavigation service is

limited to airborne doppler navigation aids on a centre frequency of 8 800 MHz.

822 *Additional allocation:* In Algeria, the Federal Republic of Germany, Bahrain, Belgium, China, the United Arab Emirates, France, Greece, Indonesia, Iran, Libya, the Netherlands, Oatar, Sudan and Thailand, the bands 8 825—8 850 MHz and 9 000—9 200 MHz are also allocated to the maritime radionavigation service, on a primary basis, for use by shore-based radars only.

823 In the bands 8 850—9 000 MHz and 9 200—9 225 MHz, the maritime radionavigation service is limited to shore-based radars.

824 *Additional allocation:* In Austria, Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., bands 8 850—9 000 MHz and 9 200—9 300 MHz are also allocated to the radionavigation service on a primary basis.

825 The use of the band 9 300—9 500 MHz by the aeronautical radionavigation service is limited to airborne weather radars and ground-based radars. In addition, ground-based radar beacons in the aeronautical radionavigation service are permitted in the band 9 300—9 320 MHz on condition that harmful interference is not caused to the maritime radionavigation service. In the band 9 300—9 500 MHz, ground-based radars used for meteorological purposes have priority over other radiolocation devices.

826 *Different category of service:* In Afghanistan, Saudi Arabia, Austria, Bahrain, Bangladesh, Cameroon, the Republic of Korea, Egypt, the United Arab Emirates, Ethiopia, Guyana, India, Indonesia, Iran, Iraq, Israel, Jamaica, Japan, Jordan, Kuwait, the Lebanon, Liberia, Malaysia, Nigeria, Pakistan, Qatar, Singapore, Somalia, Sudan, Sri Lanka, Sweden, Thailand, Trinidad and Tobago, and Yemen (P.D.R. of), the allocation of the band 9 800—10 000 MHz to the fixed service is on a primary basis (see No. 425).

827 *Additional allocation:* In Bulgaria, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 9 800—10 000 MHz is also allocated to the radionavigation service on a primary basis.

828 The band 9 975—10 025 MHz is also allocated to the meteorological-satellite service on a secondary basis for use by weather radars.

829 *Additional allocation:* In Costa Rica, Ecuador, Guatemala, and Honduras, the band 10—10.45 GHz is also allocated to the fixed and mobile services on a primary basis.

830 *Additional allocation:* In the Federal Republic of Germany, Angola, China, Ecuador, Spain, Japan, Kenya, Morocco, Nigeria, Sweden, Tanzania and Thailand, the band 10.45—10.5 GHz is also allocated to the fixed and mobile services on a primary basis.

831 In the band 10.6—10.68 GHz, the fixed and mobile, except aeronautical mobile, services shall be limited to a maximum equivalent isotropically radiated power of 40 dBW and the power delivered to the antenna shall not exceed −3 dBW. These limits may be exceeded subject to agreement obtained under the procedure set forth in Article 14. However, in Afghanistan, Saudi Arabia, Bahrain, Bangladesh, China, the United Arab Emirates, Finland, India, Indonesia, Iran, Iraq, Japan, Kuwait, Lebanon, Nigeria, Pakistan, the Philippines, Qatar, Syria and the U.S.S.R., the restrictions on the fixed and mobile, except aeronautical mobile, services are not applicable.

832 In making assignments to stations of other services to which the band 10.6—10.68 GHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

833 All emissions in the band 10.68—10.7 GHz are prohibited except for those provided for by No. 834.

834 *Additional allocation:* In Saudi Arabia, Bahrain, Bulgaria, Cameroon, China, Colombia, the Republic of Korea, Costa Rica, Cuba, Egypt, the United Arab Emirates, Ecuador, Hungary, Iran, Iraq, Israel, Japan, Kuwait, Lebanon, Mongolia, Pakistan, Poland, Qatar, the German Democratic Republic, Roumania, Czechoslovakia, the U.S.S.R. and Yugoslavia, the band 10.68—10.7 GHz is also allocated to the fixed and mobile, except aeronautical mobile, service on a primary basis. Such use is limited to equipment in operation by 1 January 1985.

835 In Region 1, the use of the band 10.7—11.7 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service.

836 In Region 2, in the band 11.7—12.1 GHz, transponders on space stations in the fixed-satellite service may be used additionally for transmissions in the broadcasting-satellite service, provided that such transmissions do not have a maximum e.i.r.p. greater than 53 dBW per television channel and do not cause greater interference or require more protection from interference than the coordinated fixed-satellite service frequency assignments. With respect to the space services, this band shall be used principally for the fixed-satellite service. The upper limit of this band shall be modified in accordance with the decisions of the 1983 Regional Administrative Radio Conference for Region 2 (see No. 841).

837 *Different category of service:* In Canada, Mexico and the United States, the allocation of the band 11.7—12.2 GHz to the fixed service is on a secondary basis (see No. 424).

838 In the band 11.7—12.5 GHz in Regions 1 and 3 the fixed, fixed-satellite, mobile, except aeronautical mobile, and broadcasting services, in accordance with their respective allocations, shall not cause harmful interference to broadcasting-satellite stations operating in accordance with the provisions of Appendix 30.

839 The use of the band 11.7—12.7 GHz in Region 2 by the fixed-satellite and broadcasting-satellite services is limited to national and sub-regional systems and is subject to previous agreement between the administrations concerned and those having services, operating or planned to operate in accordance with the Table, which may be affected (see Articles 11, 13, 14, and Resolution 33).

840 For the use of the band 11.7—12.75 GHz in Regions 1, 2 and 3, see Resolutions 31, 34, 504, 700 and 701.

841 The 1983 regional administrative radio conference for Region 2 will divide the band 12.1—12.3 GHz into two sub-bands. It will allocate the lower sub-band to the fixed-satellite service and the upper sub-band to the broadcasting-satellite, broadcasting, mobile except aeronautical mobile, and fixed services, all services being on a primary basis.

842 *Additional allocation:* The bands 12.1—12.3 GHz in Brazil and Peru and 12.2—12.3 GHz in the United States are also allocated to the fixed service on a primary basis.

843 In the band 12.1—12.7 GHz, the Region 2 space services, existing or planned before the 1983 regional administrative radio conference for Region 2, shall not impose restrictions on the elaboration of the Plan for the broadcasting-satellite service in Region 2 and shall be operated under the conditions set forth by that conference.

844 In Region 2, in the band 12.1—12.7 GHz, existing and future terrestrial radiocommunication services shall not cause harmful interference to the space services operating in accordance with the broadcasting-satellite plan to be prepared at the 1983 regional administrative radio conference for Region 2, and shall not impose restrictions on the elaboration of such a plan. The lower limit of this band shall be modified in accordance with the decisions of that conference for the Region 2 (see No. 841).

845 In Region 3 the band 12.2—12.5 GHz is also allocated to the fixed-satellite (space to Earth) service limited to national and sub-regional systems. The power flux-density limits in No. 2574 shall apply to this frequency band. The introduction of the service in relation to the broadcasting-satellite service in Region 1 shall follow the procedures specified in Article 7 of Appendix 30 with the applicable frequency band extended to cover 12.2—12.5 GHz.

846 In Region 2, in the band 12.3—12.7 GHz, assignments to stations of the broadcasting-satellite service made available in the plan to be established by the 1983 regional administrative radio conference for Region 2 may also be used for transmissions in the fixed-satellite service (space-to-Earth), provided that such transmissions do not cause more interference or require more protection from interference than the broadcasting-satellite service transmissions operating in accordance with that plan. With respect to the space services, this band shall be used principally for the broadcasting-satellite service. The lower limit of this band shall be modified in accordance with the decisions of that conference for Region 2 (see No. 841).

847 The broadcasting-satellite service in the band 12.5—12.75 GHz in Region 3 is limited to community reception with a power flux-density not exceeding −111 (dBW/m^2) as defined in Annex 8 of Appendix 30.

848 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Bahrain, Cameroon, the Central African Republic, the Congo, the Ivory Coast, Egypt, the United Arab Emirates,

Ethiopia, Gabon, Ghana, Guinea, Iraq, Israel, Jordan, Kenya, Kuwait, Lebanon, Libya, Madagascar, Mali, Morocco, Mongolia, Niger, Nigeria, Qatar, Syria, Senegal, Somalia, Sudan, Chad, Togo, Yemen (P.D.R. of) and Zaire, the band 12.5—12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

849 *Additional allocation:* In the Federal Republic of Germany, Belgium, Denmark, Spain, Finland, France, Greece, Liechtenstein, Luxembourg, Monaco, Norway, Uganda, the Netherlands, Portugal, Roumania, Sweden, Switzerland, Tanzania, Tunisia and Yugoslavia, the band 12.5—12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis.

850 *Additional allocation:* In Austria, Bulgaria, Hungary, Poland, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the band 12.5—12.75 GHz is also allocated to the fixed service and the mobile, except aeronautical mobile, service on a primary basis. However, stations in these services shall not cause harmful interference to fixed-satellite earth stations of countries in Region 1 other than those mentioned in this footnote. Coordination of these earth stations is not required with stations of the fixed and mobile services of the countries mentioned in this footnote.

851 The use of the band 13.25—13.4 GHz by the aeronautical radionavigation service is limited to Doppler navigation aids.

852 Subject to agreement obtained under the procedure set forth in Article 14, the band 13.25—13.4 GHz may also be used in the space research service (Earth-to-space) on a secondary basis.

853 *Additional allocation:* In Bangladesh, India and Pakistan, the band 13.25—14 GHz is also allocated to the fixed service on a primary basis.

854 *Additional allocation:* In Afghanistan, Algeria, Angola, Saudi Arabia, Bahrain, Cameroon, the Republic of Korea, Egypt, the United Arab Emirates, Finland, Gabon, Guinea, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Madagascar, Malaysia, Malawi, Mali, Malta, Morocco, Mauritania, Niger, Nigeria, Pakistan, Qatar, Syria, Senegal, Singapore, Sri Lanka, Sudan, Sweden, Chad, Thailand and Tunisia, the band 13.4—14 GHz is also allocated to the fixed and mobile services on a primary basis.

855 *Additional allocation:* In Austria, Bulgaria, Hungary, Japan, Mongolia, Poland, the German Democratic Republic, Roumania, the United Kingdom, Czechoslovakia and the U.S.S.R., the band 13.4—14 GHz is also allocated to the radionavigation service on a primary basis.

856 The use of the band 14—14.3 GHz by the radionavigation service shall be such as to provide sufficient protection to space stations of the fixed-satellite service (see Recommendation 708).

857 *Additional allocation:* In Afghanistan, Algeria, Angola, Saudi Arabia, Australia, Bahrain, Bangladesh, Botswana, Cameroon, China, the Republic of Korea, Egypt, the United Arab Emirates, Gabon, Guatemala, Guinea, India, Indonesia, Iran, Iraq, Israel, Japan, Kenya, Kuwait, Lesotho, Lebanon, Malaysia, Malawi, Mali, Malta, Morocco, Mauritania, Niger, Pakistan, the Philippines, Qatar, Syria, Senegal, Singapore, Somalia, Sudan, Sri Lanka, Switzerland, Tanzania, Chad, Thailand and Yemen (P.D.R. of), the band 14—14.3 GHz is also allocated to the fixed service on a primary basis.

858 The band 14—14.5 GHz may be used, within the fixed-satellite service (Earth-to-space), for feeder links for the broadcasting-satellite service, subject to coordination with other networks in the fixed-satellite service. Such use for feeder links is reserved for countries outside Europe and for Malta.

859 The band 14—14.5 GHz is also allocated to the land mobile-satellite service (Earth-to-space) on a secondary basis.

860 *Additional allocation:* In the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, Finland, France, Greece, Ireland, Iceland, Italy, Jordan, Libya, Liechtenstein, Luxembourg, Norway, the Netherlands, Portugal, the United Kingdom, Sweden, Switzerland, Turkey and Yugoslavia, the band 14.25—14.3 GHz is also allocated to the fixed service on a primary basis.

861 *Additional allocation:* In Japan, Pakistan, the United Kingdom and Thailand, the band 14.25—14.3 GHz is also allocated to the mobile, except aeronautical mobile, service on a primary basis.

862 In making assignments to stations of others services to which the band 14.47—14.5 GHz is allocated, administrations are urged to take all practicable steps to protect spectral line observations of the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

863 The use of the band 14.5—14.8 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service. This use is reserved for countries outside Europe and for Malta.

864 All emissions in the band 15.35—15.4 GHz are prohibited, except those provided for by No. 865.

865 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Cameroon, Egypt, the United Arab Emirates, Guinea, Pakistan, Iran, Iraq, Israel, Kuwait, Lebanon, Libya, Qatar, Syria, Somalia and Yugoslavia, the band 15.35—15.4 GHz is also allocated to the fixed and mobile services on a secondary basis.

866 *Additional allocation:* In Afghanistan, Algeria, Angola, Saudi Arabia, Austria, Bahrain, Bangladesh, Cameroon, Costa Rica, Egypt, El Salvador, the United Arab Emirates, Finland, Guatemala, India, Indonesia, Iran, Kuwait, Libya, Malaysia, Malawi, Malta, Morocco, Mozambique, Nepal, Nicaragua, Oman, Pakistan, Qatar, Singapore, Somalia, Sudan, Sri Lanka, Sweden, Tanzania, Chad, Thailand, Yemen (P.D.R. of) and Yugoslavia, the band 15.7—17.3 GHz is also allocated to the fixed and mobile services on a primary basis.

867 *Additional allocation:* In Israel, the band 15.7—17.3 GHz is also allocated to the fixed and mobile services on a primary basis. These services shall not claim protection from, or cause harmful interference to services operating in accordance with the Table in countries other than those included in 866.

868 *Additional allocation:* In Afghanistan, Algeria, the Federal Republic of Germany, Angola, Saudi Arabia, Austria, Bahrain, Bangladesh, Cameroon, Costa Rica, El Salvador, the United Arab Emirates, Finland, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Israel, Japan, Kuwait, Libya, Nepal, Nicaragua, Pakistan, Qatar, Sudan, Sri Lanka, Sweden, Thailand and Yugoslavia, the band 17.3—17.7 GHz is also allocated to the fixed and mobile services on a secondary basis. The power limits given in Nos. 2505 and 2508 shall apply provisionally (see Resolution 101).

869 The use of the band 17.3—18.1 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service.

870 The band 18.1—18.3 GHz is also allocated to the meteorological-satellite service (Earth-to-space) on a primary basis. Its use is limited to geostationary satellites and shall be in accordance with the provisions of No. 2578.

871 In making assignments to stations in the fixed and mobile services, administrations are invited to take account of passive sensors in the earth-exploration satellite and space research services operating in the band 18.6—18.8 GHz. In this band, administrations should endeavor to limit as far as possible both the power delivered by the transmitter to the antenna and the e.i.r.p. in order to reduce the risk of interference to passive sensors to the minimum.

872 In assigning frequencies to stations in the fixed-satellite service in the direction (space-to-Earth), administrations are requested to limit as far as practicable the power flux-density at the Earth's surface in the band 18.6—18.8 GHz, in order to reduce the risk of interference to passive sensors in the earth exploration-satellite and space research services.

873 *Additional allocation:* In Afghanistan, Algeria, Angola, Saudi Arabia, Bahrain, Bangladesh, Brazil, Cameroon, China, the Congo, the Republic of Korea, Costa Rica, Egypt, the United Arab Emirates, Gabon, Guatemala, Guinea, India, Indonesia, Iran, Iraq, Israel, Japan, Kenya, Kuwait, Malaysia, Mali, Morocco, Mauritania, Nepal, Niger, Nigeria, Pakistan, the Philippines, Qatar, Syria, Singapore, Somalia, Sudan, Sri Lanka, Tanzania, Tunisia, Chad, Thailand, Togo and Zaire, the band 19.7—21.2 GHz is also allocated to the fixed and mobile services on a primary basis. This additional use shall not impose any limitation on the power flux-density of space stations in the fixed-satellite service.

874 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the spectral line observations of the radio astronomy service in the band 22.01—22.21 GHz from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see also Nos. 343 and 344 and Article 36).

875 In making assignments to stations of other services, administrations are urged to

take all practicable steps to protect the radio astronomy service from harmful interference in the band 22.21—22.5 GHz. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see also Nos. 343 and 344 and Article 36).

876 The use of the band 22.21—22.5 GHz by the earth exploration-satellite (passive) and space research (passive) services shall not impose constraints upon the fixed and mobile, except aeronautical mobile services.

877 In Regions 2 and 3, the broadcasting-satellite service is authorized in the band 22.5—23.0 GHz, subject to agreement obtained under the procedure set forth in Article 14.

878 *Additional allocation:* In Japan, the band 22.5—23 GHz is also allocated to the broadcasting service on a primary basis.

879 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the spectral line observations of the radio astronomy service in the bands 22.81—22.86 GHz and 23.07—23.12 GHz from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

880 All emissions in the band 23.6—24 GHz are prohibited.

881 The band 24—24.25 GHz (centre frequency 24.125 GHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication services operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 1815.

882 The band 29.95—30 GHz may be used for space-to-space links in the earth exploration-satellite service for telemetry, tracking, and control purposes, on a secondary basis.

883 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Cameroon, China, the Republic of Korea, the United Arab Emirates, Ethiopia, India, Indonesia, Iran, Iraq, Israel, Japan, Kenya, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Nepal, Pakistan, Qatar, Syria, Singapore, Somalia, Sudan, Sri Lanka, Chad and Thailand, the band 29.5—31 GHz is also allocated to the fixed and mobile services on a secondary basis. The power limits specified in Nos. 2505 and 2508 shall apply.

884 In the band 31—31.3 GHz the power flux-density limits specified in No. 2542 shall apply to the space research service.

885 *Different category of service:* In Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the allocation of the band 31—31.3 GHz to the space research service is on a primary basis (see No. 425).

886 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference in the band 31.2—31.3 GHz. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

887 All emissions in the band 31.3—31.5 GHz are prohibited.

888 In Regions 1 and 3, in making assignments to stations of other services to which the band 31.5—31.8 GHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

In Region 2, all emissions in the band 31.5—31.8 GHz are prohibited.

889 *Different category of service:* In Bulgaria, Egypt, Hungary, Mongolia, Poland, the German Democratic Republic, Roumania, Czechoslovakia and the U.S.S.R., the allocation of the band 31.5—31.8 GHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 425).

890 *Different category of service:* In Australia, Spain and the United States, the allocation of the band 31.8—32.3 GHz to the space research (deep space) service in the space-to-Earth direction is on a primary basis (see No. 425). This use shall not impose power flux density constraints on the inter-satellite service in the band 32—32.3 GHz.

891 *Different category of service:* In Bulgaria, Cuba, Hungary, Mongolia, Poland, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the allocation of the band 31.8—32.3 GHz to the space research service is on a primary basis (see No. 425).

892 Subject to agreement obtained under the procedure set forth in Article 14, the band 31.8—33.8 GHz may also be used in Japan for space-to-Earth transmissions in the fixed-satellite service up to 31 December 1990.

893 In designing systems for the inter-satellite and radionavigation services in the band 32—33 GHz, administrations shall take all necessary measures to prevent harmful interference between these two services, bearing in mind the safety aspects of the radionavigation service (see Recommendation 707).

894 *Additional allocation:* In Afghanistan, Saudi Arabia, Bahrain, Bangladesh, Egypt, the United Arab Emirates, Spain, Finland, Gabon, Guinea, Indonesia, Iran, Iraq, Israel, Kenya, Kuwait, Lebanon, Libya, Malaysia, Malawi, Mali, Malta, Morocco, Mauritania, Nepal, Niger, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syria, Senegal, Singapore, Somalia, Sudan, Sri Lanka, Sweden, Tanzania, Thailand, Togo, Tunisia, Yemen A.R. and Zaire, the band 33.4—36 GHz is also allocated to the fixed and mobile services on a primary basis.

895 *Different category of service:* In Australia, Spain and the United States, the allocation of the band 34.2—34.7 GHz to the space research (deep space) (Earth-to-space) service is on a primary basis (see No. 425).

896 *Different category of service:* In Bulgaria, Cuba, Hungary, Poland, Mongolia, the German Democratic Republic, Czechoslovakia and the U.S.S.R., the allocation of the band 34.2—35.2 GHz to the space research service is on a primary basis (see No. 425).

897 Radars located on spacecraft may be operated on a primary basis in the band 35.5—35.6 GHz.

898 In making assignments to stations of other services, administrations are urged to take all practicable steps to protect the spectral line observations of 36.43—36.5 GHz from harmful interference. Emission from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

899 Subject to agreement obtained under the procedure set forth in Article 14, the band 37—39 GHz may also be used in Japan for Earth-to-space transmissions in the fixed-satellite service up to 31 December 1990.

900 In making assignments to stations of other services to which the band 42.5—43.5 GHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference, especially in the bands 42.77—4287 GHz, 43.07—43.17 GHz, and 43.37—43.47 GHz, which are used for spectral line observations of silicon monoxide. Emissions from space or airborne stations can be particularly serious souces of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

901 The allocation of the spectrum for the fixed-satellite service in the bands 42.5—43.5 GHz and 47.2—50.2 GHz for Earth-to-space transmission is greater than that in the band 37.5—39.5 GHz for space-to-Earth transmission in order to accommodate feeder links to broadcasting satellites. Administrations are urged to take all practicable steps to reserve the band 47.2—49.2 GHz for feeder links for the broadcasting-satellite service operating in the band 40.5—42.5 GHz.

902 In the bands 43.5—47 GHz, 66—71 GHz, 95—100 GHz, 134—142 GHz, 190—200 GHz and 252—265 GHz, stations in the land mobile service may be operated subject to not causing harmful interference to the space radiocommunication services to which these bands are allocated (see No. 435).

903 In the bands 43.5—47 GHz, 66—71 GHz, 95—100 GHz, 134—142 GHz, 190—200 GHz and 252—265 GHz, satellite links connecting land stations at specified fixed points are also authorized when used in conjunction with the mobile-satellite service or the radionavigation-satellite service.

904 The bands 48.94—49.04 GHz and 97.88—98.08 GHz are also allocated to the radio astronomy service on a primary basis for spectral line observations. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

905 In the band 48.94—49.04 GHz, all emissions from airborne stations are prohibited.

906 In the bands 51.4—54.25 GHz, 58.2—59 GHz, 64—65 GHz and 72.77—72.91 GHz, radio astronomy observations may be carried

out under national arrangements. Administrations are urged to take all practicable steps to protect radio astronomy observations in these bands from harmful interference.

907 In the bands 51.4—54.25 GHz, 58.2—59 GHz, 64—65 GHz, 86—92 GHz, 105—116 GHz and 217—231 GHz, all emissions are prohibited.

908 *Additional allocation:* In the Federal Republic of Germany, Japan and the United Kingdom, the band 54.25—58.2 GHz is also allocated to the radiolocation service on a primary basis.

909 In the bands 54.25—58.2 GHz 59—64 GHz, 116—134 GHz, 170—182 GHz and 185—190 GHz, stations in the aeronautical mobile service may be operated subject to not causing harmful interference to the inter-satellite service (see No. 435).

910 In the bands 59—64 GHz and 126—134 GHz, airborne radars in the radiolocation service may be operated subject to not causing harmful interference to the inter-satellite service (see No. 435).

911 The band 61—61.5 GHz (centre frequency 61.25 GHz) is designated for industrial, scientific and medical (ISM) applications. The use of this frequency band for ISM applications shall be subject to special authorization by the administrations concerned in agreement with other administrations whose radiocommunication services might be affected. In applying this provision administrations shall have due regard to the latest CCIR Recommendations.

912 In the band 78—79 GHz, radars located on space stations may be operated on a primary basis in the earth exploration-satellite service and in the space research service.

913 In the band 84—86 GHz, stations in the fixed, mobile and broadcasting services shall not cause harmful interference to broadcasting-satellite stations operating in accordance with the decisions of the appropriate frequency assignment planning conference for the broadcasting-satellite service.

914 The band 93.07—93.27 GHz is also used by the radio astronomy service for spectral line observations. In making assignments to stations of the services to which this band is allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

915 The band 119.98—120.02 GHz is also allocated to the amateur service on a secondary basis.

916 The band 122—123 GHz (centre frequency 122.5 GHz) is designated for industrial, scientific and medical (ISM) applications. The use of this frequency band for ISM applications shall be subject to special authorization by the administration concerned in agreement with other administrations whose radiocommunication services might be affected. In applying this provision administrations shall have due regard to the latest CCIR Recommendations.

917 In the bands 140.69—140.98 GHz all emissions from airborne stations, and from space stations in the space-to-Earth direction, are prohibited.

918 The band 140.69—140.98 GHz, 144.68—144.98 GHz, 145.45—145.75 GHz and 146.82—147.12 GHz are also allocated to the radio astronomy service on a primary basis for spectral line observations. In making assignments to stations of other services to which the bands are allocated, administrations are urged to take all practicable steps to protect the radio astronomy service (see Nos. 343 and 344 and Article 36).

919 The bands 150—151 GHz, 174.42—175.02 GHz, 177—177.4 GHz, 178.2—178.6 GHz, 181—181.46 GHz and 186.2—186.6 GHz are also allocated to the radio astronomy service on a secondary basis for spectral line observation. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

920 *Additional allocation:* In the United Kingdom the band 182—185 GHz is also allocated to the fixed and mobile services on a primary basis.

921 In the band 182—185 GHz all emissions are prohibited except those under the provisions of No. 920.

922 The band 244—246 GHz (centre frequency 245 GHz) is designated for industrial, scientific and medical (ISM) applications. The use of this frequency band for ISM applications shall be subject to special authorization by the administration concerned in agreement with other administrations whose radiocommunication services might be affected. In applying this provision administrations shall have due regard to the latest CCIR Recommendations.

923 The bands 250—251 GHz and 262.24—262.76 GHz are also allocated to the radio astronomy service on a primary basis for spectral line observations. In making assignments to stations of other services spectral line observations. In making assignments to stations of other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343, 344 and Article 36).

924 The band 257.5—258 GHz is also allocated to the radio astronomy service on a secondary basis for spectral line observations. In making assignments to stations of other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343, 344 and Article 36).

925 In the Federal Republic of Germany, Agentina, Spain, France, Finland, India, Italy, the Netherlands and Sweden, the band 261—265 GHz is also allocated to the radio astronomy service on a primary basis. In making assignments to stations of other services to which the band is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343 and 344 and Article 36).

926 In making assignments to stations of other services to which the band 265—275 GHz is allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference, especially in the bands 265.64—266.16 GHz, 267.34—267.86 GHz and 271.74—272.26 GHz, which are used for spectral line observations. Emissions from space or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 343, 344 and Article 36).

927 The frequency band 275 GHz—400 GHz may be used by administrations for experimentation with, and development of, various active and passive services. In this band a need has been identified for the following spectral line measurements for passive services:

(a) Radio astronomy service: 278—280 GHz and 343—348 GHz.

(b) Space research service (passive) and earth exploration-satellite service (passive): 275—277 GHz, 300—302 GHz, 324—326 GHz, 345—347 GHz, 363—365 GHz and 379—381 GHz.

Future research in this largely unexplored spectral region may yield additional spectral lines and continuum bands of interest to the passive services. Administrations are urged to take all practicable steps to protect these passive services from harmful interference until the next competent world administrative radio conference.

United States Footnotes

(These footnotes, each consisting of the letters US followed by one or more digits, denote stipulations applicable to both Government and non-Government stations.)

US7 In the band 420–450 MHz and within the following areas, the peak envelope power output of a transmitter employed in the amateur service shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District office and the Military Area Frequency Coordinator at the applicable military base:

(a) Those portions of Texas and New Mexico bounded on the south by latitude 31°45′ North, on the east by 104°00′ West, on the north by latitude 34°30′ North, and on the west by longitude 107°30′ West;

(b) The entire State of Florida including the Key West area and the areas enclosed within a 200-mile radius of Patrick Air Force Base, Florida (latitude 28°21′ North, longitude 80°43′ West), and within a 200-mile radius of Eglin Air Force Base, Florida (latitude 30°30′ North, longitude 86°30′ West);

(c) The entire State of Arizona;

(d) Those portions of California and Nevada south of latitude 37°10' North, and the areas enclosed within a 200 mile radius of the Pacific Missile Test Center, Point Mugu, California (latitude 34°09' North, longitude 119°11' West);

(e) In the State of Massachusetts within a 160-kilometer (100 mile) radius around locations at Otis Air Force Base, Massachusetts (latitude 41°45' North, longitude 70°32' West);

(f) In the State of California within a 240-kilometer (150 mile) radius around locations at Beale Air Force Base, California (latitude 39°08' North, longitude 121°26' West);

(g) In the State of Alaska within a 160-kilometer (100 mile) radius of Clear, Alaska (latitude 64°17' North, longitude 149°10' West). (The Military Area Frequency Coordinator for this area is located at Elmendorf Air Force Base, Alaska.)

(h) In the State of North Dakota within a 160-kilometer (100 mile) radius of Concrete, North Dakota (latitude 48°43' North, longitude 97°54' West). (The Military Area Frequency Coordinator for this area can be contacted at: HQ SAC/SXOE, Offutt Air Force Base, Nebraska 68113.)

US8 The use of the frequencies 170.475, 171.425, 171.575, and 172.275 MHz east of the Mississippi River, and 170.425, 170.575, 171.475, 172.225 and 172.375 MHz west of the Mississippi River may be authorized to fixed, land and mobile stations operated by non-Federal forest firefighting agencies. In addition, land stations and mobile stations operated by non-Federal conservation agencies, for mobile relay operation only, may be authorized to use the frequency 172.275 MHz east of the Mississippi River and the frequency 171.475 MHz west of the Mississippi River. The use of any of the foregoing nine frequencies shall be on the condition that no harmful interference will be caused to Government stations.

US10 The use of the frequencies 26.62, 143.90 and 148.15 MHz may be authorized to Civil Air Patrol land stations and Civil Air Patrol mobile stations.

US11 The use of the frequencies 166.250 and 170.150 MHz may be authorized to non-Government remote pickup broadcast base and land mobile stations and to non-Government base, fixed and land mobile stations in the public safety radio services (the sum of the bandwidth of emission and tolerance is not to exceed 25 kHz, except that authorizations in existence as of December 20, 1974, using a larger bandwidth are permitted to continue in operation until December 20, 1979) in the continental United States (excluding Alaska) only, except within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30' N., and on the east and south by that arc of the circle with center at Springfield, Illinois, and radius equal to the airline distance between Springfield, Illinois, and Montgomery, Alabama, subtended between the foregoing west and north boundaries, on the condition that harmful interference will not be caused to Government stations persent or future in the Government band 162–174 MHz. The use of these frequencies by remote pickup broadcast stations will not be authorized for locations within 150 miles of New York City; and use of these frequencies by the public safety radio services will not be authorized except for locations within 150 miles of New York City.

US13 For the specific purpose of transmitting hydrological and meteorological data in co-operation with agencies of the Federal Government, the following frequencies may be authorized to non-Government fixed stations on the condition that harmful interference will not be caused to Government stations.

MHz		
169.425	171.025	406.125
169.450	171.050	406.175
169.475	171.075	409.675
169.500	171.100	409.725
169.525	171.125	412.625
170.225	171.825	412.675
170.250	171.850	412.725
170.275	171.875	412.775
170.300	171.900	
170.325	171.925	

Licensees holding a valid authorization on June 11, 1962, to operate on the frequencies 169.575, 170.375 or 171.975 MHz may continue to be authorized for such operations on the condition that harmful interference will not be caused to Government stations.

US14 When 500 kHz is being used for distress purposes, ship and coast stations may use 512 kHz for calling.

US18 Navigation aids in the US and possessions in the bands 9–14 kHz, 90–110 kHz, 190–415 kHz, 510–535 kHz, 2700–2900 MHz are normally operated by the U.S. Government. However, authorizations may be made by the FCC for non-Government operation in these bands subject to the conclusion of appropriate arrangements between the FCC and the Government agencies concerned and upon special showing of need for service which the Government is not yet prepared to render.

US25 The use of frequencies in the band 25.85–26.1 MHz may be authorized in any area to non-Government remote pickup broadcast base and mobile stations on the condition that harmful interference is not caused to stations in the broadcasting service.

US26 The bands 117.975–121.4125 MHz, 123.5875–128.8125 MHz and 132.0125–136.0 MHz are for air traffic control communications.

US28 The band 121.5875–121.9375 MHz is for use by aeronautical utility land and mobile stations, and for air traffic control communications.

US30 The band 121.9375–123.0875 MHz is available to FAA aircraft for communications pursuant to flight inspection functions in accordance with the Federal Aviation Act of 1958.

US31 Except as provided below the band 121.9375–123.0875 MHz is for use by private aircraft stations.

The frequencies 122.700, 122.725, 122.750, 122.800, 122.950, 122.975, 123.000, 123.050 and 123.075 MHz may be assigned to aeronautical advisory stations. In addition, at landing areas having a part-time or no airdrome control tower or FAA flight service station, these frequencies may be assigned on a secondary non-interference basis to aeronautical utility mobile stations, and may be used by FAA ground vehicles for safety related communications during inspections conducted at such landing areas.

The frequencies 122.850, 122.900 and 122.925 MHz may be assigned to aeronautical multicom stations. In addition, 122.850 MHz may be assigned on a secondary noninterference basis to aeronautical utility mobile stations. In case of 122.925 MHz, US213 applies.

Air carrier aircraft stations may use 122.000 and 122.050 MHz for communication with aeronautical stations of the Federal Aviation Administration and 122.700, 122.800, 122.900 and 123.000 MHz for communications with aeronautical stations pertaining to safety of flight with and in the vicinity of landing areas not served by a control tower.

Frequencies in the band 121.9375–122.6875 MHz may be used by aeronautical stations of the Federal Aviation Administration for communication with private aircraft stations only, except that 122.000 and 122.050 MHz may also be used for communication with air carrier aircraft stations concerning weather information.

US32 Except for the frequencies 123.3 and 123.5 MHz, which are not authorized for Government use, the band 123.1125–123.5875 MHz is available for FAA communications incident to flight test and inspection activities pertinent to aircraft and facility certification on a secondary noninterference basis.

US33 The band 123.1125–123.5875 MHz is for use by flight test and aviation instructional stations. The frequency 121.950 MHz is available for aviation instructional stations.

US39 Radio altimeters are permitted to use the band 1600–1660 MHz only until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

US40 The band 1592.5–1622.5 MHz is allotted provisionally, but on a primary basis, for the collision avoidance function, noting the continued use of existing altimeters in the band 1600–1660 MHz.

US41 The Government radiolocation service is permitted in the band 2450–2500 MHz on condition that harmful interference is not caused to non-Government services.

US44 The non-Government radiolocation service may be authorized in the band 2900–3100 MHz on the condition that no harmful interference is caused to Government services.

US48 The non-Government radiolocation service may be authorized in the bands 5350–5460 MHz and 9000–9200 MHz on the condition that it does not cause harmful interference to the aeronautical radionavigation service or to the Government radiolocation service.

US49 The non-Government radiolocation service may be authorized in the band 5460–5470 MHz on the condition that it does not cause harmful interference to the aeronautical or maritime radionavigation services or to the Government radiolocation service.

US50 The non-Government radiolocation service may be authorized in the band 5470–5600 MHz on the condition that it does not cause harmful interference to the maritime radionavigation service or to the Government radiolocation service.

US51 In the band 5600–5650 MHz and 9300–9500 MHz, the non-Government radiolocation service shall not cause harmful interference to the Government radiolocation service.

US53 In view of the fact that the band 13.25–13.4 GHz is allocated to doppler navigation aids, Government, and non-Government airborne doppler radars in the aeronautical radionavigation service are permitted in the band 8750–8850 MHz only on the condition that they must accept any interference that may be experienced from stations in the radiolocation service in the band 8500–10000 MHz.

US54 Temporarily, and until certain operations of the radiolocation service in the band 9000–9200 MHz can be transferred to other appropriate frequency bands, the aeronautical radionavigation service may, in certain geographical areas, be subject to receiving some degree of interference from the radiolocation service.

US58 In the band 10000–10500 MHz, pulsed emissions are prohibited, except for weather radars on board meteorological satellites in the band 10000–10025 MHz. The amateur service and the non-Government radiolocation service, which shall not cause harmful interference to the Government radiolocation service, are the only non-Government services permitted in this band. The non-Government radiolocation service is limited to survey operations as specified in footnote US108.

US59 The band 10.5–10.55 GHz is restricted to systems using type NON (AO) emission with a power not to exceed 40 watts into the antenna.

US65 The use of the band 5460–5650 MHz by the maritime radionavigation service is limited to shipborne radars.

US66 The use of the band 9300–9500 MHz by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons. In addition, ground-based radar beacons in the aeronautical radionavigation service are permitted in the band 9300–9320 MHz on the condition that harmful interference is not caused to the maritime radionavigation service.

US67 The use of the band 9300–9500 MHz by the meteorological aids service is limited to ground-based radars. Radiolocation installations will be coordinated with the meteorological aids service and, insofar as practicable, will be adjusted to meet the requirements of the meteorological aids service.

US69 In the band 31.8–33.4 GHz, ground-based radionavigation aids are not permitted except where they operate in cooperation with airborne or shipborne radionavigation devices.

US70 The meteorological aids service allocation in the band 400.15–406.0 MHz does not preclude the operation therein of associated ground transmitters.

US71 In the band 9300–9320 MHz, low-powered maritime radionavigation stations shall be protected from harmful interference caused by the operation of land-based equipment.

US74 In the bands 25.55–25.67, 73.0–74.6, 406.1–410.0, 608–614, 1400–1427, 1660.5–1670.0, 2690–2700 and 4990–5000 MHz and in the bands 10.68–10.7, 15.35–15.4, 23.6–24.0, 31.3–31.5, 86–92, 105–116 and 217–231 GHz, the radio astronomy service shall be protected from extraband radiation only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates.

US77 Government stations may also be authorized:

(a) Port operations use on a simplex basis by coast and ship stations of the frequencies 156.6 and 156.7 MHz;

(b) Duplex port operations use of the frequency 157.0 MHz for ship stations and 161.6 MHz for coast stations;

(c) Inter-ship use of 156.3 MHz on a simplex basis; and

(d) Vessel traffic services under the control of the U.S. Coast Guard on a simplex basis by coast and ship stations on the frequencies 156.25, 156.55, 156.6 and 156.7 MHz.

(e) Navigational bridge-to-bridge and navigational communications on a simplex basis by coast and ship stations on the frequencies 156.375 and 156.65 MHz.

US78 In the band 1435—1535 MHz, the frequencies between 1435 and 1485 MHz will be assigned primarily for the flight testing of manned aircraft, or major components thereof; the frequencies between 1485 and 1535 MHz will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Included as permissible usage for aeronautical telemetering stations in the band 1435—1535 MHz is telemetry associated with launching and re-entry into the earth's atmosphere, as well as any incidental orbiting prior to re-entry, of manned or unmanned objects undergoing flight tests. In the band 1530—1535 MHz the maritime mobile-satellite service will be the only primary service after 1 January 1990.

US80 Government stations may use the frequency 122.9 MHz subject to the following conditions:

(a) All operations by Government stations shall be restricted to the purpose for which the frequency is authorized to non-Government stations, and shall be in accordance with the appropriate provisions of the Commission's Rules and Regulations, Part 87, Aviation Services;

(b) Use of the frequency is required for coordination of activities with Commission licensees operating on this frequency; and

(c) Government stations will not be authorized for operation at fixed locations.

US81 The band 38.0—38.25 MHz is used by both Government and non-Government radio astronomy observatories. No new fixed or mobile assignments are to be made and Government stations in the band 38.0—38.25 MHz will be moved to other bands on a case-by-case basis, as required, to protect radio astronomy observations from harmful interference. As an exception, however, low powered military transportable and mobile stations used for tactical and training purposes will continue to use the band. To the extent practicable, the latter operations will be adjusted to relieve such interference as may be caused to radio astronomy observations. In the event of harmful interference from such local operations, radio astronomy observatories may contact local military commands directly, with a view to effecting relief. A list of military commands, areas of coordination, and points of contact for purposes of relieving interference may be obtained upon request from the Office of the Chief Scientist, Federal Communications Commission, Washington, D.C. 20554.

US82 The assignable frequencies in the bands 4143.6—4146.6 kHz, 6218.6—6224.6 kHz, 8291.1—8297.3 kHz, 12,429.2—12,439.5 kHz, 16,587.1—16,596.4 kHz and 22,124—22,139.5 kHz may be authorized on a shared non-priority basis to Government and non-Government ship and coast stations (SSB telephony, with peak envelope power not to exceed 1 kW).

US87 The frequency 450 MHz, with maximum emission bandwidth of 500 kHz, may be used by Government and non-Government stations for space telecommand at specific locations, subject to such conditions as may be applied on a case-by-case basis.

US90 In the band 2025—2110 MHz earth-to-space and space-to-space transmissions may be authorized in the space research and earth exploration-satellite services subject to such conditions as may be applied on a case-by-case basis. Such transmissions shall not cause harmful interference to non-Government stations operating in accordance with the Table of Frequency Allocations. All space-to-space transmissions reaching the earth's surface shall adhere to a power flux density of between −144 and −154 (dbw/(m^2)/4 kHz depending on the angle of arrival per ITU Radio Regulation 2557 and shall not cause harmful interference to the other space services.

US93 In the conterminous United States, the frequency 108.0 MHz may be authorized for use by VOR test facilities, the operation of which is not essential for the safety of life or property, subject to the condition that no interference is caused to the reception of FM broadcasting stations operating in the band 88—108 MHz. In the event that such interference does occur, the licensee or other agency authorized to operate the facility shall discontinue operation on 108 MHz and shall not resume operation until the interference has been eliminated or the complaint otherwise satisfied. VOR test facilities operating on 108 MHz will not be protected against interference caused by FM broadcasting stations operating in the band 88—108 MHz not shall the authorization of a VOR test facility on 108 MHz preclude the Commission from authorizing additional FM broadcasting stations.

US99 In the band 1668.4—1670.0 MHz, the meteorological aids service (radiosonde) will avoid operations to the maximum extent practicable. Whenever it is necessary to operate radiosondes in the band 1668.4—1670 MHz within the United States, notification of the operations shall be sent as far in advance

as possible to the Electromagnetic Management Unit, National Science Foundation, Washington, D.C. 20550.

US102 In Alaska only, the frequency 122.1 MHz may also be used for air carrier air traffic control purposes at locations where other frequencies are not available to air carrier aircraft stations for air traffic control.

US104 The LORAN Radionavigation System has priority in band 90—110 kHz in the United States and possessions. Radiolocation land stations making use of LORAN type equipment may be authorized to both Government and non-Government on a secondary service basis for offshore radiolocation activities only at specific locations and subject to such technical and operational conditions (e.g., power, emission, pulse rate and phase code, hours of operation), including on-the-air testing, as may be required on a case-by-case basis to ensure protection of the LORAN radionavigation system from harmful interference and to ensure mutual compability among radiolocation operators. Such authorizations to stations in the radiolocation service are further subject to showing of need for service which is not currently provided and which the Government is not yet prepared to render by way of the radionavigation service.

US106 The frequency 156.75 MHz is available for assignment to non-Government and Government stations for environmental communications in accordance with an agreed plan.

US107 The frequency 156.8 MHz is the national distress, safety and calling frequency for the maritime mobile VHF radiotelephone service for use by Government and non-Government ship and coast stations. Guard bands of 156.7625—156.7875 and 156.8125—156.8375 MHz are maintained.

US108 Within the bands 3300—3500 MHz and 10000—10500 MHz, survey operations, using transmitters with a peak power not to exceed five watts into the antenna, may be authorized for Government and non-Government use on a secondary basis to other Government radiolocation operations.

US110 In the frequency bands 3100—3300 MHz, 3500—3700 MHz, 5250—5350 MHz, 8500—9000 MHz, 9200—9300 MHz, 9500—10000 MHz, 13.4—14.0 GHz, 15.7—17.3 GHz, 24.05—24.25 GHz and 33.4—36.0 GHz, the non-Government radiolocation service shall be secondary to the Government radioactive service and to airborne doppler radars at 8800 MHz, and shall provide protection to airport surface detection equipment (ASDE) operating between 15.7—16.2 GHz.

US111 In the band 1990—2120 MHz, Government space research earth stations may be authorized to use specific frequencies at specific locations for earth-to-space transmissions. Such authorizations shall be secondary to non-Government use of this band and subject to such other conditions as may be applied on a case-by-case basis.

Corpus Christi, Tex., 27°39'N., 097°23'W.
Fairbanks, Alaska, 64°59'N., 147°53'W.
Goldstone, Calif., 35°18'N., 116°54'W.
Greenbelt, Md., 39°00'N., 076°50'W.
Guam, Mariana Is., 13°19'N., 144°44'E.
Kauai, Hawaii, 22°08'N., 159°40'W.
Merritt Is., Fla., 28°29'N., 080°35'W.
Rosman, N.C., 35°12'N., 082°52'W.
Wallops Is., Va., 37°57'N., 075°20'W.

US112 The frequency 123.1 MHz is for search and rescue communications. This frequency may be assigned for air traffic control communications at special aeronautical events on the condition that no harmful interference is caused to search and rescue communications during any period of search and rescue operations in the licale involved.

US116 In the bands 890–902 and 928–942 MHz, no new assignments are to be made to Government radio stations after July 10, 1970, except, on a case-by-case basis, to experimental stations and to additional stations of existing networks in Alaska. Government assignments, existing prior to July 10, 1970, to stations in Alaska may be continued. All other existing Government assignments shall be on a secondary basis to stations in the non-Government land mobile service and shall be subject to adjustment or removal from the bands 890–902 and 928–942 MHz at the request of the FCC.

US117 In the band 406.1–410 MHz, all new authorizations will be limited to a maximum 7 watts per kHz of necessary bandwidth; existing authorizations as of November 30, 1970 exceeding this power are permitted to continue in use.

New authorizations in this band stations, other than mobile stations, within the following areas are subject to prior coordination by the applicant through the Electromagnetic Spectrum Management Unit, National Science Foundation, Washington, D.C. 20550, (202–357–9696):

Arecibo Observatory:

Rectangle between latitudes 17°30'N. and 19°00'N. and between longitudes 65°10' W. and 68°00'W.

Owens Valley Radio Observatory:

Two contiguous rectangles, one between latitudes 36°N. and 37°N. and longitudes 117°40'W. and 118°30'W. and the second between latitudes 37°N. and 38°N. and longitudes 118°W. and 118°50'W.

Sagamore Hill Radio Observatory:

Rectangle between latitudes 42°10'N. and 43°00'N. and longitudes 70°31'W. and 71°31'W.

Table Mountain Solar Observatory (NOAA), Boulder, Colorado (407–409 MHz only):

Rectangle between latitudes 39°30'N. and 40°30'N. and longitudes 104°30'W. and 106°00'W. or the Continental Divide whichever is farther east.

The non-Government use of this band is limited to the radio astronomy service and as provided by footnote US13.

US201 In the band 460–470 MHz, space stations in the earth exploration-satellite service may be authorized for space-to-earth transmissions on a secondary basis with respect to the fixed and mobile services. When operating in the meteorological-satellite service, such stations shall be protected from harmful interference from other applications of the earth exploration-satellite service. The power flux produced at the earth's surface by any space station in this band shall not exceed −152 dBW/m²¼ kHz.

US203 Radio astronomy observations of the formaldehyde line frequencies 4825–4835 MHz and 14.470–14.500 GHz may be made at certain radio astronomy observatories as indicated below:

BANDS TO BE OBSERVED

4 GHz	14 GHz	Observatory
X		National Astronomy and Ionosphere Center, Arecibo, Puerto Rico.
X	X	National Radio Astronomy Observatory, Green Bank, W. Va.
X	X	National Radio Astronomy Observatory, Socorro, New Mexico.
X	X	Hat Creek Observatory (U of Calif.), Hat Creek, Cal.
X	X	Haystack Radio Observatory (MIT-Lincoln Lab), Tyngsboro, Mass.
X	X	Owens Vally Radio Observatory (Cal. Tech.), Big Pine, Cal.
	X	Five College Radio Astronomy Observatory Quabbin Reservoir (near Amherst), Massachusetts.

Every practicable effort will be made to avoid the assignment of frequencies to stations in the fixed or mobile services in these bands. Should such assignments result in harmful interference to these observations, the situation will be remedied to the extent practicable.

US205 Tropospheric scatter systems are prohibited in the band 2500–2690 MHz.

US208 Planning and use of the band 1559–1626.5 MHz necessitate the development of technical and/or operational sharing criteria to ensure the maximum degree of electromagnetic compatibility with existing and planned systems within the band.

US209 The use of frequencies 460.6625, 460.6875, 460.7125, 460.7375, 460.7625, 460.7875, 460.8125, 460.8375, 460.8625, 465.6625, 465.6875, 465.7125, 465.7375, 465.7625, 465.7875, 465.8125, 465.8375, and 465.8625 MHz may be authorized, with 100 mW or less output power, to Government and non-Government radio stations for one-way, non-voice bio-medical telemetry operations in hospitals, or medical or convalescent centers.

US210 Use of frequencies in the bands 40.66–40.70 and 216–220 MHz may be authorized to Government and non-Government stations on a secondary basis for the tracking of, and telemetering of scientific data from, ocean buoys and wildlife. Airborne wildlife telemetry in the 216–220 MHz band will be limited to the 216.0–216.1 MHz portion of the band. Operation in these two bands is subject to the technical standards specified in: (a) Section 8.2.42 of the NTIA Manual for Government use, or (b) Section 5.108 of the Commission's Rules for non-Government use.

US211 In the bands 1670–1690, 5000–5250 MHz and 10.7–11.7, 15.1365–15.35, 15.4–15.7, 22.5–22.55, 24–24.05, 31.0–31.3, 31.8–32.0, 40.5–42.5, 84–86, 102–105, 116–126, 151–164, 176.5–182, 185–190, 231–235, 252–265 GHz, applicants for airborne or space station assignments are urged to take all practicable steps to protect radio astronomy observations in the adjacent lands from harmful interference; however, US74 applies.

US212 The use of the carrier frequency 4383.8 kHz (assigned frequency 4385.2 kHz),

maximum power 150 watts peak envelope power, may be authorized to non-Government stations in the amateur, fixed and mobile services, and to Government stations, in the State of Alaska for emergency communications. No airborne operations will be permitted on this frequency. Additionally, all stations operating on this frequency must be located in or within 50 nautical miles of the State of Alaska.

US213 The frequency 122.925 MHz is for use only for communications with or between aircraft when coordinating natural resources programs of Federal or State natural resources, agencies, including forestry management and fire suppression, fish and game management and protection and environmental monitoring and protection.

US214 The frequency 157.1 MHz is the primary frequency for liaison communications between ship stations and stations of the United States Coast Guard.

US215 Emissions from microwave ovens manufactured on and after January 1, 1980, for operation on the frequency 915 MHz must be confined within the band 902–928 MHz. Emissions from microwave ovens manufactured prior to January 1, 1980, for operation on the frequency 915 MHz must be confined within the band 902–940 MHz. Radiocommunications services operating in the band 928–940 MHz must accept any harmful interference from the operation of microwave ovens manufactured before January 1, 1980.

US216 The frequencies 150.775 and 150.790, and the bands 152–152.0150, 163.2375–163.2625, 462.9375–463.1875 and 467.9375–468.1875 MHz are authorized for Government/non-Government operations in medical radio communications systems.

US217 Pulse-ranging radiolocation systems may be authorized for Government and non-Government use in the 420–450 MHz band along the shorelines of Alaska and the contiguous 48 states. Spread spectrum radiolocation systems may be authorized in the 420–435 MHz portion of the band for operation within the contiguous 48 States and Alaska. Authorizations will be granted on a case-by-case basis; however, operations proposed to be located within the zones set forth in US228 should not expect to be accommodated. All stations operating in accordance with this provision will be secondary to stations operating in accordance with the Table of Frequency Allocations.

US218 The bans segments 902–912 MHz and 918–923 MHz are available for Automatic Vehicle Monitoring (AVM) Systems subject to not causing harmful interference to the operation of Government stations authorized in these bands. These systems must tolerate any interference from the operation of industrial, scientific, and medical (ISM) devices and the operation of Government stations authorized in these bands.

US219 In the band 2025–2110 MHz Government Earth resources satellite Earth stations in the Earth exploration-satellite service may be authorized to use the frequency 2106.4 MHz for Earth-to-space transmission for tracking, telemetry, and telecommand at the sites listed below. Such transmissions shall not cause harmful interference to non-Government operations:

Sioux Falls, South Dakota, 43°32'03.1" N., 96°45'42.8" W.
Fairbanks, Alaska, 64°58'36.6" N., 147°30'54.2" W.

US220 The frequencies 36.25 and 41.71 MHz may be authorized to Government stations and non-Government stations in the petroleum radio service, for oil spill containment and cleanup operations. The use of these frequencies for oil spill containment or cleanup operations is limited to the inland and coastal waterway regions.

US221 Use of the mobile service in the bands 525–535 kHz and 1605–1615 kHz is limited to distribution of public service information from travelers information stations operating on 530 or 1610 kHz.

US222 In the band 2025–2035 MHz geostationary operational environmental satellite Earth stations in the space research and Earth exploration-satellite services may be authorized on a coequal basis for Earth-to-space transmissions for tracking, telemetry, and telecommand at the sites listed below:
Wallops Is., Va. 37°50'48" N., 75°27'33" W.
Seattle, Wash. 47°34'15" N., 122°33'10" W.
Honolulu, Hawaii 21°21'12"N., 157°52'36"W.

US223 Within 75 miles of the United States/Canada border on the Great Lakes and Saint Lawrence Seaway, use of coast transmit frequency 162.025 MHz and ship station transmit frequency 157.425 MHz (VHF maritime mobile service channel 88) may be authorized for use by the maritime mobile service for public correspondance.

US224 Government systems utilizing spread spectrum techniques for terrestrial communication, navigation and identification may be authorized to operate in the band 960–1215 MHz on the condition that harmful interference will not be caused to the aeronautical radionavigation service. These systems will be handled on a case-by-case basis. Such systems shall be subject to a review at the national level for operational requirements and electromagnetic compatibility prior to development, procurement or modification.

US225 In addition to its present Government use, the frequency band 510–525 kHz is available to Government and non-Government aeronautical radionavigation stations inland of the Territorial Base Line as coordinated with the military services. In addition, the frequency 510 kHz is available for non-Government ship-helicopter operations when beyond 100 nautical miles from shore and required for aeronautical radionavigation.

US226 In the State of Hawaii, stations in the aeronautical radionavigation service shall not cause harmful interference to U.S. Navy reception from its station at Honolulu on 198 kHz.

US228 Applicants for operation in the band 420 to 450 MHz under the provisions of US217 should not expect to be accommodated if their area of service is within the following geographic areas:

(a) All areas listed in Footnote US7.

(b) In the State of Massachusetts within a 160 kilometers (100 miles) radius around the locations of Otis Air Force Base, Massachusetts (latitude 41°45' North, longitude 70°32' West).

(c) In the State of California within a 240 kilometer (150 mile) radius of Beale Air Force Base, California (latitude 39°08' North, longitude 121°26' West).

(d) In the State of Alaska, within a 160 kilometer (100 mile) radius of Clear, Alaska (latitude 64°17' North, longitude 149°10' West).

(e) In the State of North Dakota, within a 160 kilometer (100 mile) radius of Concrete, North Dakota (latitude 48°43' North, longitude 97°54' West).

(f) Those portions of Texas and New Mexico bounded on the south by latitude 31° 45' North, on the east by longitude 104°00' West, on the north by latitude 34°30' North, and on the West by longitude 107°30' West.

US229 Assignments to stations in the fixed and mobile services may be made on the condition that no harmful interference is caused to the Navy SPASUR system currently operating in the southern United States in the frequency band 216.88–217.08 MHz.

US231 When an assignment cannot be obtained in the bands between 200 and 525 kHz, which are allocated to aeronautical radionavigation, assignments may be made to aeronautical radiobeacons in the maritime mobile band 435–490 kHz, on a secondary basis, subject to the coordination and agreement of those agencies having assignments within the maritime mobile band which may be affected. Assignments to aeronautical radionavigation radiobeacons in the band 435–490 kHz shall not be a bar to any required changes to the maritime mobile radio service and shall be limited to Government not employing voice emissions.

US232 The frequency 518 kHz may be used by coast stations operated by the U.S. Coast Guard for the transmission of meteorological and navigational warnings to ships by means of narrow-band direct-printing telegraphy.

US234 In the band 14.4–14.5, all Government fixed and mobile stations, effective December 31, 1981, shall be on a secondary basis to stations in the non-Governemnt fixed-satellite service. Exceptionally, the Government operations listed below, which were in existence on December 31, 1981, may continue to operate on a coequal primary basis with stations in the non-Government fixed-satellite service until December 31, 1986.

Operation	Points of communication
Point Mugu, CA	From 34°07'N., 119°07'W. to 34°00'N., 119°38'W.
Fort Bragg, NC	From 35°08'N., 79°05'W. to 35°10'N., 79°01'W.
Vandenberg, CA	Transportable terminals within 25 km radius of 34°44'N., 120°35'W.
Bolling AFB, DC	Transportable terminals within 25 km radius of 38°50'N., 77°01'W.

US235 Until implementation procedures and schedules are determined by future conferences of the International Telecommunication Union, the bands 9775–9900, 11650–11700, 11975–12050, 13600–13800, 15450–15600, 17550–17700 and 21750–21850 kHz, to be implemented by the broadcasting service and the bands 12230–12330, 16360–16460, 17360–17410, 18780–18900, 19680–19800,

22720–22855, 25110–25210, and 26100–26175 kHz, to be implemented by the maritime mobile service, are allocated as an alternative allocation to the fixed service.

US236 Until implementation procedures and schedules are determined by future conferences of the International Telecommunication Union, the bands 4000–4063 and 8100–8195 kHz are also allocated on a primary basis to the fixed service.

US237 Until implementation procedures and schedules are determined by a future Regional Conference of the International Telecommunication Union, the band 1615–1625 kHz is also allocated on a primary basis to the radiolocation service.

US238 Until implementation procedures and schedules are determined by a future Regional Conference of the International Telecommunication Union, the band 1625–1705 kHz is allocated to the radiolocation service on a primary basis as a different category of service.

US239 Aeronautical radionavigation stations (radiobeacons) may be authorized, primarily for off-shore use, in the band 525–535 kHz on a non-interference basis to travelers information stations.

US240 The bands 1715–1725 and 1740–1750 kHz are allocated on a primary basis and the bands 1705–1715 kHz and 1725–1740 kHz on a secondary basis to the aeronautical radionavigation service, (radiobeacons).

US241 On the condition that harmful interference is not caused to the maritime mobile service, frequencies in the band 8195–8815 kHz may be used exceptionally by fixed stations communicating only within the United States and its possessions with a mean power not exceeding 250 watts.

US243 In the band 220–225 MHz, stations in the radiolocation service have priority until 1 January 1990.

US244 Until 1 January 1990, the band 136–137 MHz is allocated as an alternative allocation to the space operation (space-to-earth), meteorological-satellite service (space-to-earth) and the space research service (space-to-earth) on a primary basis. After 1 January 1990, no new assignments will be made to the above space services and existing stations will become secondary to the aeronautical mobile (R) service stations as the latter service is introduced in the band.

US245 The fixed-satellite service is limited to international inter-continental systems and subject to case-by-case electromagnetic compatibility analysis.

US246 No stations will be authorized to transmit in the bands 608–614 MHz, 1400–1427 MHz, 1660.5–1668.4 MHz, 2690–2700 MHz, 4990–5000 MHz, 10.68–10.70 GHz, 15.35–15.40 GHz, 23.6–24.0 GHz, 31.3–31.8 GHz, 51.4–54.25 GHz, 58.2–59.0 GHz, 64–65 GHz, 86–92 GHz, 100–102 GHz, 105–116 GHz, 164–168 GHz, 182–185 GHz and 217–231 GHz.

US247 The band 10100–10150 kHz is allocated to the fixed service on a primary basis outside the United States and possessions. Transmissions of stations in the amateur service shall not cause harmful interference to this fixed service use and stations in the amateur service shall make all necessary adjustments (including termination of transmission) if harmful interference is caused.

US248 Until reaccommodation actions of the International Telecommunication Union are completed, the bands 18068–18168 kHz and 24890–24990 kHz are allocated as an alternative allocation to the fixed service. In the interim, assignments to stations in the fixed service shall be made in accordance with the policy set forth in 8.2.13 of the NTIA Manual of Regulations and Procedures and Part 2, Section 2.102(h) of the FCC Rules and Regulations. However, assignments to the fixed service in these bands shall be terminated no later than 1 July 1989.

US249 The band 25550–25600 kHz is allocated as an alternative allocation to the fixed and mobile, except aeronautical mobile, services until 1 January 1985. Assignments to stations in these services in this band shall be terminated no later than 1 January 1985.

US251 The band 12.75–13.25 GHz is also allocated to the space research, (deep space) (space-to-earth) service for reception only at Goldstone, California. 35°18′ N. 116°54′ – W.

US252 The bands 2110–2120, 7145–7190 MHz, and 34.2–34.7 GHz are also allocated for earth-to-space transmissions in the space research service, limited to deep space communications at Goldstone, California.

US253 In the band 2300–2310 MHz, the fixed and mobile services shall not cause harmful interference to the amateur service.

US254 In the band 18.6–18.8 GHz the fixed and mobile services shall be limited to a maximum equivalent isotropically radiated power of +35 dBW and the power delivered to the antenna shall not exceed −3 dBW.

US255 In the band 18.6–18.8 GHz the fixed satellite service shall be limited to a power flux density at the Earth's surface of −101 dbW/M² in a 200 MHz band for all angles of arrival.

US256 Radio astronomy observations may be made in the band 1718.8–1722.2 MHz on an unprotected basis. Agencies providing other services in this band in the geographic areas listed below should bear in mind that their operations may affect those observations, and those agencies are encouraged to minimize potential interference to the observations in so far as it is practicable.

National Astronomy and Ionosphere Center, Arecibo, Puerto Rico
Rectangle between latitudes 17°30′ N. and 19°00′ N. and between longitudes 65°10′ W. and 68°00′ W.

Haystack Radio Observatory, Tyngsboro, Massachusetts
Rectangle between latitudes 41°00′ N. and 43°00′ N. and between longitudes 71°00′ W. and 73°00′ W.

National Radio Astronomy Observatory, Green Bank, West Virginia
Rectangle between latitudes 37°00′ N. and 39°15′ N. and longitudes 78°30′ W. and 80°30′ W.

National Radio Astronomy Observatory, Socorro, New Mexico
Rectangle between latitudes 32°30′ N. and 35°30′ N. and between longitudes 106°00′ W. and 109°00′ W.

Owens Valley Radio Observatory, Big Pine, California
Two contiguous rectangles, one between latitudes 36°00′ N. and 37°00′ N. and between longitudes 117°40′ W. and 118°30′ W. and the second between latitudes 37°00′ N. and 38°00′ N. and longitudes 118°00′W and 118°50′ W.

Hat Creek Observatory, Hat Creek, California
Rectangles between latitudes 40°00′ N. and 42°00′ N. and between longitudes 120°15′ W. and 122°15′ W.

US257 Radio astronomy observations may be made in the 4950–4990 MHz band at certain Radio Astronomy Observatories indicated below:

Hat Creek Observatory, Hat Creek, California
Rectangle between latitudes 40°00′ N. and 42°00′ N. and between longitudes 120°15′ W. and 122°15′ W.

Owens Valley Radio Observatory, Pine, California
Two contiguous rectangles, Big one between latitudes 36°00′ N. and 37°00′ N. and longitudes 117°40′ W. and 118°30′ W. and the second between latitudes 37°00′ N. and 38°00′ N. and longitudes 118°00′ W. and 118°50′ W.

Haystack Radio Observatory, Tyngsboro, Massachusetts
Rectangle between latitudes 41°00′ N. and 43°00′ N. and between longitudes 71°00′ W. and 73°00′ W.

National Astronomy and Ionosphere Center, Arecibo, Puerto Rico
Rectangle between latitudes 17°30′ N. and 19°00′ N. and between longitudes 65°10′ W. and 68°00′ W.

National Radio Astronomy Observatory, Socorro, New Mexico
Rectangle between latitudes 32°30′ N. and 35°30′ N. and longitudes 106°00′ W. and 109°00′ W.

National Radio Astronomy Observatory, Green Bank, West Virginia
Rectangle between latitudes 37°30′ N. and 39°15′ N. and longitudes 78°30′ W. and 80°30′ W.

Every practicable effort will be made to avoid the assignment of frequencies in the band 4950–4990 MHz to stations in the fixed and mobile services within the geographic areas given above. In addition, every practicable effort will be made to avoid the assignment of frequencies in this band to stations in the aeronautical mobile service which operate outside of those geographic areas, but which may cause harmful interference to the listed observatories. Should such assignments result in harmful interference to these observatories, the situation will be remedied to the extent practicable.

US258 In the band 8025–8400 MHz, the non-Government earth exploration-satellite service (space-to-earth) is allocated on a primary basis. Authorizations are subject to a case-by-case electromagnetic compatibility analysis.

US259 Stations in the radiolocation service in the band 17.3–17.7 GHz, shall be restricted to operating powers of less than 51 dBW eirp after feeder link stations for the broadcasting-satellite service are authorized and brought into use.

US260 Aeronautical mobile communications which are an integral part of

aeronautical radionavigation systems may be satisfied in the bands 1559–1626.5 MHz, 5000–5250 MHz and 15.4–15.7 GHz.

US261 The use of the band 4200–4400 MHz by the aeronautical radionavigation service is reserved exclusively for airborne radio altimeters. Experimental stations will not be authorized to develop equipment for operational use in this band other than equipment related to altimeter stations. However, passive sensing in the earth-exploration satellite and space research services may be authorized in this band on a secondary basis (no protection is provided from the radio altimeters).

US262 The band 31.8–32.3 GHz is also allocated for space-to-earth transmissions in the space research service, limited to deep space communications at Goldstone, California.

US263 In the frequency bands 21.2–21.4, 22.21–22.5, 36–37, 50.2–50.4, 54.25–58.2, 116–126, 150–151, 174.5–176.5, 200–202 and 235–238 GHz, the space research and earth exploration-satellite services shall not receive protection from the fixed and mobile services operating in accordance with the Table of Frequency Allocations.

US264 In the band 48.94–49.04 GHz, airborne stations shall not be authorized.

US265 In the band 10.6–10.68 GHz, the fixed service shall be limited to a maximum equivalent isotropically radiated power of 40 dBW and the power delivered to the antenna shall not exceed −3dBW per 250 kHz.

US266 Licensees in the public safety radio services holding a valid authorization on June 30, 1958, to operate in the frequency band 156.27–157.47 MHz or on the frequencies 161.85, 161.91 or 161.97 MHz may, upon proper application, continue to be authorized for such operation, including expansion of existing systems, until such time as harmful interference is caused to the operation of any authorized station other than those licensed in the public safety radio service.

US267 In the band 902–928 MHz, amateur radio stations shall not operate within the States of Colorado and Wyoming, bounded by the area of: latitude 39°N. to 42°N. and longitude 103°W. to 108°W.

US268 The bands 890–902 MHz and 928–942 MHz are also allocated to the radiolocation service for Government ship stations (off-shore ocean areas) on the condition that harmful interference is not caused to non-Government land mobile stations. The provisions of footnote US116 apply.

US269 In the band 2500–2690 MHz, applicants for space station assignments are urged to take all practicable steps to protect radio astronomy observations in the adjacent band, 2690–2700 MHz, from harmful interference. Further, all applicants are urged to coordinate their proposed system through the Electromagnetic Management Unit, National Science Foundation, Washington, D.C. 20550, prior to system development.

US270 The band 72.77–72.91 GHz is also allocated to the radio astronomy service. Applicants for frequency assignments in this band are urged to take all practicable steps to protect radio astronomy observations from harmful interference.

US271 The use of the band 17.3–17.8 GHz by the fixed-satellite service (earth-to-space) is limited to feeder links for broadcasting-satellite service.

US272 The allocation to the maritime mobile-satellite service in the band 1530–1535 MHz shall be effective from 1 January 1990. Up to that date the allocation to the mobile service will be on a primary basis.

US273 In the 74.6–74.8 MHz and 75.2–75.4 MHz bands stations in the fixed and mobile services are limited to a maximum power of 1 watt from the transmitter into the antenna transmission line.

US274 In the 216–220 MHz band fixed, aeronautical mobile and land mobile stations are limited to telemetering and associated telecommand operations.

US275 The band 902–928 MHz is allocated on a secondary basis to the amateur service subject to not causing harmful interference to the operations of Government stations authorized in this band or to Automatic Vehicle Monitoring (AVM) systems. Stations in the amateur service must tolerate any interference from the operations of industrial, scientific and medical (ISM) devices, AVM systems and the operations of Government stations authorized in this band.

US276 Use of the band 2310–2390 MHz by the mobile service is limited to aeronautical telemetering and associated telecommand operations for flight testing of manned or unmanned aircraft, missiles, or major components thereof. Exceptionally all other mobile telemetering uses shall be secondary.

US277 The band 10.6–10.68 GHz is also allocated on a primary basis to the radio astronomy service. However, the radio astronomy service shall not receive protection from stations in the fixed service which are licensed to operate in the one hundred most populous urbanized areas as defined by the U.S. Census Bureau. The following radio astronomy sites have been coordinated for observations in this band: National Radio Astronomy Observatory, Green Bank, West Virginia; (38°26'08"N.; 79°49'42"W.) National Radio Astronomy Observatory, Socorro, New Mexico; (34°04'43"N.; 107°37'04"W.), Harvard Radio Astronomy Station, Fort Davis, Texas; (30°38'08"N.; 103°56'42"W.), Hat Creek Observatory, Hat Creek, California; (40°49'03"N.; 121°28'24"W.), Owens Valley Radio Observatory, Big Pine, California; (37°13'54"N.; 118°17'36"W.), Naval Research Laboratory, Maryland Point, Maryland (38°22'26"N.; 77°14'00"W.).

US278 In the 22.55–23.55 and 32–33 GHz bands non-geostationary intersatellite links may operate on a secondary basis to geostationary intersatellite links.

US279 The frequency 2182 kHz may be authorized to fixed stations associated with the maritime mobile service for the sole purpose of transmitting distress calls and distress traffic, and urgency and safety signals and messages.

US280 The frequency 6147.5 kHz may be authorized for simplex operation by non-Government coast and ship radiotelephone stations operating in the Mississippi River system on the condition that harmful interference shall not be caused to stations operating in accordance with the Table of Frequency Allocations.

US281 In the band 25.07–25.11 MHz non-Government stations in the industrial radio services shall not cause harmful interference to, and must accept interference from, stations in the maritime mobile service operating in accordance with the International Table of Frequency Allocations.

US282 In the band 4650–4700 kHz frequencies may be authorized for non-Government communication with helicopters in support of off-shore drilling operations on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

US283 In the bands 2850–3025 kHz, 3400–3500 kHz, 4650–4700 kHz, 5450–5680 kHz, 6525–6685 kHz, 10005–10100 kHz, 11275–11400 kHz, 13260–13360 kHz and 17900–17970 kHz frequencies in these bands may be authorized for non-Government flight test purposes on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

US284 The carrier frequencies 6451.9 and 6455.0 kHz may be authorized to non-Government ship telephone and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations and that any interference from such services must be accepted.

US285 Under exceptional circumstances, the frequencies 2638 and 2738 kHz may be authorized to coast stations.

US286 In the bands 2900–3100 MHz and 5470–5600 MHz the use of shipborne transponder systems shall be confined to the subbands 2930–2950 MHz and 5470–5480 MHz.

US287 The band 14–14.5 GHz is also allocated to the non-Government land mobile-satellite service (earth-to-space) on a secondary basis.

US288 The use of the bands 14–19.95 kHz, 20.05–70 kHz and 70–90 kHz by the maritime mobile service is limited to coast radiotelegraph stations (A1A and F1B only). Exceptionally, the use of class J2B or J7B emissions is authorized subject to the necessary bandwidth not exceeding that normally used for class A1A or F1B emissions in the bands concerned.

US290 In the band 1900–2000 kHz amateur stations may continue to operate on a secondary basis to the radiolocation service, and in accordance with NG15, pending a decision as to their disposition through a future rule making proceeding in conjunction with the implementation of the standard broadcasting service in the 1625–1705 kHz band.

US291 Television pickup stations in the mobile service may be authorized to use frequencies in the band 38.6–40 GHz on a secondary basis to stations operating in accordance with the Table of Frequency Allocations.

US292 In the band 14.0–14.2 GHz stations in the radionavigation service shall operate on a secondary basis to the fixed-satellite service.

US293 The band 21850–21870 kHz is allocated as an alternative allocation to the radio astronomy service until 1 January 1985.

US294 In the spectrum below 490 kHz electric utilities operate Power Line Carrier (PLC) systems on power transmission lines for communications important to the reliability and security of electric service to the public. These PLC systems operate under the provisions of Part 15 of the Federal Communications Commission's Rules and Regulations or Chapter 7 of the National Telecommunications and Information Administration's Manual of Regulations and Procedures for Federal Radio Frequency Management, on an unprotected and noninterference basis with respect to authorized radio users. Notification of intent to place new or revised radio frequency assignments or PLC frequency uses in the bands below 490 kHz is to be made in accordance with the Rules and Regulations of the FCC and NTIA, and users are urged to minimize potential interference to the degree practicable. This footnote does not provide any allocation status to PLC radio frequency uses.

US296 In the bands designated for Ship wideband telegraphy, facsimile and special transmission systems, the following assignable frequencies are available to non-Government stations on a shared basis with Government stations: 2070.5, 2072.5, 2074.5, 2076.5, 4160.6, 4168, 6238.6, 6242.6, 8326, 8341.5, 12485, 12489, 16654, 16658, 22186 and 22190 kHz.

US297 The bands 47.2–49.2 GHz and 74.0–75.5 GHz are also available for feeder links for the broadcasting-satellite service.

US298 Channels 27555, 27615, 27635, 27655, 27765, and 27860 kHz are available to eligibles in the Forest Products Radio Service on a secondary basis to Government operations including experimental stations. Operations in the Forest Products Radio Service on these channels will not exceed 150 watts and are limited to the states of Washington, Oregon, Maine, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas (eastern portion).

Non-Government Footnotes

(These footnotes, each consisting of the letters "NG" followed by one or more digits, denote stipulations applicable only to the non-Government.)

NG2 Facsimile broadcasting stations may be authorized in the band 88–108 MHz.

NG3 Control stations in the domestic public mobile radio service may be authorized frequencies in the band 72–73 and 75.4–76 MHz on the condition that harmful interference will not be caused to operational fixed stations.

NG4 The use of the frequencies in the band 152.84–153.38 MHz may be authorized, in any area, to remote pickup broadcast base and mobile stations on the condition that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

NG6 Stations in the public safety radio services authorized as of June 30, 1958, to use frequencies in the band 159.51–161.79 MHz in areas other than Puerto Rico and the Virgin Islands may continue such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to stations in the services to which these bands are allocated. In Puerto Rico and the Virgin Islands this authority is limited to frequencies in the band 160.05–161.37 MHz. No new public radio service system will be authorized to operate on these frequencies.

NG12 Frequencies in the bands 454.40–455 MHz and 459.40–460 MHz may be assigned to domestic public land and mobile stations to provide a two-way air-ground public radiotelephone service.

NG15 The Amateur Service may use the sections of the band 1900 to 2000 kHz which are not required for LORAN–A in accordance with the following conditions:

(1) The use of these frequencies by the Amateur Service shall not be a bar to the expansion of the radionavigation (LORAN–A) service;

(2) The Amateur Service shall not cause harmful interference to the radionavigation (LORAN–A) service;

(3) Only types A1A (A1) and amplitude modulated double and single sideband telephony emission shall be employed.

(4) Amateur operation shall be limited to the maximum transmitter peak envelope power output values specified below:

States of—	Maximum transmitter peak envelope power output in watts			
	1900–1925kHz	1925–1950kHz	1950–1975kHz	1975–2000kHz
	Day /night	Day /night	Day /night	Day /night
Maine, Massachusetts, New Hampshire, Rhode Island..	150/35	0	0	150/35
Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Vermont, District of Columbia.....	300/75	0	0	300/75
Kentucky, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia.....	750/150	0	0	750/150
Florida, Georgia, Illinois, Indiana, Michigan, Wisconsin...	750/150	150/35	150/35	750/150
Alabama, Arkansas, Iowa, Minnesota, Mississippi, Missouri.....	1500/300	300/75	300/75	1500/300
The remainder of the states and territories.....	1500/300	1500/300	1500/300	1500/300

(b) This footnote is applicable up through January 1, 1984 and shall be considered as temporary until that time in the sense that it shall remain subject to cancellation or to revisions, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable, in the light of the priority within this band of the LORAN-A system or radionavigation.

NG17 Stations in the land transportation radio services authorized as of May 15, 1958 to operate on the frequency 161.61 MHz may, upon proper application, continue to be authorized for such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to the operation of any authorized station in the maritime mobile service. No new land transportation radio service system will be authorized to operate on 161.61 MHz.

NG19 Fixed stations associated with the maritime mobile service may be authorized, for purposes of communication with coast stations, to use frequencies assignable to ship stations in this band on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG23 Frequencies in the band 2100–2200 MHz may also be assigned to stations in the international fixed public radio service located south of 25°30′ north latitutde in the State of Florida and in U.S. Possessions in the Caribbean area, provided, however, no new assignments in the band 2150–2162 MHz will be made to such stations after February 25, 1974.

NG28 The frequency band 160.86–161.40 MHz is available for assignment to remote pickup base and remote pickup mobile stations in Puerto Rico and the Virgin Islands only on a shared basis with the land transportation radio service.

NG30 Stations in the international fixed public radiocommunication service in Florida, south of 25°30′ north latitude, may be authorized to use frequencies in the band 716–890 MHz on the condition that harmful interference will not be caused to the broadcasting service of any country. This is an interim allocation the termination of which will later be specified by the Commission when it is determined that equipments are generally available for use in bands allocated internationally to the fixed service.

NG41 Frequencies in the bands 3700–4200 MHz, 5925–6425 MHz, and 10.7–11.7 GHz may also be assigned to stations in the international fixed public and international control services located in U.S. Possessions in the Caribbean area.

NG42 Non-Government stations in the radiolocation service shall not cause harmful interference to the amateur service.

NG43 Fixed stations in the domestic public radio services in Alaska, south of 56° north latitude and east of 134° west longitude, may be authorized to use frequencies in the band 800–830 MHz, on the condition that harmful interference will not be caused to the broadcasting service of any country.

NG47 In the band 2500–2690 MHz, channels in 2500–2686 MHz, and the corresponding response frequencies 2686.0625–2689.8125 MHz, may be assigned to stations in the Instructional Television Fixed Service (Part 74 of this Chapter, CFR 47); channels in 2596–2644 MHz and response frequencies 2686.5625–2689.6875 MHz may be assigned to Multipoint Distribution Service stations (Part 21 of this Chapter CFR 47); and channels 2650–2656 MHz, 2662–2668 MHz and 2674–2680 MHz and response frequencies 2686.9375 MHz, 2687.9375 MHz and 2688.9375 MHz may be assigned to stations in the

Operational Fixed Service (Part 94 of this Chapter, CFR 47). In Alaska, however, frequencies within the band 2655–2690 MHz are not available for assignment to terrestrial stations.

NG49 The following frequencies may be authorized on a secondary basis for low-power (1 watt input) mobile operations in the Manufacturers Radio Service subject to the condition that no interference is caused to the reception of television stations operation on channels 4 and 5 and that their use is limited to a manufacturing facility:

MHz

72.02	72.16	72.30
72.04	72.18	72.32
72.06	72.20	72.34
72.08	72.22	72.36
72.10	72.24	72.38
72.12	72.26	72.40
72.14	72.28	

Further, the following frequencies may be authorized on a primary basis for mobile operations in the Special Industrial Radio Service, Manufacturers Radio Service, and Railroad Radio Service subject to the condition that no interference is caused to the reception of television stations operating on channels 4 and 5; and that their use is limited to a railroad yard, manufacturing plant, or similar industrial facility.

MHz

72.44	72.60	75.56
72.48	75.44	75.60
72.52	75.48	
72.56	75.52	

NG51 In Puerto Rico and the Virgin Islands only, the bands 150.8–150.98 MHz and 150.98–151.49 MHz are allocated exclusively to the business radio service.

NG53 In the band 12.7–13.15 GHz, television pickup stations and CARS pickup stations shall be assigned channels on a co-equal basis and shall operate on a secondary basis to fixed stations operating in accordance with the Table of Frequency Allocations. In the 13.15–13.20 GHz band television pickup stations and CARS pickup stations shall be assigned on an exclusive basis in the top one hundred markets, as set out in Section 76.51.

NG56 In the bands 72.0–73.0 and 75.4–76.0 MHz, the use of mobile radio remote control of models is on a secondary basis to all other fixed and mobile operations. Such operations are subject to the condition that interference will not be caused to common carrier domestic public stations, to remote control of industrial equipment operating in the 72–76 MHz band, or to the reception of television signal on channels 4 (66–72 MHz) or 5 (76–82 MHz). Television interference shall be considered to occur whenever reception of regularly used television signals is impaired or destroyed, regardless of the strength of the television signal or the distance to the television station.

NG59 The frequencies 37.60 and 37.85 MHz may be authorized only for use by base, mobile, and operational fixed stations participating in an interconnected or coordinated power service utility system.

NG63 Television Broadcast translator stations holding valid licenses on November 15, 1971, to operate in the frequency band 806–890 MHz (channels 70–83), may continue to operate in this band, pursuant to periodic license renewals, on a secondary basis to the land mobile radio service.

NG64 Broadcast auxiliary stations licensed as of July 10, 1970, to operate in the frequency band 942–947 MHz may continue to so operate pending a decision as to their disposition through a future rule making proceeding.

NG66 The frequency band 470–512 MHz is allocated for use in the broadcasting and land mobile radio services. In the land mobile services it is available for assignment in the domestic public, public safety, industrial, and land transportation radio services at, or in the vicinity of 13 urbanized areas of the United States, as set forth in the table below, and subject to the standards and conditions set forth in Parts 22 and 90 of this chapter, CFR 47.

Urbanized area	TV channel
New York-Northeastern New Jersey	14, 15
Los Angeles	14, 20
Chicago-Northwestern Indiana	14, 15
Philadelphia, Pa.-New Jersey	19, 20
Detroit, Michigan	15, 16
San Francisco-Oakland, California	16, 17
Boston, Mass	14, 16
Washington, D.C.-Maryland-Virginia	17, 18
Pittsburgh, Pa	14, 18
Cleveland, Ohio	14, 15
Miami, Florida	14
Houston, Texas	17
Dallas, Texas	16

NG70 In Puerto Rico and the Virgin Islands only, the bands 159.240–159.435 and 160.410–160.620 MHz are also available for assignment to base stations and mobile stations in the special industrial radio service.

NG101 The use of the band 2500–2690 MHz by the broadcasting-satellite service is limited to domestic and regional systems for community reception of educational television programming and public service information. Such use is subject to agreement among administrations concerned and those having services operating in accordance with the table, which may be affected. Unless such agreement includes the use of higher values, the power flux density at the earth's surface produced by emissions from a space station in this service shall not exceed those values set forth in Part 73 of the rules for this frequency band.

NG102 The frequency bands 2500–2655 MHz (space-to-earth) and 2655–2690 MHz (earth-to-space) are allocated for use in the fixed-satellite service as follows:

(a) For common carrier use in Alaska, for intra-Alaska service only, and in the mid and western Pacific areas including American Samoa, the Trust Territory of the Pacific Islands, Guam and Hawaii;

(b) For educational use in the contiguous United States, Alaska and the mid and western Pacific areas including American Samoa, the Trust Territory of the Pacific Islands, Guam and Hawaii.

Such use is subject to agreement with administrations having services operating in accordance with the table, which may be affected. In the band 2500–2655 MHz, unless such agreement includes the use of higher values, the power flux density at the earth's surface produced by emissions from a space station in this service shall not exceed the values set forth in Part 25 of the Rules for this frequency band.

NG104 The use of the bands 10.7–11.7 and 12.75–13.25 GHz in the fixed-satellite service is limited to international systems, i.e., other than domestic systems.

NG111 The band 157.4375–157.4625 MHz may be used for one way paging operations in the special emergency radio service.

NG112 The frequencies 25.04, 25.08, 150.980, 154.585, 158.445, 159.480, 454.000 and 459.000 MHz may be authorized to stations in the petroleum radio service for use primarily in oil spill containment and cleanup operations and secondarily in regular land mobile communication.

NG114 In the offshore Louisiana gulf coast area, the band 488–494 MHz (TV Channel 17) is allocated to the domestic public and industrial radio services in accordance with the regulation set forth in Part 22 and 90, respectively.

NG115 In the 174 to 216 MHz band wireless microphones may be authorized to operate on a secondary, non-interfering basis, subject to terms and conditions set forth in Part 74 of these Rules and Regulations.

NG117 The frequency 156.050 and 156.175 MHz may be assigned to stations in the maritime mobile service for commercial and port operations in the New Orleans Vessel Traffic Service (VTS) area and the frequency 156.250 MHz may be assigned to stations in the maritime mobile service for port operating in the New Orleans and Houston VTS areas.

NG118 Television translator relay stations may be authorized to use frequencies in this band on a secondary basis to stations operating in accordance with the Table of Frequency Allocations.

NG120 Frequencies in the 928–929 and 952–960 MHz bands may be assigned for multiple address systems as specified in Part 94.

NG121 In the band 216–220 MHz, the maritime mobile service is limited to operation along the Mississippi River and connecting waterways, and the Gulf Intracoastal Waterway.

NG122 Television Pickup stations may be authorized under Part 74 in the 6425–6525 MHz band on a secondary basis to stations operating in accordance with the Table of Frequency Allocations.

NG124 In the public safety radio service allocations within the bands 30–50 MHz, 150–174 MHz and 450–470 MHz, police radio service licenses are authorized to operate low powered radio transmitters on a secondary, non-interference basis in accordance with the provisions of Sections 2.803 and 90.19(f)(5) of the Rules.

NG127 In Hawaii, the frequency band 488–494 MHz is allocated exclusively to the fixed service for use by common carrier control and repeater stations for point-to-point inter-island communications only.

NG128 In the band 535–1605 kHz, AM broadcast licensees or permittes may use the AM carrier to transmit signals intended for

utility load management. In the band 88–108 MHz, FM broadcast licensees or permittees are permitted to use subcarriers on a secondary basis to transmit signals intended for both broadcast and non-broadcast purposes.

NG129 In Alaska, the bands 76–88 MHz and 88–100 MHz are also allocated to the Fixed service on a secondary basis. Broadcast stations operating in these bands shall not cause interference to non-Government fixed operations authorized prior to January 1, 1982.

NG133 Stations authorized in the band 73–74.6 MHz as of December 1, 1961 may continue to operate until December 31, 1985. Such stations shall not be required to afford protection to radio astronomy observations within the United States and possessions, however, such stations must afford protection to the observatories of other countries.

NG134 In the band 10.45–10.5 GHz non-Government stations in the radiolocation service shall not cause harmful interference to the amateur and amateur-satellite services.

NG135 In the 420–430 MHz band the amateur service is not allocated north of line A (def. § 2.1). All amateur radio stations shall operate north of line A in accordance with the Agreement between the United States and Canada.

NG139 Pending adopting of further specific rules concerning usage of the band 12.2–12.7 GHz by the fixed and broadcasting-satellite services, systems in these services may be authorized subject to the condition that adjustments in certain systems design or technical parameters may become necessary during the systems lifetime. The necessity for such adjustments, and their extent, will be dependent upon the Final Acts of the 1983 Regional Administrative Radio Conference and subsequent Commission decisions.

NG140 Pending adopting of further specific rules concerning usage of the band 17.3–17.8 GHz by the fixed-satellite service for the purpose of providing feeder links to the broadcasting-satellite service, systems may be authorized for this purpose subject to the condition that adjustments in certain systems design or technical parameters may become necessary during the system lifetime. The necessity for such adjustments, and their extent, will be dependent upon the Final Acts of the 1983 Regional Administrative Radio Conference and subsequent Commission decisions.

NG141 The frequencies 42.40 MHz and 44.10 MHz are authorized on a primary basis in the State of Alaska for meteor burst communications by fixed stations in the Rural Radio Service operating under the provisions of Part 22 of this Chapter. The frequencies 44.20 MHz and 45.90 MHz are authorized on a primary basis in Alaska for meteor burst communications by fixed private radio stations operating under the provisions of Part 90 of the Chapter. The private radio station frequencies may be used by Common Carrier stations on a secondary, noninterference basis and the Common Carrier frequencies may be used by private radio stations for meteor burst communications on a secondary, noninterference basis. Users shall cooperate to the extent practical to minimize potential interference. Stations utilizing meteor burst communications shall not cause harmful interference to stations of other radio services operating in accordance with the Table of Frequency Allocations.

NG143 In the band 11.7–12.2 GHz protection from harmful interference shall be afforded to transmissions from space stations not in conformance with international footnote 839 only if the operations of such space stations impose no unacceptable constraints on operations or orbit locations of space stations in conformance with 839.

NG144 Stations authorized as of September 9, 1983 to use frequencies in the band 17.7–19.7 GHz may, upon proper application, continue to be authorized for such operation.

NG145 In the band 11.7–12.2 GHz, transponders on space stations in the fixed-satellite service may be used additionally for transmissions in the broadcasting-satellite service, provided that such transmissions do not have a maximum e.i.r.p. greater than 53 dBW per television channel and do not cause greater interference or require more protection from interference than the coordinated fixed-satellite service frequency assignments. With respect to the space services, this band shall be used principally for the fixed-satellite service.

Government (G) Footnotes

(These footnotes, each consisting of the letter "G" followed by one or more digits, denote stipulations applicable only to the Government)

G2 In the bands 216–225, 420–450 (except as provided by US217) 890–902, 928–942, 1300–1400, 2300–2450, 2700–2900, 5650–5925 and 900–9200 MHz, the Government radiolocation is limited to the military services.

G5 In the bands 162.0125–173.2, 173.4–174, 406.1–410 and 410–420 MHz, the fixed and mobile services are all allocated on a primary basis to the Government non-military agencies.

G6 Military tactical fixed and mobile operations may be conducted nationally on a secondary basis: (1) to the meteorological aids service in the band 403–406 MHz; and (2) to the radio astronomy service in the band 406.1–410 MHz. Such fixed and mobile operations are subject to local coordination to ensure that harmful interference will not be caused to the services to which the bands are allocated.

G8 Low power Government radio control operations are permitted in the band 420–450 MHz.

G11 Government fixed and mobile radio services, including low power radio control operations, are permitted in the band 902–928 MHz on a secondary basis.

G15 Use of the band 2700–2900 MHz by the military fixed and shipborne air defense radiolocation installations will be fully coordinated with the meteorological aids and aeronautical radionavigation services. The military air defense installations will be moved from the band 2700–2900 MHz at the earliest practicable date. Until such time as military air defense installations can be accommodated satisfactorily elsewhere in the spectrum, such operations will, insofar as practicable, be adjusted to meet the requirements of the aeronautical radionavigation service.

G19 Use of the band 9000–9200 MHz by military fixed and shipborne air defense radiolocation installations will be fully coordinated with the aeronautical radionavigation service, recognizing fully the safety aspects of the latter. Military air defense installations will be accommodated ultimately outside this band. Until such time as military defense installations can be accommodated satisfactorily elsewhere in the spectrum such operations will, insofar as practicable, be adjusted to meet the requirements of the aeronautical radionavigation services.

G27 The fixed and mobile services are limited to the military service.

G30 In the bands 138–144, 148–149.9, 150.05–150.8, 225–328.6 335.4–399.9, 1427–1429 and 1429–1435 MHz, the fixed and mobile services are limited primarily to operations by the military services.

G31 In the 3300–3500 MHz, the Government radiolocation is limited to the military services, except as provided by footnote.

G32 Except for weather radars on meteorological satellites in the band 9975–10025 MHz and for Government survey operations (see footnote US108), Government radiolocation in the band 10000–10500 MHz is limited to the military services.

G34 In the band 34.4–34.5 GHz, weather radars on board meteorological satellites for cloud detection are authorized to operate on the basis of equality with military radiolocation devices. All other non-military radiolocation in the band 33.4–36.0 GHz shall be secondary to the military services.

G42 Space command, control, range and range rate systems for earth station transmission only (including installations on certain Navy ships) may be accommodated on a co-equal basis with the fixed and mobile services in the band 1761–1842 MHz. Specific frequencies required to be used at any location will be satisfied on a coordinated case-by-case basis.

G56 Government radiolocation in the bands 1215–1300, 2900–3100, 5350–5650 and 9300–9500 MHz is primarily for the military services; however, limited secondary use is permitted by other Government agencies in support of experimentation and research programs. In addition, limited secondary use is permitted for survey operations in the band 2900–3100 MHz.

G59 In the bands 902–928 MHz, 3100–3300 MHz, 3500–3700 MHz, 5250–5350 MHz, 8500–9000 MHz, 9200–9300 MHz, 13.4–14.0 GHz, 15.7–17.7 GHz and 24.05–24.25 GHz, all Government non-military radiolocation shall be secondary to military radiolocation, except in the subband 15.7–16.2 GHz airport surface detection equipment (ASDE) is permitted on a co-equal basis subject to coordination with the military departments.

G100 The bands 235–322 MHz and 335.4–399.9 MHz are also allocated on a primary basis to the mobile-satellite service, limited to military operations.

G101 In the band 2200–2290 MHz, space operations (space-to-earth) and (space-to-

space), and earth exploration-satellite (space-to-earth) and (space-to-space) services, may be accommodated on a co-equal basis with fixed, mobile and space research services.

G104 In the bands 7450–7550 and 8175–8215 MHz, it is agreed that although the military space radio communication systems, which include earth stations near the proposed meteorological-satellite installations will precede the meteorological-satellite installations, engineering adjustments to either the military or the meteorological-satellite systems or both will be made as mutually required to assure compatible operations of the systems concerned.

G105 In the band 420–460 MHz, radio altimeter operations are limited to military services and to existing equipments which may continue to operate until January 1, 1985 on the condition that harmful interference is not caused to stations of services operating in accordance with the Table of Frequency Allocations.

G106 The bands 2501–2502, 5003–5055 kHz, 10003–10005 kHz, 15005–15010 kHz, 19990–19995 kHz, 20005–20010 kHz and 25005–25010 kHz are also allocated on a secondary basis to the space research service. The space research transmissions are subject to immediate temporary or permanent shutdown in the event of interference to the reception of the standard frequency and time broadcasts.

G109 All assignments in the band 157.0375–157.1875 MHz are subject to adjustment to other frequencies in this band as long term U.S. maritime VHF planning develops, particularly that planning incident to support of the National VHF–FM Radiotelephone Safety and Distress System (See Doc. 15624/1–1.9.111/1.9.125).

G110 Government ground-based stations in the aeronautical radionavigation service may be authorized between 3500–3700 MHz where accommodation in the 2700–2900 MHz band is not technically and/or economically feasible.

G114 In the band 1350–1400 MHz, the frequency 1381.05 MHz with emissions limited to ±12 MHz is also allocated to fixed and mobile satellite services (space-to-earth) for the relay of nuclear burst data.

G115 In the band 13360–13410 kHz, the fixed service is allocated on a primary basis outside the conterminous United States. Within the conterminous United States, assignments in the fixed service are permitted, and will be protected for national defense purposes or, if they are to be used only in an emergency jeopardizing life, public safety, or important property under conditions calling for immediate communication where other means of communication do not exist.

G116 The band 7125–7155 MHz is also allocated for earth-to-space transmissions in the Space Operations Service at a limited number of sites (not to exceed two), subject to established coordination procedures.

G117 In the bands 7250–7750 and 7900–8400 MHz and 20.2–21.2, 30–31, 39.5–40.5, 43.5–45.5 and 50.4–51.4 GHz the Government fixed-satellite and mobile-satellite services are limited to military systems.

G118 Government fixed stations may be authorized in the band 1700–1710 MHz only if spectrum is not available in the band 1710–1850 MHz.

G119 In the band 14714.5–15136.5 MHz, assignments in the Fixed Service which were in existence as of January 1, 1982 may continue on a primary basis until January 1, 1990.

§ 2.107 Radio astronomy station notification.

(a) Pursuant to No. 1492 of Article 13 and Section F of Appendix 3 to the international *Radio Regulations* (Geneva, 1982), operators of radio astronomy stations desiring international recognition of their use of specific radio astronomy frequencies or bands of frequencies for reception, should file the following information with the Commission for inclusion in the Master International Frequency Register:

(1) The center of the frequency band observed, in kilohertz up to 28,000 kHz inclusive, in megahertz above 28,000 kHz to 10,500 MHz inclusive and in gigahertz above 10,500 MHz.

(2) The date (actual or foreseen, as appropriate) when reception of the frequency band begins.

(3) The name and location of the station, including geographical coordinates in degrees and minutes.

(4) The width of the frequency band (in kHz) observed by the station.

(5) The antenna type and dimensions, effective area and angular coverage in azimuth and elevation.

(6) The regular hours of reception (in UTC) of the observed frequency.

(7) The overall receiving system noise temperature (in kelvins) referred to the output of the receiving antenna.

(8) The class of observations to be taken. Class A observations are those in which the sensitivity of the equipment is not a primary factor. Class B observations are those of such a nature that they can be made only with advanced low-noise receivers using the best techniques.

(9) The name and mailing address of the operator.

(b) The permanent discontinuance of observations, or any change to the information above, should also be filed with the Commission.

(c) Observations being conducted on frequencies or frequency bands not allocated to the radio astronomy service should be reported as in paragraph (a) of this section for information purposes. Information in this category will not be submitted for entry in the Master International Frequency Register and protection from interference will not be afforded such operations by stations in other services.

§ 2.108 Policy regarding the use of the fixed-satellite allocations in the 3.6–3.7, 4.5–4.8, and 5.85–5.925 GHz Bands.

The use of the fixed-satellite allocations in the United States in the above bands will be governed by footnote US245. Use of the fixed-satellite service allocations in these bands is for the international fixed-satellite service, that is, for international inter-continental communications. Case-by-case electromagnetic compatibility analysis is required with all users of the bands. It is anticipated that one earth station on each coast can be successfully coordinated. Specific locations of these earth stations depend upon service requirements and case-by-case EMC analyses that demonstrate compatible operations.

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federal register

Thursday
January 19, 1984

Part III

Environmental Protection Agency

40 CFR Part 60

Review and Proposed Revision of Standards of Performance for New Stationary Sources: Kraft Pulp Mills; Proposed Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL 2406-4]

Review and Proposed Revision of Standards of Performance for New Stationary Sources: Kraft Pulp Mills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Review and proposed rule.

SUMMARY: A review of the standards of performance for kraft pulp mills (40 CFR 60.280, Subpart BB) has been completed. Today's proposal, which is based on information gathered during the review, would make five changes to these standards. These revisions would: (1) Exempt black liquor oxidation systems from the standards; (2) revise the existing total reduced sulfur (TRS) standard for smelt dissolving tanks; (3) revise the units of the TRS standard for smelt dissolving tanks; (4) delete the requirement to monitor the combustion temperature in lime kilns, power boilers, or recovery furnaces; and (5) change the frequency of excess emission reports from quarterly to semi-annually.

In the overall context of this source category, all of the proposed changes to the existing standards of performance are minor. Nevertheless, they are appropriate because they change the numerical emission limit for smelt dissolving tanks to reflect the performance of best demonstrated technology, improve the overall cost effectiveness of the existing standards with little increse in TRS emissions, and streamline reporting and record keeping requirements.

A public hearing will be held, if requested, to provide interested persons an opportunity for oral presentations of data, views, or arguments concerning the proposed revisions.

DATES: *Comments.* Comments must be received on or before March 9, 1984.

Public Hearing. If anyone contacts EPA requesting to speak at a public hearing by January 25, 1984, a public hearing will be held on February 21, 1984 beginning at 9:00 a.m. Persons interested in attending the hearing should call Ms. Shelby Journigan at (919) 541-5578 to verify that a hearing will occur.

Request to Speak at Hearing. Persons wishing to present oral testimony must contact EPA by February 13, 1984.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate if possible) to: Central Docket Section (A-130), Attention: Docket No. A-82-36, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

Public Hearing. If a public hearing is held, it will be held at the Environmental Research Center Auditorium, Corner of Highway 54 and Alexander Drive, Research Triangle Park, N.C., Research Triangle Park, North Carolina. Persons wishing to present oral testimony should notify Ms Shelby Journigan, Standards Development Branch (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5578.

Docket. Docket No. A-82-36, containing supporting information used in developing the proposed standards, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section, West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

About the Standards. Mr. Fred Porter, Standards Development Branch, Emission Standards and Engineering Division, MD-13, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5624.

For Further Technical Information Contact: Mr. Ken Durkee, Industrial Studies Branch, Emission Standards and Engineering Division, MD-13, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5595.

SUPPLEMENTARY INFORMATION:

Background

On September 24, 1976, new source performance standards (NSPS) were proposed for kraft pulp mills under Section 111 of the Clean Air Act (41 FR 42012). These regulations were promulgated on February 23, 1978 (43 FR 7568). The standards limit emissions of particulate matter and TRS from new or modified recovery furnaces, smelt dissolving tanks, lime kilns, digester systems, multiple effect evaporator systems, black liquor oxidation systems, brown stock washer systems, and condensate stripper systems that have been constructed, modified, or reconstructed after September 24, 1976.

The particulate matter emission limits are: 0.10 gram per dry standard cubic meter (g/dscm) at 8 percent oxygen for recovery furnaces; 0.10 gram per kilogram of black liquor solids (dry weight) (g/kg BLS) for smelt dissolving tanks; 0.15 g/dscm at 10 percent oxygen for lime kilns burning gas; and 0.30 g/dscm at 10 percent oxygen for lime kilns burning oil. Visible emissions from recovery furnaces are limited to 35 percent opacity.

The TRS emission limits are: 5 parts per million (ppm) by volume at 8 percent oxygen from straight kraft recovery furnaces; 25 ppm by volume at 8 percent oxygen from cross recovery furnaces; 8 ppm by volume at 10 percent oxygen from lime kilns; and 5 ppm by volume at the actual oxygen content of the untreated gas stream from digester systems, multiple-effect evaporator systems, brown stock washer systems, black liquor oxidation systems, and condensate stripper systems. TRS emissions from smelt dissolving tanks are limited to 0.0084 g/kg BLS.

The standards also require continuous monitoring, recordkeeping, and excess emission reporting. The opacity of recovery furnace exhaust gases must be monitored continuously, and a record of these measurements must be maintained. The concentration of TRS emissions from all affected facilities except smelt dissolving tanks must be monitored continuously and a record of these measurements must be maintained. However, this TRS monitoring requirement will not be implemented until performance specifications for the monitoring equipment are promulgated. The performance specifications were proposed on July 20, 1981 (46 CFR 37287) and will be promulgated shortly. Kraft pulp mills regulated by the NSPS will have 12 months from the date of promulgation to install the TRS monitors. The incineration temperature of effluent gases from digesters, brown stock washers, multiple-effect evaporators, black liquor oxidizers, or condensate strippers must be monitored. Finally, the gas stream pressure drop and liquid supply pressure for any scrubber controlling emissions from lime kilns or smelt dissolving tanks must be continuously monitored. Records of 12-hour average TRS concentrations and 12-hour oxygen concentrations must be maintained on a daily basis. Quarterly reports of excess TRS emissions, excess opacities, and inadequate incineration temperatures are required as well.

As required by Section 111(a)(1) of the Clean Air Act, the promuglated standards reflected application of "the best technological system of continuous emission reduction which (taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impact and energy requirements) the Administrator determines has been

adequately demonstrated." For convenience, this is referred to as "best demonstrated technology" or "BDT."

Section 111(b)(1)(B) requires review and, if appropriate, revision of NSPS every 4 years. A principal purpose of this review and revision is to insure that the standards reflect a current assessment of best demonstrated technology. Thus, if there now exists an adequately demonstrated technology that yields greater emission reduction than required by the standards, more stringent standards will be established reflecting the performance of that technology. On the other hand, if the standard is found to require application of technology that is not adequately demonstrated (for either technical or cost reasons, for example), more lenient standards will be established reflecting the best technology that is adequately demonstrated.

A review of the standards of performance for kraft pulp mills has recently been completed. The findings of this review are presented in the following sections of this notice. The first two sections summarize the industry growth and changes in emission control technology that have occurred since proposal of the NSPS. Subsequent sections discuss the findings of the review for each of the kraft pulp mill facilities regulated by the NSPS. This discussion parallels the order in which the affected facilities are used in the kraft pulping process.

Findings and Conclusions

Industry Growth

IN 1976 there were about 120 kraft pulp mills located in 28 States throughout the United States. The production capacity of these plants ranged from 200 to 2,500 tons of pulp per day. A typical mill produced 800 tons of pulp per day.

Since proposal of the NSPS in 1976, 91 affected facilities have been constructed at 24 existing and two new kraft pulp mills. This industry growth has occurred primarily in the Southeastern United States. Typical production capacity for the two new plants is 1,000 tons of pulp per day.

The growth in annual pulp production has averaged 3.5 percent from 1976 through 1981. Current growth forecasts indicate that pulp production declined by 2.3 percent in 1982, but will rise to a 4.6 percent annual growth rate by late 1983.

Best Demonstrated Technology

At proposal of the NSPS, the best demonstrated technologies for control of particulate matter emissions from kraft pulp mills were considered to be: (1) Electrostatic precipitators for recovery furnaces, (2) venturi scrubbers for lime kilns, and (3) wet scrubbers for smelt dissolving tanks. As explained in the following sections, these devices continue to be considered best demonstrated technologies for control of particulate matter emissions in this industry.

At proposal, the best demonstrated technologies for controlling TRS emissions from kraft pulp mills were considered to be: (1) Incineratin of the exhaust gases from digestors, evaporators, washers, black liquor oxidation systems, and condensate strippers; (2) the use of water in smelt dissolving tanks that is low in sulfides and TRS compounds; (3) process controls and either black liquor oxidation or noncontact evaporators for recovery furnaces; and (4) process controls, proper mud washing, and caustic scrubbing for lime kilns. As explained below, these technologies continue to be considered best demonstrated technology for TRS emissions in this industry—with one exception. The exception is incineration of TRS emissions from black liquor oxidation systems.

The Kraft Pulping Process

The kraft pulping process begins with the chemical pulping of wood chips in a digester. Next, the chemicals are separated from the pulp in a series of washers and the pulp is processed into an intermediate of finished product. The remainder of the kraft process is designed to recover chemicals and heat for reuse in the digester. Initially, the chemicals are concentrated in multiple effect evaporators and combusted in a furnace to recover sodium and sulfur. The molten chemicals, or smelt, that collect at the bottom of the recovery furnace are dissolved in a smelt dissolving tank and transferred to a causticizing tank where quicklime is added. This completes the regeneration of the chemicals that are used in the digester. The precipitate remaining in the causticizing tank is then calcined in a lime kiln to recover quicklime. Condensed vapor streams from several of the pulping facilities are transferred to a condensate stripping system before recycle or discharge to a water treatment pond.

Digester and Multiple-Effect Evaporator Systems

In the digester, wood chips are cooked with sodium sulfide and sodium hydroxide at elevated temperatures and pressures. Spent cooking liquor from the disgester is combined with discharge from brown stock washers to form dilute black liquor. This black liquor is then concentrated in a series of multiple effect evaporators to facilitate combustion.

Exhaust gases from digesters and multiple effect evaporates contain TRS compounds. Normally, TRS emissions from these facilities are combined for treatment. The TRS standard for digesters and evaporators is based on incineration of exhaust gases in either a lime kiln, power boiler, or incinerator. No other control techniques for reducing TRS emissions from digesters and evaporators have been demonstrated.

Thirteen digesters and twelve multiple effect evaporators have been installed since proposal of the existing standards. Each of these digesters and evaporators is in compliance with the TRS standard. The cost of incinerating the TRS emissions from these facilities is the aggregate of the component costs of pipes and blowers that collect the gas streams, and pipes and controls used to deliver and inject the gases into the kiln, boiler, or incinerator. The annualized costs, emission reductions, and cost effectiveness for TRS control in this manner are about $67,000, 410 tons of TRS removed, and $160 per ton of TRS removed, respectively.

Based on the performance and costs cited above, no changes are proposed to the best demonstrated technology for controlling TRS emissions or to the TRS standard for digesters and evaporators.

Brown Stock Washers

Brown stock washers remove the black liquor from the pulp produced by the digesters. Emissions containing TRS compounds are generated in the washers as volatile sulfur compounds are vaporized in the washer exhaust gases. The standard for TRS emissions from brown stock washers is based on incineration of the exhaust gases. No other control techniques for reducing TRS emissions from brown stock washers have been demonstrated.

Ten brown stock washers are regulated by the existing standards; each of these washers is in compliance with the TRS standards. Three of these washers are vacuum drum washers, while seven are the newer diffusion washers. Virtually all new washers are expected to be diffusion washers.

In contrast to the vacuum washer, the diffusion washer is a closed reactor. Ideally, there is no air introduced into this washer, and little or no gas is generated during the washing process. Therefore, the mass of the TRS compounds in the exhaust gas is considered to be very small in

comparison to the mass of TRS in the exhaust gas from vacuum drum washers. In fact, two diffusion washers subject to the NSPS were not required to be controlled by their permitting agencies because no gases were vented from the washers. Vent gases from the other five diffusion washers subject to the standard are being incinerated in either a lime kiln, recovery furnace or incinerator, and therefore, are in compliance with the NSPS.

The annualized costs, emission reductions beyond uncontrolled levels, and overall cost effectiveness of incinerating TRS emissions from diffusion washers are estimated to be $44,000, 50 tons of TRS compounds annually and $900 per ton of TRS removed. These estimates are based on the assumption that TRS emission rates from diffusion washers are essentially the same as those from vacuum drum washers. These cost estimates and the performance discussed confirm the reasonableness of the TRS standard for diffusion washers.

The air flows and TRS emissions from diffusion washers, however, may be significantly lower than those of vacuum washers. An industry testing program to quantify these parameters for diffusion washers is currently in progress and the results of this study will be available later this year. If the TRS emissions from diffusion washers are significantly lower than those of vacuum washers, the diffusion washers may be able to meet the TRS standard without controls. If this is the case, then the units of the standard could be changed to permit compliance on a mass basis or diffusion washers could be exempted from the standards. Neither of these approaches would require control of TRS emissions from diffusion washers.

The costs of incinerating TRS emissions from vacuum washers are somewhat higher than the costs of incinerating TRS emssions from diffusion washers. This is because of the larger hoods and exhaust gas volumes associated with vacuum drum washers. The annualized costs, emission reductions beyond uncontrolled levels, and overall cost effectiveness of incinerating TRS emissions from vacuum washers are about $120,000, 50 tons of TRS removed annually, and $2,300 per ton of TRS compounds removed, respectively. This cost effectiveness is based on the installation of a vacuum washer in a new mill. If a vacuum washer is installed in an existing mill, the cost effectiveness may be significantly higher. This is because the exhaust gases might have to be conveyed a long distance to reach an incineration device. Thus, where vacuum washers must be installed and located some distance from an incineration device, an exemption from the incineration requirement is reasonable. This exemption is discussed further below.

Recovery Furnace Systems

Recovery furnaces combust concentrated black liquor to recover chemicals and produce steam. Pollutants generated by this combustion include particulate matter and TRS compounds. Sixteen recovery furnaces have been installed or modified since proposal of the NSPS and thus are regulated by the standards. Two of these furnaces concentrate the black liquor (before combustion) by bringing the liquor into direct contact with furnace exhaust gases in a direct contact evaporator. To prevent the exhaust gases from absorbing TRS compounds from the liquor, the liquor is oxidized in a black liquor oxidation system to reduce the concentration of sulfides. The other fourteen furnaces concentrate black liquor in noncontact evaporators. These noncontact furnaces eliminate the need for black liquor oxidation. Most future recovery furnace installations are expected to be the noncontact type.

The particulate matter standard for recovery furnaces is based on the use of electrostatic precipitators and performance test data available from 13 NSPS recovery furnaces indicate that each is in compliance with the particulate matter emission limit. (Performance test data for particulate matter control are not available for the other three NSPS recovery furnaces.) All use ESP's to recover sodium sulfates and carbonates from the furnace exhaust. Particulate matter emissions from ESP's on new and modified recovery furnaces range from 0.007 to 0.080 gram per dry standard cubic meter (g/dscm). These ESP's achieve emission reductions (beyond uncontrolled levels) of 29,000 to 37,000 tons per year of particulate matter. Their total annualized costs of $980,000 to $1,100,000 are offset by the value of the sodium sulfate and carbonate recovered, which ranges from about $3,300,000 to $4,200,000 annually. Thus, the overall cost effectiveness of particulate matter emission control is a savings of about $80 per ton of particulate matter removed. The incremental emission reduction, costs, and cost effectiveness (beyond the recovery level that the mill would achieve in the absence of standards) are 830 to 1,200 tons per year, $150,000 to $140,000 annually, and about $180 to $120 per ton of particulate matter removed

During review of the recovery furnace particulate matter standard, the potential for gradual ESP deterioration was investigated to insure that the recovery furnace particulate matter emission limit adequately reflected long-term ESP performance. While most of the installations subject to the NSPS have operated for less than 3 years, data are available from one unit that has been operating since 1973 (see BID pages 4–4 and 4–5). This information indicates that, with maintenance of about 900 hours annually, ESP performance has remained below the NSPS emission limit over the 9-year period. Thus, the recovery furnace aprticulate matter emission limit is reasonable, because it reflects long-term ESP performance.

The performance and cost information discussed above indicates that no revisions to best demonstrated technology or to the particulate standard for recovery furnaces, therefore, are appropriate.

TRS emissions from a recovery furnace system can originate in both the recovery furnace and the direct contact evaporator, if this type of evaporator is used. Most new recovery furnace systems use noncontact evaporators and most future furnaces are expected to use noncontact evaporators. There may be some situations, however, in which direct contact evaporators must be used. Pulping of some hardwoods, for example, may require the use of a direct contact furnace. Controlled TRS emissions are about the same from a noncontact recovery furnace and a direct contact recovery furnace with a black liquor oxidation system. Consequently, from the viewpoint of TRS emissions control, neither furnace has a distinct advantage over the other.

Best demonstrated technology for controlling TRS emissions from direct contact recovery furnaces is maintenance of proper combustion conditions and black liquor oxidation. No other control techniques for reducing TRS emissions have been demonstrated for direct contact recovery furnaces. Black liquor oxidation (BLO) inhibits the reaction between the recorvery furnace exhaust gases and black liquor in the direct contact evaporator that generates TRS. TRS emissions from the two new direct contact recovery furnaces are 0.1 and 2.8 ppm. The total annualized costs and TRS emission reduction of the direct contact furnace system are about $770,000 and 2,400 tons per year, respectively. Thus, the cost effectiveness of controlling TRS emissions from a direct contact recovery

furnace system with BLO is about $320 per ton of TRS removed.

In the noncontact furnace systems, best demonstrated technology for controlling TRS emissions from the furnace is the maintenance of proper combustion conditions and black liquor feed rates to the furnace. No other control techniques for reducing TRS emissions have been demonstrated for noncontact recovery furnaces. Performance tests data available from 10 of these noncontact recovery furnace systems indicate that TRS emissions at the furnace exists are in compliance with the TRS emission limit. (Performance test data for TRS emission control are not availabe for the other six NSPS recovery furnaces.) TRS emissions from these recovery furnaces range from 1.8 to 4.4 parts per million (ppm).

The total incremental annualized costs and TRS emission reduction achieved by a noncontact recovery furnace over an uncontrolled direct contact recovery furance are about $450,000 and 2,400 tons per year, respectively. Thus, the overall cost-effectiveness of controlling TRS emission through the use of a noncontact recovery furnace is about $200 per ton of TRS removed.

Recently, four kraft pulp mills with "wet-bottom" ESP's on noncontact recovery furnaces subject to the NSPS have experienced problems in achieving the TRS emission limit. Wet-bottom ESP's use unoxidized black liquor to remove particulate matter that is collected in the ESP. While the exhaust gases from these noncontact recovery furances reportedly meet the TRS emission standard, the gases apparently absorb TRS compounds as they pass over the unoxidized black liquor in the wet-bottom ESP. Only within the past several months, as these new facilities have completed start-up and initiated performance testing, has this problem become evident.

The application of wet-bottom ESP's that use unoxidized black liquor to NSPS recovery furnaces has occurred since proposal of the NSPS. These ESP's were installed after tests of wet-bottom ESP's using unoxidized liquor on two recovery furnaces not subject to the NSPS revealed that they could comply with the NSPS particulate matter and TRS emission limits.

Of the eight noncontact recovery furnacs with wet-bottom ESP's three have been able to deomonstrate compliance with the standard, and modifications to another have enabled it to achieve compliance. However, despite identical modifications made to the remaining noncontact recovery furnaces with wet-bottom ESP's, they have failed to demonstrate compliance to date.

In an attempt to focus resources and attention in this situation, the industry has turned to its technical association, the National Council for Air and Stream Improvement (NCASI). In response, NCASI has initiated a study to determine the factors which influence TRS emissions from noncontact recovery furnace wet-bottom ESP's using unoxidized black liquor and to evaluate alternaitve means of bringing these recovery furnaces into compliance with the TRS standard. The results of this study will be available in about a year.

In conclusion, the available data show that new recovery furnaces can achieve the TRS standard through the use of dry-bottom ESP's and, at least in some cases, with wet-bottom ESP's. However, the problems being experienced at some mills with wet-bottom ESP's indicate that any future decision by a mill owner to install a wet-bottom ESP should be made only after careful consideration of information specific to the individual mill and the results of the NCASI study as it evolves. With respect to furnaces which are now on-line with wet-bottom ESP's, careful evaluation indicates that the only reasonable course of action is to delay completion of the review of the TRS standard for recovery furnaces until the NCASI study is complete. The progress of this study will be followed closely and, at its conclusion, the results will be evaluated to determine the appropriate action to take.

Recovery furnaces are also sources of sulfur dioxide (SO_2) and nitrogen oxide (NO_x) emissions. Emission tests conducted during development of the NSPS indicate that a typical recovery furnace may emit as much as 600 tons per year of SO_2 and 300 tons per year of NO_x. While no techniques for SO_2 controls have been demonstrated in this industry, it may be possible to transfer SO_2 controls that have been applied to industrial and utility boilers. However, a preliminary analysis of the costs of applying a technique such as wet scrubbing to recovery furnaces indicates that the cost effectiveness of such control may approach $3,000 per ton of SO_2 removed. Because of the magnitude of this control costs, no revisions to the NSPS to regualte SO_2 emissions are proposed. Additionally, no revisions to the NSPS to regulate NO_x emissions from recovery furnaces are proposed, because no techniques for reducing these NO_x emissions have been demonstrated.

Black Liquor Oxidation Systems

Since proposal of the NSPS, two black liquor oxidation (BLO) systems have been installed with direct contact recovery furnaces. As discussed previously, BLO is designed to decrease TRS emissions from direct contract evaporators by oxidizing the sodium sulfides in the black liquor. The sulfides may be oxidized by bubbling either air or molecular oxygen through the black liquor. By-products of the air-liquor reaction are TRS compounds; there are no by-products from the oxygen-liquor reaction.

To control TRS emissions from BLO systems that use air, the gases containing TRS compounds are generally vented from the BLO tank through a condenser and preheater before being used as combustion air in a power boiler. The annualized costs, emission reductions, and cost effectiveness of this TRS control method are about $150,000, 16 tons of TRS removed annually, and about $9,200 per ton of TRS removed, respectively. As mentioned above, molecular oxygen could be used in BLO systems rather than air. This would preclude the need to control TRS emissions. The cost of a molecular oxygen system, however, is significantly higher than that mentioned above for control of TRS emissions from BLO systems that use air. Costs approach $500,000 annually for the supply of molecular oxygen alone.

When the NSPS was proposed, the TRS standard for BLO systems was based on incineration of the exhaust gases in a power boiler or other combustion device. This is because the cost of the other demonstrated TRS emission control technique for BLO systems (the use of molecular oxygen) was found to be unreasonable.

There is no absolute criterion available for establishing what cost per ton of TRS removed may be reasonable. However, a cost effectiveness in the range of $9,200 per ton of TRS removed is very high compared to the cost effectiveness of controlling other pollutants regulated by new source performance standards (typically, $3,000 or less per ton in 1982 dollars). Consequently, considering that TRS emissions from BLO tanks are a relatively small part (about 0.5 percent) of the total uncontrolled TRS emissions from a kraft pulp mill, this $9,200 cost per ton of TRS removed is unreasonable. Thus, incineration of TRS emissions from BLO tanks is no longer considered to be best demonstrated technology. Because there are no other demonstrated techniques for reducing

TRS emissions from BLO tanks with costs lower than those of incineration, a revision to the NSPS exempting these facilities from regulation is proposed.

The national economic and environmental impacts of the proposed revision are a cost savings of $500,000 annually and an increase in TRS emissions of 16 tons annually. These projections assume that the mill with the molecular oxygen BLO system will stop using this system upon promulgation of the proposed revision. The increased TRS emissions represent 42 percent of the mill's controlled TRS emissions but only about 0.5 percent of its uncontrolled emissions.

Smelt Dissolving Tanks

Molten smelt that accumulates on the floor of the recovery furnace is dissolved in water in the smelt tank. As the molten smelt contacts the water, a large volume of steam is evolved. This steam, which is vented from the smelt tank, contains entrained particulate matter and TRS compounds.

Sixteen new smelt dissolving tanks are subject to the existing standards of performance. Review of particulate matter emission performance test results from 12 of the smelt dissolving tanks indicates that each is in compliance with the particulate matter standard. (Performance test data for particulate matter control are not available for the other four smelt tanks.) A wetted fan scrubber or venturi scrubber is being used to remove particulate matter (as sodium sulfates carbonates) from the gas stream exhausted from each smelt tank. The particulate matter standard for smelt tanks is based on the use of wet scrubbers. No other control techniques for reducing particulate mattter emissions from smelt dissolving tanks are demonstrated. Particulate matter emissions from scrubbers on new and modified smelt dissolving tanks range from 0.025 to 0.095 gram per kilogram of black liquor solids. The total annualized costs of about $69,000 for this particulate matter control are offset by the value of the 1,300 tons of sodium sulfate and carbonate recovered (beyond uncontrolled levels), which is about $140,000 annually. Thus, the overall cost effectiveness of the scrubbers is a savings of about $55 per ton of particulate matter removed. The incremental emission reduction, costs, and cost effectiveness (beyond the recovery level that the mill would establish in the absence of standards) are 180 tons annually, $29,000, and $160 per ton of particulate matter removed. No changes are proposed to best demonstrated technology or to the particulate matter standard for smelt disolving tanks.

There are no TRS control devices for smelt dissolving tanks. Emissions of TRS compounds are governed by the concentration of reduced sulfur compounds either in the smelt from the recovery furnace or in the water in the smelt tank. The best demonstrated technology for controlling TRS emissions from smelt dissolving tanks is to use a liquid that is low in sulfides and TRS compounds—such as fresh water or recycled water from the lime mud washer—in the smelt tank and particulate control device. There are no other demonstrated technologies for controlling TRS emissions from smelt tanks. Review ot TRS performance test results from nine smelt dissolving tanks indicates that all but one are complying with the TRS emission standard. (Performance test data for TRS emission control are not available for the other seven smelt tanks.) TRS emissions from new and modified smelt dissolving tanks that are in compliance ranged from 0.001 to 0.007 gram per kilogram of black liquor solids (g/kg BLS). While there is no cost associated with this process control technique, it reduces TRS emissions by 30 tons per year.

The single smelt tank that was not in compliance with the smelt tank TRS emission standard was using a liquid that was low in sulfides and TRS compounds during its compliance test. Subsequently, fresh water and water-caustic solutions were employed in an attempt to achieve compliance. However, TRS emissions ranged as high as 0.016 g/kg BLS during these tests, in spite of the use of best demonstrated technology. Consequently, to insure that the TRS standard for smelt tanks can be achieved by best demonstrated technology, a revision to this standard is proposed to increase the emission limit from 0.0084 g/kg BLS to 0.016 g/kg BLS. This proposed change is consistent with the observed performance of best demonstrated technology for controlling TRS emissions from smelt tanks.

There would be no economic impact associated with the proposed change in the TRS standard for smelt tanks. The proposed revision will permit the kraft pulp mill that cannot meet the existing TRS standard for smelt tanks to increase its TRS emissions by 3 tons annually. This represents about 0.2 percent of the kraft pulp mill's uncontrolled TRS emissions and, at most, 8 percent of its controlled TRS emissions. Based on the past performance of smelt tanks subject to the NSPS, it is expected that one more smelt tank will emit TRS compounds at the level of the proposed limit during the next 5 years. Thus, the cumulative impact of the proposed TRS standard in the fifth year following proposal is an increase in TRS emissions of 6 tons annually.

Compliance with the TRS standard for smelt dissolving tanks is calculated by summation of the mass emission rates of each TRS compound measured with Method 16 [as described in Section 60.285(d)(3) of the regulation]. Since promulgation of this compliance procedure, a less expensive and simpler performance test method has been proposed. This test method, Method 16A, does not yield results for each individual TRS compound; rather, it yields a single value for TRS emissions expressed as hydrogen sulfide (H_2S). To permit the use of Method 16A in determining compliance with the TRS standard for smelt dissolving tanks, a revision to the standards is proposed to change the units of the smelt tank standard from pounds per ton of black liquor solids dry weight to pounds per ton of black liquor solids expressed as H_2S.

Lime Kilns

Lime Kilns are used at kraft pulp mills to regenerate quicklime from the precipitate that collects at the bottom of a causticizing tank. As the kiln calcines the precipitate, both particulate matter and TRS emissions are generated. At proposal of the NSPS, the particulate matter standard was based on the use of venturi scrubbers, while the TRS standard was based on the use of process controls, proper mud washing, and caustic scrubbing.

Nineteen lime kilns are subject to the NSPS. Performance test data from 15 kilns indicate that each is in compliance with the particulate matter emission limit. (Performance test data for particulate matter control are not available for the other four kilns.) The particulate matter emissions ranged from 0.027 to 0.144 g/dscm for gas-fired kilns and from 0.071 to 0.185 g/dscm for oil-fired kilns. Fourteen of these kilns control particulate emissions (calcium carbonate and calcium oxide) with venturi scrubbers. One mill, however, has installed an ESP for particulate emission control. The total annualized costs of about $230,000 for venturi scrubber control of particulate matter emissions are offset by the value of the 13,000 tons of sodium sulfate and carbonate removed, which is about $780,000. Thus, the overall cost effectiveness of the scrubbers is a savings of about $43 per ton of particulate matter removed. The

incremental costs (beyond the recovery level that the mill would establish in the absence of standards), emission reductions, and cost effectiveness are $29,000, 180 tons of particulate matter annually, and $160 per ton of particulate matter removed respectively.

ESP's are capable of achieving greater reductions in particulate matter emissions that venturi scrubbers. However, they are not capable of reducing TRS emissions from the lime kiln. Venturi scrubbers, on the other hand, can achieve substantial reductions in TRS emissions, as well as in particulate matter emissions. The incremental cost (beyond that of venturi scrubbers alone) of standards based on control of emissions by using ESP's and venturi scrubbers in series is about $3,200 per ton of particulate matter removed. Considering the magnitude of this cost, and the performance of venturi scrubbers in achieving both particulate matter and TRS emission reductions, venturi scrubbers continue to be the basis for the particulate matter standard.

The best demonstrated technology for control of TRS emissions from lime kilns is a combination of good process controls, adequate mud washing, and the use of caustic in the scrubber (if necessary). No other control techniques for reducing TRS matter emissions from lime kilns have been demonstrated. Review of performance test data available from 13 new kilns indicates that each is in compliance with the TRS emission limit. (Performance test data for TRS emission control are not available for the other six kilns.) The TRS emissions ranged from 0.5 to 7.3 ppm. The annualized cost, TRS emission reductions, and overall cost effectiveness of these control techniques are about $110,000, 120 tons annually, and $890 per ton of TRS removed, respectively. These costs do not take any credit for the particulate matter emission control achieved by the scrubber. However, they do include the cost of caustic addition to the scrubber, and the cost of the energy needed to raise the cold-end kiln temperature by 100° F.

The one lime kiln mentioned above which is controlled with an ESP is trying to meet the TRS emission limit by relying only on good process control and mud washing. While the kiln has not completed a performance test for TRS emissions, preliminary indications are that some 12-hour average TRS concentrations are in excess of the standard. This kiln, however, has been operating for only a few months and is still in the process of start-up. Consequently, the plant is still "debugging" and optimizing the operation of the lime kiln and the mud washers. The plant engineers believe that improved mud washing practices—possibly in conjunction with mud oxidation—will result in compliance with the TRS standard.

Lime kilns are also sources of NO_x emissions. Emission tests conducted during development of the NSPS indicate that a typical lime kiln may emit as much as 200 tons per year of NO_x. No revision to the NSPS to regulate this pollutant is proposed, however, because no techniques for control of NO_x have been demonstrated in this industry.

Condensate Stripping System

When the exhaust gases from the digester and evaporators are condensed, some TRS compounds are dissolved in the condensate. To prevent the release of TRS compounds with the condensed liquid that is discharged to water treatment ponds, some kraft pulp mills strip the TRS compounds from the liquid prior to discharge. Other plants recycle the condensate.

Three condensate strippers have been installed since proposal of the standards. Each of these condensate strippers is in compliance with the TRS standards. The best demonstrated technology for reducing TRS emissions in the vent gases from these strippers is incineration in a lime kiln, power boiler, or incinerator. No other control technologies for reducing TRS emissions from condensate strippers have been demonstrated. The cost of incineration control of TRS emissions includes the costs of pipes and blowers that collect the gas streams, and pipes and controls used to deliver and inject the gases into the kiln, boiler, or incinerator. The annualized costs, TRS emission reductions, and cost effectiveness for control of condensate stripper TRS emissions in this manner are about $12,000, 330 tons, and about $37 per ton of TRS emissions, respectively.

No change is proposed to the best demonstrated technology or to the TRS standard for condensate strippers

Power Boilers and Water Treatment Ponds

The existing standards regulate all process gas streams identified as major sources of particulate matter emissions and TRS emissions at kraft pulp mills except for power boilers and water treatment ponds. Power boilers are a source of particulate matter and nitrogen oxide emissions and, depending on the fuel fired, sulfur dioxide emissions. Power boilers that are capable of firing more than 250 million Btu's of fossil fuel an hour are regulated under Subpart D, 40 CFR 60. Standards of performance for boilers that fire less than 250 million Btu's of fuel an hour are currently being developed.

Water treatment ponds are a source of TRS emissions at some kraft pulp mills. Many new mills reduce TRS emissions from their treatment ponds by treating effluent condensate streams in a condensate stripper prior to discharging them to the ponds. However, due to reactions that may occur in the ponds, the use of condensate strippers does not insure that TRS emission reductions will occur. Moreover, no technique for measuring fugitive TRS emissions is available. Thus, the magnitude of TRS emissions from treatment ponds cannot be quantified, the performance of condensate strippers cannot be determined, and those treatment pond design parameters which minimize reactions producing TRS emissions cannot be investigated. Consequently, an equipment standard that would require the use of condensate strippers to reduce TRS emissions from treatment ponds is not considered reasonable at this time.

Exemption for Brown Stock Washers and Black Liquor Oxidation Systems

Presently, the NSPS include an exemption from the requirement to incinerate TRS emissions from black liquor oxidation systems and brown stock washers when incineration is not economically feasible. This exemption was based on the belief that TRS emissions from these facilities would be controlled by incineration in recovery furnaces. The exemption was included because some older recovery furnaces do not have the capability to accept these gases safely without altering the furnaces. The costs associated with these alterations was considered unreasonable. However, information obtained during the review of the standards indicates that power boilders are being used as the incineration device instead of recovery furnaces. Thus, the rationale that originally supported the exemption is no longer appropriate. However, as discussed earlier, when new vacuum drum washers installed at existing mills must be located a long distance away from an incineration device, the cost of incineration control may be unreasonable. For this reason, and because no other control techniques with lower costs are considered demonstrated, the exemption is retained in the revised standards.

Temperature Monitoring Requirement

The standards currently require the installation of a monitor to measure the combustion temperature at the point of incineration of effluent gases which have been combusted in an incinerator or other device not regulated by the standards. Review of this requirement indicates that it is unnecessary for power boilers, recovery furnaces, or lime kilns. Flame temperatures and residence times required to operate these facilities generally exceed the 1,200°F and ½ second considered necessary for adequate incineration of TRS emissions. Therefore, when adequate temperature and residence time are demonstrated at the point the effluent gases are incinerated, a requirement to monitor combustion temperatures in these facilities is not needed. As a result, a revision is proposed to the standards to require combustion temperature monitoring only when effluent gases are combusted in an incinerator.

Impacts of Reporting and Recordkeeping Requirements

Three types of reports are associated with the existing standards of performance. First are notification requirements, which inform enforcement personnel of facilities subject to the standards. Second is reporting of the results of performance tests that are conducted to determine compliance with the standards. Third are quarterly reports that identify periods of excess emissions recorded by each continuous emission monitor. These reports are required by the General Provisions of 40 CFR Part 60, which apply to all standards of performance. No other reports are required by the existing standards.

Today's proposal would make two minor changes to these reporting requirements. The first change would be to delete the requirement to monitor and report combustion temperatures in lime kilns, power boilers, and recovery furnaces. The second change would be to revise the frequency of excess emission reports from quarterly to semi-annually. These changes would have a negligible impact on the reporting burdens required by the existing NSPS.

Pursuant to the Paperwork Reduction Act of 1980 (Pub. L. 96–511), EPA estimated the reporting and recordkeeping requirements imposed by the NSPS. During the next 2 years the standards are in effect the total industry-wide burden of the reporting and recordkeeping requirements will be about 26,000 person-hours, based on 8 respondents in 2 years.

The Office of Management and Budget (OMB) has approved the information collection requirements contained in this proposed rule under the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* and have been assigned OMB control number 2060–0021. Comments on these requirements should be submitted to the Office of Information Regulatory Affairs of OMB marked Attention: Desk Officer for EPA. The final rule package will respond to any OMB or public comments on the information collection requirements.

Public Hearing

A public hearing will be held, if requested, to discuss the proposed standards in accordance with Section 307(d)(5) of the Clean Air Act. Persons wishing to make oral presentations should contact EPA at the address given in the **ADDRESSES** section of this preamble. Oral presentations will be limited to 15 minutes each. Any member of the public may file a written statement before, during, or within 30 days after the hearing. Written statements should be addressed to the Central Docket Section address given in the **ADDRESSES** section of this preamble.

A verbatim transcript of the hearing and written statements will be available for public inspection and copying during normal working hours at EPA's Central Docket Section in Washington, D.C. (see **ADDRESSES** section of this preamble).

Docket

The docket is an organized and complete file of all the information submitted to or otherwise considered in the development of this proposed rulemaking. The principal purposes of the docket are: (1) To allow interested parties to identify and locate documents so that they can effectively participate in the rulemaking process; and (2) to serve as the record in case of judicial review, except for interagency review materials (Sec. 307(d)(7)(A)).

Regulatory Flexibility Analysis

Pursuant to the Regulatory Flexibility Act of 1980 (RFA), the impacts of the standards on small businesses were considered. Applicable guidelines define a small business as "any business concern which is independently owned and operated and not dominant in its field as defined by the Small Business Administration Regulations under Section 3 of the Small Business Act." The Small Business Administration has determined that any firm classified in the SIC 2611 (which includes kraft pulp mills) that employs less than 750 workers will be considered small in regard to the Small Business Act.

It is quite possible that some kraft pulp mills qualify as small businesses and are affected by the standards. If a substantial number of small businesses are affected by a regulation, and any of the following four criteria are met, the impact of the regulation on a small business is considered significant.

Under the first criterion, the impact is judged to be significant if the regulation causes the average total cost of production to increase by 5 percent or more. The standards do not cause an increase in the average total cost of production as high as 5 percent. Thus, the impacts of the standards on small businesses are not significant from an average total cost standpoint.

The second criterion for significance relates compliance costs to sales for small versus large businesses. If compliance costs as a percent of sales for small businesses are at least 10 percent higher than compliance costs as a percent of sales for larger businesses, the impact is judged to be significant.

The total annualized cost of compliance as a percent of sales is much less than 10 percent greater for a small plant than for a large plant. The small business impact of the standards is not significant by this measure.

A third criterion to measure the significance of an impact on small businesses compares the capital cost of compliance with the capital available to small firms. It is difficult to determine how much capital is available to a firm. A reasonable approach is to recognize that the capital available to a small firm building a new kraft pulp mill at least equals the capital cost of the plant itself. The capital cost of compliance with the standards is about 2 percent of plant capital cost. Therefore, the capital costs of compliance do not represent a significant portion of capital available to small businesses.

The fourth criterion for significance is whether the regulation is likely to result in closures of small businesses. The standards will not result in any closure of firms of any size.

The standards, therefore, do not have a significant impact on small businesses.

Miscellaneous

As prescribed by Section 111, establishment of standards of performance for kraft pulp mills was preceded by the Administrator's determination that these sources contribute significantly to air pollution which may reasonably be anticipated to endanger public health or welfare. In accordance with Section 117 of the Act, publication of this proposal was preceded by consultation with appropriate advisory committees, independent experts, and Federal

departments and agencies. The Administrator will welcome comments on all aspects of the proposed regulation, including economic and technological issues.

This regulation will be reviewed 4 years from the date of promulgation as required by the Clean Air Act.

Section 317 of the Clean Air Act requires the Administrator to prepare an economic impact assessment for any revision of a new source standard of performance promulgated under Section 111(b) of the Act that the Administrator determines to be a substantial revision. An economic impact assessment was prepared for the proposed revisions and for other regulatory alternatives. All aspects of the assessment were considered in the formulation of the proposed revisions to ensure that the revised standards would represent the best system of emission reduction considering costs. The economic impact assessment is included in the BID.

The cost effectiveness of each regulatory alternative was evaluated in order to determine the least costly way to reduce emissions and to assure that the controls required by this rule are reasonable relative to other regulations. In this case, the proposed revisions will not impact particulate matter emissions from this industry, but may increase emissions of TRS by about 22 tons per year in the fifth year following today's proposal. This estimate is based on the assumption that, in the fifth year, one BLO tank will not control TRS emissions, and two smelt tanks will emit TRS compounds at the level of the proposed TRS standard. The economic impact associated with the proposed revisions is an annual savings of $500,000 in the fifth year following proposal. The savings accrues from avoided operating costs for the BLO tank will no longer control TRS emissions.

Under Executive Order 12291, a judgement must be made as to whether a regulation is "major" and therefore subject to the requirement of a regulatory impact analysis. This regulation is not considered major. The proposed revision would have a minimal impact on the economy with a slight decrease in the air pollution control system expenditures by 1987. No impacts on costs or prices of products are anticipated. The proposed standard would not adversely affect competition, employment, or the ability of the industry to compete with foreign pulp mills.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

List of Subject in 40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Asphalt, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Metallic minerals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc, Tires, Incorporation by reference, Can surface coating, Sulfuric acid plants, Industrial organic chemicals, Organic solvent cleaners, Fossil fuel-fired steam generators.

Dated: December 28, 1983.

Alvin L. Alm,

Acting Administrator.

PART 60—[AMENDED]

It is proposed to amend 40 CFR Subpart BB as follows:

* * * * *

1. In § 60.280, paragraphs (a) and (b) are revised to read as follows:

§ 60.280 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities in kraft pulp mills: Digester system, brown stock washer system, multiple-effect evaporator system, recovery furnace, smelt dissolving tank, lime kiln, and condensate stripper system. In pulp mills where kraft pulping is combined with neutral sulfite semichemical pulping, the provisions of this subpart are applicable when any portion of the material charged to an affected facility is produced by the kraft pulping operation.

(b) Except as noted in § 60.283(a)(1)(iv), any facility under paragraph (a) of this section that commences construction or modificaiton after September 24, 1976, is subject to the requirements of this subpart.

* * * * *

2. In § 60.283, the introductory text of paragraph (a)(1) is revised to read as indicated below. Additionally, subparagraphs (a)(1)(iv) and (a)(1)(v) and paragraph (a)(4) are revised to read as indicated below:

§ 60.283 Standard for total reduced sulfur (TRS).

(a) * * *

(1) From any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 10 percent oxygen, unless the following conditions are met:

* * * * *

(iv) It has been demonstrated to the Administratior's satisfaction by the owner or operator that incinerating the exhaust gases from a new, modified, or reconstructed brown stock washer system is technologically or economically not feasible. Any exempt system will become subject to the provisions of this subpart if the facility is changed so that the gases can be incinerated.

(v) The gases from the digester system, brown stock washer system, or condensate stripper system are controlled by a means other than combustion. In this case, this system shall not discharge any gases to the atmosphere which contain TRS in excess of 5 ppm by volume of a dry basis, corrected to the actual oxygen content of the untreated gas stream.

* * * * *

(4) From any smelt dissolving tank any gases which contain TRS in excess of 0.016 g/kg black liquor solids as H_2S (0.033 lb/ton black liquor solids as H_2S).

* * * * *

3. In § 60.284, both the introductory text of paragraph (a)(2) and paragraph (b)(1) are revised to read as indicated below. Additionally, the intorductory text of paragraph (d) is revised, and paragraph (d)(3) is revised to read as indicated below:

§60.284 Monitoring of emissions and operations.

(a) * * *

(2) Continuous monitoring systems to monitor and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis in the gases discharged into the atmosphere from any lime kiln, recovery furnace, digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system, except where the provisions of § 60.283(a)(1) (iii) or (iv) apply. These systems shall be located downstream of the control device(s) and the spans of these continuous monitoring system(s) shall be set:

* * * * *

(b) * * *

(1) For any incinerator, a monitoring device which measures the combustion temperature at the point of incineration of effluent gases which are emitted from any digester system, brown stock washer system, multiple-effect evaporator system, black liquor oxidation system, or condensate stripper system where the provisions of

§ 60.283(a)(1)(iii) apply. The monitoring device is to be certified by the manufacturer to be accurate within ±1 percent of the temperature being measured.

* * * * *

(d) For the purpose of reports required under § 60.7(c), any owner or operator subject to the provisions of this subpart shall report semiannually periods of excess emissions as follows:

* * * * *

(3) For emissions from any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system periods of excess emissions are: All 12-hour average TRS concentrations above 5 ppm by volume unless the provisions of § 60.283(a)(1) (i), (ii), or (iv) apply.

* * * * *

(Sec. 114, Clean Air Act as amended (42 U.S.C. 7414))

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[FR Doc. 84-683 Filed 1-18-84; 8:45 am]
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federal register

Thursday
January 19, 1984

Part IV

Department of Education

34 CFR Part 241

Law-Related Education Program; Proposed Rule and Notice for New Project Applications

DEPARTMENT OF EDUCATION

34 CFR Part 241

Law-Related Education Program

AGENCY: Department of Education.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Secretary proposes to issue regulations for the Law-Related Education Program to provide Federal financial assistance for projects to support law-related education programs that educate people about the legal system and the principles on which it is based. The proposed regulations would authorize the establishment of priorities for particular types of projects and would establish criteria for the evaluation of grant applications.

DATE: Comments must be received on or before March 5, 1984.

ADDRESS: Comments should be addressed to Dr. George R. Rhodes, Jr., Director, Division of Educational Support, State and Local Educational Programs, Office of Elementary and Secondary Education. U.S. Department of Education, 400 Maryland Avenue, SW. (Room 2011, FOB–6), Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Rita Ray, Program Officer, Law-Related Education Program, Division of Educational Support, U.S. Department of Education, Room 2025, FOB–6, 400 Maryland Avenue, SW., Washington, D.C. 20202. (202) 472–7960.

SUPPLEMENTARY INFORMATION:

A. Overview of the Law-Related Education Program

In Fiscal Years 1980, 1981, and 1982, the statutory authority for the Law-Related Education Program was the Law-Related Education Act of 1978, enacted as Part G of Title III of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978, Pub L. 95–561, 92 Stat. 2216 (20 U.S.C. 3001–3003). Effective September 30, 1982, the Education Consolidation and Improvement Act of 1981 (ECIA) repealed the Law-Related Education Act of 1978. The Congressional Conference Committee on the second continuing resolution for Fiscal Year 1983 (Pub. L. 97–377) directed that $1 million be reserved from the Secretary's Discretionary Program to fund law-related education projects. As a result, FY 1983 awards were made under the authority of Section 583 of ECIA, which authorizes the Secretary's Discretionary Program. For FY 1984 awards, the Conference Committee Report on the Education Appropriation Act, 1984 (Pub. L. 98–139) directs the Secretary to use $1 million for law-related education projects previously authorized by Title III–G of the Elementary and Secondary Education Act.

The purpose of law-related education is to enable non-lawyers, including children, youth, and adults, to be more informed citizens concerning the law, the legal process, the legal system, and the fundamental principles upon which these are based.

The proposed regulations provide for the Secretary annually to give priority to one or more of several types of projects described in proposed § 241.10 and to establish limits or requirements for the scope of the service areas under these projects. In FY 1984, the Secretary proposes to focus on projects that support the institutionalization of an existing model law-related education program in elementary and secondary school classrooms.

B. Overview of These Proposed Regulations

These proposed regulations relate to—

- General matters such as the description of this program, eligibility of a grantee, and regulations and definitions that apply to this program;
- The type of projects that will be funded; and
- How a grant is made to a successful applicant, including the selection criteria for reviewing an application.

C. Application of Other Statutes and Regulations

(1) An LEA that receives a grant under this program must provide for the equitable participation of private school persons in the project, in accordance with Section 586 of ECIA. (20 U.S.C. 3862).

(2) The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 78, and 79, are applicable to this program.

Executive Order 12291

These proposed regualtions have been reviewed in accordance with Executive Order 12291.

They are classified as non-major because they do not meet the criteria for major regulations established in the order.

Regulatory Flexibility Act

The Secretary certifies that these proposed regulations will not have a significant economic impact on a substantial number of small entities. This program provides assistance to local educational agencies, State agencies, and public or private nonprofit agencies, organizations, or institutions.

These regulations describe the program and establish minimal application requirements. They will not have a significant economic impact on small entities participating in the program.

Intergovernmental Review

The program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79 (48 FR 29158; June 24, 1983). The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance.

In accordance with the Order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding these proposed regulations. Written comments and recommendations may be sent to the address given at the beginning of this preamble. All comments received on or before March 5, 1984 will be considered in developing the final regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in Room 2011, FOB–6, 400 Maryland Avenue, SW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

To assist the Department in complying with the specific requirements of Executive Order 12291 and the Paperwork Reduction Act of 1980 and their overall requirement of reducing regulatory burden, public comment is invited on whether there may be further opportunities to reduce any regulatory burdens found in these proposed regulations.

Paperwork Reduction Requirements

The information collection requirements contained in these proposed rules will be sent to OMB for review under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96–511).

Comments concerning information collection requirements *only* should be addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, New

Executive Office Building, Room 3208, 17th and Pennsylvania Avenue, NW., Washington, D.C. 20503. Attention: Desk Officer for the U.S. Department of Education. All other comments regarding these proposed regulations should be sent to the Department of Education at the address given at the beginning of this preamble.

Assessment of Educational Impact

The Secretary particularly requests comments on whether the regulations in this document would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 241

Education, Educational study programs, Elementary and secondary education, Grant programs—education, Law.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these proposed regulations.

(Catalog of Federal Domestic Assistance No. 84.123, Law-Related Education Program)

Dated: January 13, 1984.

T. H. Bell,

Secretary of Education.

The Secretary proposes to amend Title 34 of the Code of Federal Regulations to add a new Part 241 as follows:

PART 241—LAW-RELATED EDUCATION PROGRAM

Subpart A—General

Sec.

241.1 What is the Law-Related Education Program?
241.2 Who is eligible to apply for a grant under the Law-Related Education Program?
241.3 What regulations apply to the Law-Related Education Program?
241.4 What definitions apply to the Law-Related Education Program?

Subpart B—What Types of Projects Does the Secretary Assist under This Program?

241.10 What types of projects does the Secretary assist?
241.11 What priority may the Secretary select?

Subpart C—How Does One Apply for a Grant? (Reserved)

Subpart D—How Does the Secretary Make a Grant?

241.30 How does the Secretary evaluate an application?
241.31 What selection criteria does the Secretary use?

Subpart E—What Conditions Must Be Met by a Grantee?

241.40 What provisions must be made for participation of private school children?

Authority: Section 583 of the Education Consolidation and Improvement Act of 1981 (Pub. L. 97–35) (20 U.S.C. 3851).

Subpart A—General

§ 241.1 What is the Law-Related Education Program?

The Law-Related Education Program is designated to provide persons with knowledge and kills pertaining to the law, the legal process, the legal system, and the fundamental principles and values on which these are based. The purpose of the program is to enable children, youth, and adults to become a more informed citizens.

(20 U.S.C. 3851)

§ 241.2 Who is eligible to apply for a grant under the Law-Related Education Program?

(a) A State educational agency (SEA), local educational agency (LEA), or other public or nonprofit private agency, organization, or institution may apply for a grant.

(b) An applicant may apply singly or jointly with other eligible applicants, as provided in 34 CFR 75.127 through 75.129.

(20 U.S.C. 3850)

§ 241.3 What regulations apply to the Law-Related Education Program?

The following regulations apply to the Law-Related Education Program:

(a) The Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77, 78, and 79),

and

(b) The regulations in this Part 241.

(20 U.S.C. 3474)

§ 241.4 What definitions apply to the Law-Related Education Program?

(a) *Definitions in EDGAR:* The following terms used in this part are defined in 34 CFR Part 77:

Applicant
Application
EDGAR
Elementary school
Local educational agency
Nonprofit
Private
Project
Public
Secondary school
Secretary
State
State educational agency

(b) *Definition that applies to this program:*

The following definition applies to the Law-Related Education Program:

"Institutionalization" means the incorporation of law-related education materials and processes—and their adaptation, as appropriate—as an integral part of ongoing system-wide activities using State and local funding sources.

(20 U.S.C. 3474, 3851)

Subpart B—What Types of Projects Does the Secretary Assist Under This Program?

§ 241.10 What types of projects does the Secretary assist?

The Secretary may fund applications proposing projects that include, but are not limited to, those designed to—

(a) Support the institutionalization of existing model law-related education programs in elementary and secondary school classrooms;

(b) Provide assistance from established law-related education programs to other State and local educational agencies to enable them to institutionalize successfuly law-related education programs;

(c) Support projects to develop, test, demonstrates, and disseminate new approaches or techniques in law-related education that can be used or adapted and eventually institutionalized by other agencies and institutions; or

(d) Support one or more contracts for specific activities in law-related education outside of the grant competition under these regulations.

(20 U.S.C. 3851)

§ 241.11 What priorities may the Secretary select?

(a) Each year, the Secretary may select for priority one or more of the types of projects listed in § 241.10.

(b) The Secretary may establish limits or requirements for the scope of the service area under one or more of the types of projects under § 241.10, such as State-wide, system-wide, regional, or national projects.

(c) The Secretary publishes the selected priorities, and limits or requirements for the scope of service areas, if any, in a notice in the **Federal Register.**

(20 U.S.C. 3474, 3851)

Subpart C—How Does One Apply for a Grant? (Reserved)

Subpart D—How Does the Secretary Make a Grant?

§ 241.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application submitted under this program on the basis of the criteria in § 241.31 of these regulations.

(b) The Secretary awards up to 100 points for the extent to which an application meets these criteria.

(c) The maximum possible points for each complete criterion is indicated in parentheses after the heading for each criterion.

(20 U.S.C. 3474, 3851)

§ 241.31 What selection criteria does the Secretary use?

The Secretary uses the following selection criteria in evaluating each application:

(a) *Institutionalizing law-related education.* (35 points)

The likely success of the project in helping to institutionalize law-related education programs as measured by the extent and quality of activities that contribute to—

(1) An increase in the number of educators and others who are competent in law-related education;

(2) The development of partnerships among State educational agencies, local educational agencies, and other public and private agencies for the implementation of law-related education programs in the classroom.

(b) *Plan of operation.* (15 points)

(1) The Secretary reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that ensures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(c) *Quality of key personnel.* (15 points)

(1) The Secretary reviews each application for information that shows the quality of the key personnel the applicant plans to use in the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (c)(2) (i) and (ii) of this section plans to commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(3) To determine the qualifications of a person, the Secretary considers evidence of past experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(d) *Quality of project.* (15 points)

The likely quality of the project as measured by the following—

(1) Evidence of applicability to classroom use and age-level of students, of the applicant's materials, programs, or approaches in law-related education;

(2) The applicant's and the staff's experience in and knowledge of law-related education;

(3) How the project addresses a diversity of learning approaches that are—

(i) Appropriate to the students to whom the project is directed;

(ii) Designed to address gains not only in students' knowledge, but also in their skills;

(iii) Balanced and based on sound scholarship and do not advocate particular legal or political viewpoints; and

(4) The involvement of the appropriate State educational agency or agencies in the planning and conduct of the project.

(e) *Budget and Cost effectiveness.* (8 points)

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(f) *Evaluation plan.* (7 points)

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project. (See 34 CFR 75.590, Evaluation by the grantee.)

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and quantifiable.

(g) *Adequacy of resources.* (5 points)

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(20 U.S.C. 3474, 3851)

Subpart E—What Conditions Must Be Met by a Grantee?

§ 241.40 What provisions must be made for participation of private school children?

An LEA that receives a grant under this program must provide for the equitable participation of private school children in the project, in accordance with Section 586 of ECIA.

(20 U.S.C. 3862)

[FR Doc. 84-1430 Filed 1-18-84; 8:45 am]
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DEPARTMENT OF EDUCATION

Law-Related Education Program; Application for New Projects for Fiscal Year 1984

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Application Notice for New Projects for Fiscal Year 1984.

SUMMARY: Applications are invited for new projects under the Law-Related Education Program.

Authority for this program is contained in Section 583 of the Education Consolidation and Improvement Act of 1981 (ECIA) (Pub. L. 97-35), which authorizes the Secretary's Discretionary Program.

This program issues awards to State educational agencies, local educational agencies, and other public and nonprofit private agencies, organizations, and institutions.

The purpose of law-related education is to enable non-lawyers, including children, youth, and adults, to be more informed citizens concerning the law, the legal process, the legal system, and the fundamental principles upon which these are based.

Law-related education may include a variety of learning approaches in subject areas such as: fundamental legal principles and the values on which they are based; the Bill of Rights and other constitutional law; the role and limits of law in a democratic society both past and present; the Federal, State, and local lawmaking process; the role of law in avoiding and resolving conflicts; development and administration of specific rules of law by Federal, State, or local governments and examination in a general or theoretical way of how rules of governance are developed and administered; the administration of the criminal, civil, and juvenile justice systems; and issues of authority, freedom, enforcement, and punishment.

(20 U.S.C. 3851)

Closing Date for Transmittal of Applications: An application for a grant must be mailed or hand delivered by March 15, 1984.

Applications Delivered by Mail: an application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.123, Law-Related Education Program, Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service Postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the U.S. Secretary of Education. If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (a) A private metered postmark; or (b) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail. Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand: An application that is hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, SW., Washington, D.C.

The Application Control Center will accept a hand-delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays. An application that is hand delivered will not be accepted after 4:30 p.m. on the closing date.

Program Information and Program Priorities: Proposed regulations governing grants under the Law-Related Education Program are being published in this issue of the **Federal Register.** The proposed regulations list three examples of types of projects that can be supported with grant awards. These examples are listed in § 241.10(a) through § 241.10(c) of the proposed regulations.

The propsed rules also permit the Secretary to select one or more of the project types for priority. For fiscal year 1984, subject to publication of final regulations, the Secretary has selected for priority § 241.10(a)—projects that support the institutionalization of existing law-related education programs in elementary and secondary school classrooms.

The emphasis on this type of project was selected for FY 84 for two reasons—

(a) There are highly regarded law-related education programs in many States and school districts throughout the Nation, including programs that have been funded under the Law-Related Education Act and by other sources. However, many school districts do not have effective programs, or any programs at all. It is appropriate to build on the successes of existing programs, to institutionalize them, and to strengthen their capacity to serve as resources that will help address these unmet needs.

(b) For the most part, future Federal financial support for particular law-related education programs will depend on decisions by State educational agencies and local educational agencies as to how to spend funds they administer under other Department of Education programs, particularly the block grant program authorized by Chapter 2 of ECIA. Projects that have system-wide applicability can contribute to more effective use of State and locally-administered Federal funds for law-related education. Projects that include strategies to institutionalize classroom law-related education can address the problem that many local educators are not aware of the potential value of law-related education and how it can be integrated into the curriculum. Therefore, institutionalization projects can promote informed choices by cognizant State and local officials concerning whether and how best to support law-related education activities with the block grant funds or with State and local funds.

In addition to the points awarded under the Selection Criteria listed in § 241.31, the Secretary will award up to 10 points to an application on the basis of the proportion of the proposed project activities that address the selected priority.

Projects supported under this program will be for a period of one year.

Intergovernmental Review: On June 24, 1983, the Secretary published in the **Federal Register** final regulations (34 CFR Part 79, published at 48 FR 29158 *et seq.*) implementing Executive Order 12372 entitled "Intergovernmental Review of Federal Programs." The regulations took effect September 30, 1983.

This program is subject to the requirements of the Executive Order and the regulations in 34 CFR Part 79. The objective of Executive Order 12372 is to foster an integovernmental partnership and a strengthened federalism by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance.

The Executive Order—

- Allows States, after consultation with local officials, to establish their own process for review and comment on proposed Federal financial assistance,

• Increases Federal responsiveness to State and local officials by requiring Federal agencies to accommodate State and local views or explain why those views will not be accommodated, and

• Revokes OMB Circular A–95.

Transactions with nongovernmental entities, including State postsecondary educational institutions and federally recognized Indian tribal governments, are not covered by Executive Order 12372. Also excluded from coverage are research, development, or demonstration projects that do not have a unique geographic focus and are not directly relevant to the governmental responsibilities of a State or local government within that geographic area.

The following is the current list of States which have established a process, designated a single point of contact, and have selected this program for review:

State

Arizona	New Jersey
Arkansas	New Mexico
California	New York
Connecticut	North Carolina
Delaware	Ohio
District of Columbia	Oklahoma
Florida	Oregon
Hawaii	Rhode Island
Illinois	South Carolina
Indiana	South Dakota
Iowa	Tennessee
Kentucky	Utah
Louisiana	Vermont
Maryland	Virginia
Michigan	Washington
Missouri	Wisconsin
Montana	Wyoming
Nebraska	Puerto Rico
Nevada	Northern Mariana Island
New Hampshire	

Immediately upon receipt of this notice, applicants that are governmental entities, including local educational agencies, must contact the appropriate State single point of contact to find out about, and to comply with, the State's process under the Executive Order. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the single point of contact for each State and follow the procedures established in those States under the Executive Order. A list containing the single point of contact for each State is included in the application package for this program.

In States not listed above, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State process recommendation and other comments submitted by a State single point of contact and any comments from State, areawide, regional, and local entities must be mailed or hand delivered by May 14, 1984 to the following address:

The Secretary, U.S. Department of Education, Room 4181, 84.123, 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone Number (202) 245–7913. (Proof of mailing will be determined on the same basis as applications.)

PLEASE NOTE THAT THE ABOVE ADDRESS IS NOT THE SAME ADDRESS AS THE ONE TO WHICH THE APPLICANT SUBMITS ITS COMPLETED APPLICATION. *DO NOT SEND APPLICATIONS TO THE ABOVE ADDRESS.*

Available Funds: The appropriation for this program for fiscal year 1984 is $1,000,000. It is planned that these funds will be used to support one national project, an estimated eleven additional State-wide, regional, and system-wide projects and one or two contracts. These numbers will depend in part on the distribution of successful applications among projects of different scope.

It is estimated that a nation-wide project would require about $100,000–$150,000, State-wide projects would require about $50,000–$100,000, regional projects would require about $25,000–$75,000, and system-wide projects would require approximately $10,000–$50,000.

Approximately 10 percent of the available funds will be reserved for contracts for specific activities in law-related education outside of the grant competition under these regulations. If the Secretary decides not to award any contracts, the 10 percent will be added to the available funds for grants.

These allocations are only estimates and do not bind the Department of Education to a specific number of awards unless that number is otherwise specified by statute or regulations.

Applicants should be aware that the availability of funds for this competition is being contested in litigation in the United States District Court for the Northern District of Illinois, Eastern Division *(United States v. Board of Education of the City of Chicago,* Docket No. 80 C 5124). Any obligation of these funds is currently enjoined by the court.

Application Forms: Application forms and program information packages will be ready for mailing on January 31, 1984. The program information package may be obtained by writing to the Division of Educational Support, Law-Related Education Program, U.S. Department of Education, 400 Maryland Avenue, SW. (Room 2011, FOB–6), Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with regulations, instructions, and forms included in the program information package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations.

The Secretary strongly urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) Regulations governing the Law-Related Education Program as proposed to be codified in 34 CFR Prt 241. (Applications are being accepted based on the notice of proposed rulemaking for the Law-Related Education Program which is published in this issue of the **Federal Register.** If any substantive changes are made in the final regulations for this program, applicants will be given an opportunity to revise their applications.)

(2) The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 78, and 79.

Further Information: For further information, contact Rita Ray, Program Officer, Law-Related Education Program, Division of Educational Support, U.S. Department of Education, 400 Maryland Avenue, SW. (Room 2025, FOB–6), Washington, D.C. 20202. Telephone (202) 472–7960.

(20 U.S.C. 3851)

(Catalog of Federal Domestic Assistance No. 84.123, Law-Related Education Program)

Dated: January 9, 1984.

T. H. Bell,

Secretary of Education.

[FR Doc. 84–1431 Filed 1–18–84; 8:45 am]

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Thursday, January 19, 1984

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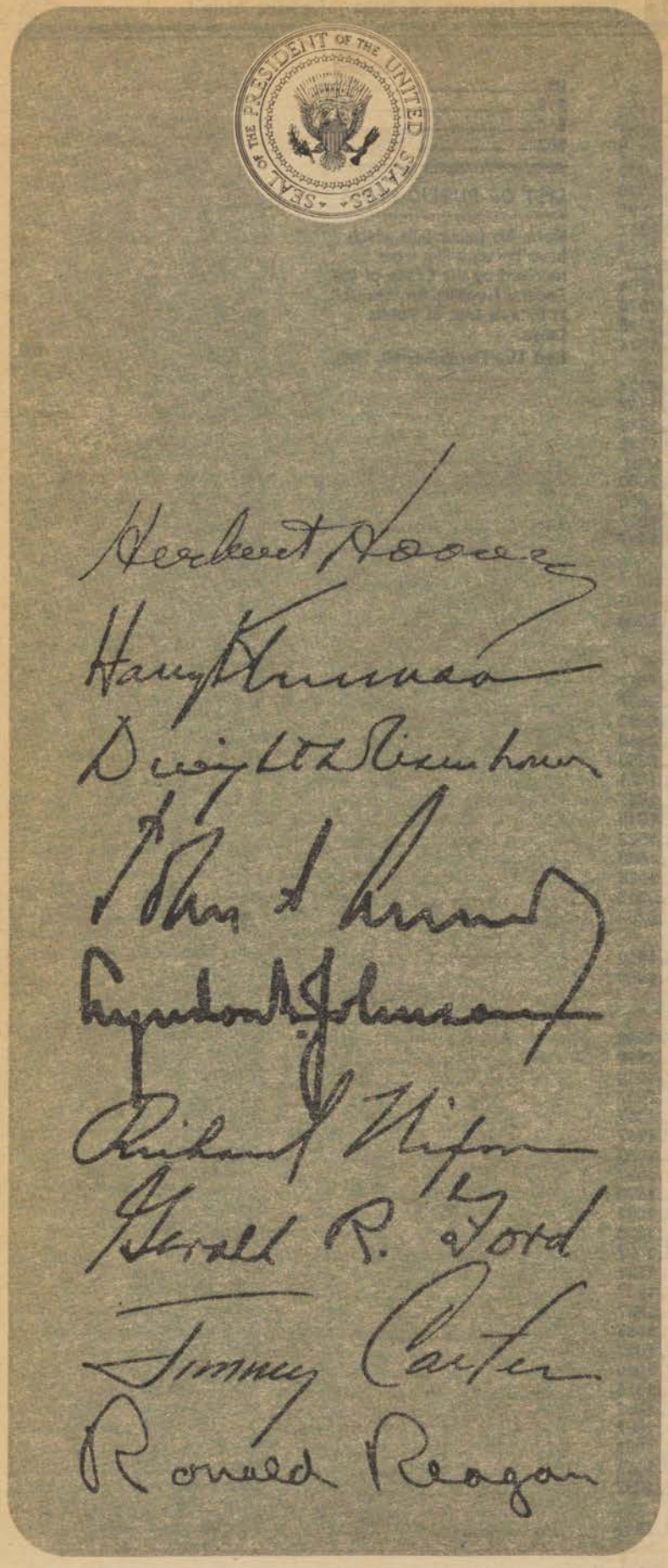
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