

# FEDERAL REGISTER

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Agencies in this issue—

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Civil Aeronautics Board  
Civil Service Commission  
Commerce Department  
Consumer and Marketing Service  
Customs Bureau  
Defense Supply Agency  
Delaware River Basin Commission  
Emergency Preparedness Office  
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Announcing First 10-Year Cumulation

**TABLES OF LAWS AFFECTED**

in Volumes 70-79 of the

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Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Temporary Boards and Commissions

Section 213.3199 is amended to show that positions at GS-15 and below on the staff of the White House Conference on Food, Nutrition and Health, are excepted under Schedule A until March 31, 1970. Effective on publication in the FEDERAL REGISTER, paragraph (d) is added to § 213.3199 as set out below.

#### § 213.3199 Temporary Boards and Commissions.

(d) *White House Conference on Food, Nutrition and Health.* (1) Until March 31, 1970, positions at GS-15 and below.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,  
Director, Bureau of  
Management Service.

[F.R. Doc. 69-12741; Filed, Oct. 23, 1969; 8:48 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Export-Import Bank of Washington

Section 213.3242 is amended to show the exception under Schedule B of an additional 7 positions of Loan Specialist GS-11-13 occupied by persons selected jointly by commercial banks and the agency for participation in the Eximbank-Commercial Bank Orientation Program. Appointments under this authority may not exceed 15 months. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3242 is amended as set out below.

#### § 213.3242 Export-Import Bank of Washington.

(a) Not to exceed 10 positions of Loan Specialist GS-11 through GS-13 when occupied by persons selected jointly by commercial banks and the agency for participation in the Eximbank-Commercial Bank Orientation Program. Appointments under this authority may not exceed 15 months.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,  
Director, Bureau of  
Management Services.

[F.R. Doc. 69-12729; Filed, Oct. 23, 1969; 8:46 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Department of the Interior

Section 213.3312 is amended to show that the position of Assistant to the Assistant Secretary for Water and Power Development is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (36) is added to paragraph (a) of § 213.3312 as set out below.

#### § 213.3312 Department of the Interior.

(a) *Office of the Secretary.* \* \* \*

(36) One Assistant to the Assistant Secretary for Water and Power Development.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,  
Director, Bureau of  
Management Service.

[F.R. Doc. 69-12742; Filed, Oct. 23, 1969; 8:48 a.m.]

## Title 7—AGRICULTURE

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

#### PART 982—FILBERTS GROWN IN OREGON AND WASHINGTON

##### Free and Restricted Percentages for 1969-70 Fiscal Year

Notice was published in the October 7, 1969, issue of the FEDERAL REGISTER (34 F.R. 15562) regarding a proposal to establish free and restricted percentages applicable to filberts grown in Oregon and Washington for the 1969-70 fiscal year beginning August 1, 1969. The percentages are based on recommendations of the Filbert Control Board and other available information in accordance with the applicable provisions of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including those in the notice, the information and recommendations submitted by the Board, and other available information, it is found that to establish free and restricted per-

centages as hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the free and restricted percentages for merchantable filberts during the 1969-70 fiscal year are established as follows:

#### § 982.219 Free and restricted percentages for merchantable filberts during the 1969-70 fiscal year.

The following percentages are established for merchantable filberts for the fiscal year beginning August 1, 1969:

Free percentage.....	85
Restricted percentage.....	15

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said amended marketing agreement and this part require that free and restricted percentages designated for a particular fiscal year shall be applicable to all inshell filberts handled during such year; and (2) the current fiscal year began on August 1, 1969, and the percentages established herein will automatically apply to all such filberts beginning with such date.

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

Dated: October 21, 1969.

PAUL A. NICHOLSON,  
Acting Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 69-12746; Filed, Oct. 23, 1969; 8:48 a.m.]

#### PART 982—FILBERTS GROWN IN OREGON AND WASHINGTON

##### Expenses of Filbert Control Board and Rate of Assessment for 1969-70 Fiscal Year

Notice was published in the October 11, 1969, issue of the FEDERAL REGISTER (34 F.R. 15758) regarding proposed expenses of the Filbert Control Board for the 1969-70 fiscal year and rate of assessment for that fiscal year, pursuant to §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the



notice, the information and recommendation submitted by the Filbert Control Board, and other available information. It is found that the expenses of the Filbert Control Board and rate of assessment for the fiscal year beginning August 1, 1969, shall be as follows:

**§ 982.314 Expenses of the Filbert Control Board and rate of assessment for the 1969-70 fiscal year.**

(a) *Expenses.* Expenses in the amount of \$24,432 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1969, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said fiscal year, payable by each handler in accordance with § 982.61, is fixed at 0.22 cent per pound of filberts.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable filberts from the beginning of such year; and (2) the current fiscal year began on August 1, 1969, and the rate of assessment herein fixed will automatically apply to all such assessable filberts beginning with that date.

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

Dated: October 21, 1969.

PAUL A. NICHOLSON,  
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69-12745; Filed, Oct. 23, 1969; 8:48 a.m.]

## Title 22—FOREIGN RELATIONS

### Chapter I—Department of State

[Dept. Reg. 108.610]

#### PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

##### Removal of Limitation on Revalidation of Nonimmigrant Visas

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is being amended to remove the prohibition against the revalidation of a nonimmigrant visa for a period which would extend its validity for more than 48 months from the date of original issuance.

1. Paragraph (b)(2) of § 41.120 is amended to read as follows:

#### § 41.120 Authority to issue visas.

(b) . . . .

(2) The Director of the Visa Office of the Department and such other officers of the Department as he may designate are authorized, in their discretion, to revalidate F, H, and J visas, including diplomatic visas, for qualified aliens in the United States who intend, after a temporary absence, to reenter the United States in the nonimmigrant status specified in their visas, regardless of the expiration date of the original visa.

2. Paragraph (c) of § 41.125 is amended to read as follows:

#### § 41.125 Revalidation of visas.

(c) *Period for which visa may be revalidated.* A nonimmigrant visa issued under the provisions of any paragraph of section 101(a)(15) of the Act may, in the discretion of the consular officer, be revalidated any number of times for the period and number of applications for admission prescribed by the Secretary of State.

*Effective date.* The amendments to the regulations contained in this order shall become effective upon publication in the *FEDERAL REGISTER*.

The provisions of the Administrative Procedure Act (80 Stat. 383; 5 U.S.C. 553) relative to notice of proposed rule making are inapplicable to this order because the regulations contained herein involve foreign affairs functions of the United States.

(Sec. 104, 66 Stat. 174; 8 U.S.C. 1104)

BARBARA M. WATSON,  
Administrator, Bureau of  
Security and Consular Affairs.

OCTOBER 15, 1969.

[F.R. Doc. 69-12731; Filed, Oct. 23, 1969; 8:47 a.m.]

## Title 32A—NATIONAL DEFENSE, APPENDIX

### Chapter I—Office of Emergency Preparedness

[Defense Mobilization Order 3000.1]

#### DMO 3000.1—PROCEDURES FOR OBTAINING TELECOMMUNICATION RESOURCES FOR USE DURING A NATIONAL EMERGENCY

##### Revocation of Precedence System Regulations

Attachment A, entitled Precedence System for Public Correspondence Message Telephone and T.W.X. Services Essential to the National Defense and Security, and Attachment B, entitled Precedence System for Public Correspondence Telegraph Messages Essential to the National Defense and Security, of

Annex 3 to Defense Mobilization Order 3000.1 entitled "Procedures for Obtaining Telecommunications Resources for use During a National Emergency" (28 F.R. 12273) are hereby revoked and replaced by Part 203, Chapter II, Director of Telecommunications Management, Title 47 of the Code of Federal Regulations.

This revocation shall be effective as of November 1, 1969.

Dated: October 20, 1969.

G. A. LINCOLN,  
Director,  
Office of Emergency Preparedness.

[F.R. Doc. 69-12736; Filed, Oct. 23, 1969; 8:47 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

#### PART 33—SPORT FISHING

##### Arrowwood National Wildlife Refuge, N. Dak.

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

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

##### NORTH DAKOTA

##### ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 1,550 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Sport Fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge shall extend from November 17, 1969, to March 21, 1970, daylight hours only.

(2) The use of boats, without motors, is permitted.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 21, 1970.

ARNOLD D. KRUSE,  
Refuge Manager, Arrowwood  
National Wildlife Refuge,  
Edmunds, N. Dak.

OCTOBER 14, 1969.

[F.R. Doc. 69-12734; Filed, Oct. 23, 1969; 8:47 a.m.]



# Title 14—AERONAUTICS AND SPACE

## Chapter I—Federal Aviation Administration, Department of Transportation

### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9899; Amdt. 672]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

### Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

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

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

#### STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Racine Int.	LOM	Direct	2500	T-dn	300-1	300-1	300-1½
MKE-VOR	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Cardinal Int.	LOM	Direct	2700	S-dn-1	500-1	500-1	500-1
Wind Lake Int.	LOM	Direct	2500	A-dn	800-2	800-2	800-2
Horlick Int.	LOM	Direct	2500				
Big Bend Int.	LOM	Direct	2500				
Oakwood Int.	LOM (final)	Direct	2500				

Radar available.

Procedure turn E side of crs. 186° Outbnd. 006° Inbnd. 2500' within 10 miles.

Minimum altitude over facility on final approach crs. 2000'.

Crs and distance, facility to airport, 006°—5.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing LOM, climb to 2700' on 006° bearing from LOM, proceed direct to North Park RBN, or when directed by ATC, climb to 2000' and proceed to MKE-VOR via MKE R 110°.

Note: Runway 1, LOM named METRO.

MSA within 25 miles of facility: 090°—270°—2200'; 270°—090°—2800'.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 722'; Fac. Class., LOM; Ident., MK; Procedure No. NDB (ADF) Runway 1, Amdt. 23; Eff. date 13 Nov. 69; Sup. Amdt. No. 22; Dated, 9 Dec. 67.

2. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

- King Salmon, Alaska—King Salmon, LFR 1, Amdt. 14, 13 Aug. 1966 (established under Subpart C).
- Buffalo, N.Y.—Greater Buffalo International, NDB (ADF) Runway 5, Amdt. 2, 14 Mar. 1968 (established under Subpart C).
- Buffalo, N.Y.—Greater Buffalo International, NDB (ADF) Runway 23, Amdt. 6, 16 May 1968 (established under Subpart C).
- Everett, Wash.—Snohomish County (Paine Field), NDB (ADF) Runway 16, Amdt. 5, 16 Jan. 1969 (established under Subpart C).
- Louisville, Ky.—Bowman Field, ADF 1, Amdt. 5, 13 Aug. 1966 (established under Subpart C).
- Buffalo, N.Y.—Greater Buffalo International, VOR Runway 31, Amdt. 11, 24 June 1967 (established under Subpart C).
- Carlsbad, N. Mex.—Cavern City Air Terminal, VOR 1, Amdt. 5, 12 Dec. 1964 (established under Subpart C).
- Glasgow, Mont.—Glasgow International, VOR 1, Orig., 10 Nov. 1966 (established under Subpart C).
- Kailua Kona, Hawaii—Kona, VOR 1, Orig., 10 Nov. 1966 (established under Subpart C).
- King Salmon, Alaska—King Salmon, VOR 1, Amdt. 5, 16 July 1966 (established under Subpart C).
- Lebanon, N.H.—Lebanon Regional, VOR 1, Amdt. 7, 29 Jan. 1966 (established under Subpart C).
- Louisville, Ky.—Bowman Field, VOR 1, Amdt. 6, 10 Apr. 1965 (established under Subpart C).
- Wichita Falls, Tex.—Wichita Valley, VOR 1, Amdt. 2, 14 Dec. 1963 (established under Subpart C).

3. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

- Vineland, N.J.—Vineland-Downstown, VOR Runway 2, Amdt. 2, effective 4 Mar. 1967, canceled, effective 13 Nov. 1969.

- 4. By amending § 97.13 of Subpart B to cancel terminal very high frequency omnirange (TerVOR) procedures as follows: Everett, Wash.—Snohomish County (Paine Field), TerVOR-16, Amdt. 4, effective 16 Jan. 1969, canceled, effective 13 Nov. 1969.

5. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

- Hazlehurst, Ga.—Hazlehurst, VOR/DME Runway 32, Orig., 15 Apr. 1967 (established under Subpart C).
- King Salmon, Alaska—King Salmon, VOR/DME-29, Amdt. 2, 29 Aug. 1968 (established under Subpart C).

6. By amending § 97.15 of Subpart B to cancel very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

- Owosso, Mich.—Owosso City, VOR/DME No. 1, Amdt. 1, effective 25 Dec. 1965, canceled, effective 13 Nov. 1969.



## 7. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
FCM VOR	LOM	Direct	2500	T-dn	300-1	300-1	200-1½
MSP-VOR	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
FGT-VOR	LOM	Direct	2500	S-dn-29L*	200-1½	200-1½	200-1½
Prior Int.	LOM	Direct	2500	A-dn	600-2	600-2	600-2
White Bear Int.	LOM	Direct	2500	Category II special authorization required: TDZ elevation, 822'. Decision heights—S-dn-29L, DH 100', RVR 1200', 922' MSL. S-dn-29L, DH 100', RVR 1200', 922' MSL.			

Radar available.

Procedure turn N side of crs, 115° Outbnd, 295° Inbnd, 2500' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2500'.

Altitude of glide slope and distance to approach end of Runway at OM, 2326'—5.5 miles; at MM, 1000'—0.5 mile.

Distance HAT 150' to runway threshold 2400'; Distance IM to runway threshold, 1267'; Distance runway threshold to GPI, 1260'.

Crs and distance, 2.2-mile DME Fix and Egan Tank radar fix to airport, 295°—2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing LOM, climb to 2500' on NW crs ILS within 10 miles, return to Newport LOM; or when directed by ATC, make left-climbing turn, climb to 2000' and return to Newport LOM.

Category II "Missed Approach": Climb to 2500' on NW crs of ILS within 10 miles and return to Newport LOM if contact with visual guidance system not established at DH. Note: DME should not be used to determine aircraft position over MM, runway threshold or runway touchdown point. DME located at glide slope site R.A. not authorized to identify 150' DH or 100 DH due to rough terrain and ALS structure.

RVR 1800' authorized Runway 29L, RVR 2400' authorized Runway 4, RVR 4000' authorized Runway 11R. Category 2-engine or less, RVR 2400' authorized Runway 11R. Category more than 2-engine more than 65 Kts.

RVR 2000' 4-engine turbojet; RVR 1800' all other aircraft. Descent below 1040' not authorized unless approach lights are visible.

\*500-1½ required when glide slope not utilized, 500-1½ authorized with operative ALS except for 4-engine turbojets. 400' minimum authorized after passing the 2.2-mile DME Fix or the Egan Tank radar fix.

Supplementary charting information: 29L LOM named Newport.

City, Minneapolis; State, Minn.; Airport name, Minneapolis-St. Paul International (Wold-Chamberlain); Elev., 849'; Fac. Class., ILS; Ident., I-MSP; Procedure No. ILS Runway 29L, Amdt. 2; Eff. date, 13 Nov. 69; Sup. Amdt. No. 28; Dated, 6 Feb. 69

## 8. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

Buffalo, N.Y.—Greater Buffalo International, LOC (BC) Runway 5, Amdt. 11, 14 Mar. 1968 (established under Subpart C).

Buffalo, N.Y.—Greater Buffalo International, ILS Runway 5, Amdt. 3, 14 Mar. 1968 (established under Subpart C).

Buffalo, N.Y.—Greater Buffalo International, ILS Runway 23, Amdt. 17, 2 Jan. 1969 (established under Subpart C).

Everett, Wash.—Snohomish County (Paine Field), ILS Runway 16, Amdt. 7, 16 Jan. 1969 (established under Subpart C).

King Salmon, Alaska—King Salmon, ILS-11, Amdt. 8, 1 Oct. 1966 (established under Subpart C).

## 9. By amending § 97.19 of Subpart B to delete radar procedures as follows:

Buffalo, N.Y.—Greater Buffalo International, Radar-1, Amdt. 4, 14 Mar. 1968 (established under Subpart C).

King Salmon, Alaska—King Salmon, Radar 1, Orig., 5 Nov. 1966 (established under Subpart C).

## 10. By amending § 97.21 of Subpart C to establish low or medium frequency range (L/MF) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LFR

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

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.1 miles after passing KG LFR.	
AKN VORTAC	KG LFR	Direct	1500	Climb to 3000' on E crs KG LFR within 15 miles. Alternate missed approach: When directed by ATC, climb to 2000' right turn to 8W crs KG LFR within 15 miles. Supplementary charting information: 280' lower 0.8 mile NW of airport. 100' LFR towers 1.1 miles W of airport.	

Procedure turn S side of crs, 291° Outbnd, 111° Inbnd, 1800' within 10 miles of KG LFR.

FAF, KG LFR. Final approach crs, 111°. Distance FAF to MAP, 1.1 miles.

Minimum altitude over KG LFR, 700'.

MSA: N—3500'; E—3700'; S—2700'; W—1400'.

Note: ABR.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	580	1	523	580	1	523	580	1½	523	620	2	563
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, King Salmon; State, Alaska; Airport name, King Salmon; Elev., 57'; Facility, KG; Procedure No. LFR Runway 11, Amdt. 15; Eff. date, 13 Nov. 69; Sup. Amdt. No. LFR 1, Amdt. 14; Dated 13 Aug. 66



11. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6 miles after passing 6-mile Radar Fix.
				Climb to 2000', right turn, to LIT VOR TAC R 249° direct to Benton Int and hold.
				Supplementary charting information: Hold W of Benton Int on R 249°, 030° Inbnd, 1 minute, right turns.

Procedure turn not authorized.

FAF, 6-mile Radar Fix. Final approach crs, 245°. Distance FAF to MAP, 6 miles.

Minimum altitude over 6-mile Radar Fix, 2000'.

NOTE: Radar required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	1020	1	695	1020	1 1/4	695	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Benton; State, Ark.; Airport name, Saline County; Elev., 325'; Facility, LIT; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.2 miles after passing BUF VOR TAC.
R 043°, BUF VORTAC CW.....	R 104°, BUF VORTAC.....	12-mile DME Arc, R 093° lead radial.	3000	Climbing right turn to 2700' to BUF VORTAC R 302° to Grand Island Int and hold; or, when directed by ATC, climbing right turn to 2700' to BUF VORTAC. Hold E, 1 minute, right turns, 284° Inbnd.
R 108°, BUF VORTAC CCW.....	R 104°, BUF VORTAC.....	12-mile DME Arc, R 115° lead radial.	3000	
12-mile DME Arc.....	6-mile DME Fix R 104°.....	Direct.....	2700	
6-mile DME Fix, R 104°.....	BUF VORTAC (NOPT).....	Direct.....	1700	

Procedure turn N side of crs, 104° Outbnd, 284° Inbnd, 2700' within 10 miles of BUF VORTAC.

FAF, BUF VORTAC. Final approach crs, 284°. Distance FAF to MAP, 3.2 miles.

Minimum altitude over 6-mile DME Fix, R 104°, 2700'; over BUF VORTAC, 1700'.

MSA: 000°-090°-2200'; 090°-270°-3000'; 270°-360°-2000'.

NOTE: ASR.

\*Sliding scale not authorized.

\*Air carrier will not reduce landing visibility due to local condition.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-31*.....	1120	1	407	1120	1	407	1120	1	407	1120	1	407
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1100	1	437	1180	1	457	1180	1 1/4	457	1280	2	557
A.....	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others. T over 2-eng.—Runway 5, RVR 40'; Standard all others.								

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility BUF; Procedure No. VOR Runway 31, Amdt. 12; Eff. date, 13 Nov. 69; Sup. Amdt. No. 11; Dated, 24 June 67

## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.1 miles after passing Morris Int.
GSO VORTAC	Butch Int (NOPT)	GSO, R 093°	2500	Climbing right turn to 3800' proceed to LIB
GSO VTAC, R 221° CW	GSO VTAC, R 093°	9-mile DME Arc	2500	VOR via R 035° and hold.
GSO VTAC, R 360° CW	GSO VTAC, R 093°	9-mile DME Arc	2500	Supplementary charting information:
9-mile DME Arc	19-mile DME Fix (NOPT)	GSO, R 093°	2000	Hold NE, 1 minute, right turns, 236° Inbnd.
				Final approach crs to runway threshold.

Procedure turn not authorized. Approach crs (profile) starts at Butch Int or 9-mile DME Fix.

FAF, Morris Int. Final approach crs, 093°. Distance FAF to MAP, 5.1 miles.

Minimum altitude over Butch Int or 9-mile DME Fix, 2500'; over Morris Int or 19-mile DME Fix, 2000'.

MSA: 090°-090°-3600'; 090°-180°-4900'; 180°-270°-3500'; 270°-360°-5100'.

NOTES: (1) Use Greensboro, N.C., APC altimeter setting. (2) No weather reporting. (3) Night minimums not authorized for Runways 9-27. (4) Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-9.....	1140	1	528	1140	1	528	1140	1	528	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1200	1	588	1200	1	588	1200	1½	588	NA
A.....	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Burlington; State, N.C.; Airport name, Burlington Municipal; Elev., 612'; Facility, GSO; Procedure No. VOR Runway 9, Amdt. Orig.; Eff. date, 13 Nov. 69.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.7 miles after passing CNM VOR.
Int, R 255° INK and R 145° CNM	CNM VOR	Direct	5000	Climbing right turn to 5000' direct to CNM VOR and hold.
				Supplementary charting information:
				Hold SE, 1 minute, right turns, 325° Inbnd.
				Unlighted hill 2.5 miles NW of airport, 3425'.
				Runway 32L, TDZ elevation, 3265'.

Procedure turn E side of crs, 145° Outbnd, 325° Inbnd, 5000' within 10 miles of CNM VOR.

FAF, CNM VOR. Final approach crs, 325°. Distance FAF to MAP, 4.7 miles.

Minimum altitude over CNM VOR, 4000'.

MSA: 090°-090°-4500'; 090°-180°-5000'; 180°-270°-8000'; 270°-360°-5800'.

\* Runways 3-21 and 14R-32L only authorized for night operations.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-32L*	3600	1	335	3600	1	335	3600	1	335	3600	1	335
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	3640	1	364	3740	1	464	3740	1½	464	3840	2	564
A	Standard.			T 2-eng. or less—300-1.			T over 2-eng.—300-1.					

City, Carlsbad; State, N. Mex.; Airport name, Cavern City Air Terminal; Elev., 3276'; Facility, CNM; Procedure No. VOR Runway 32L, Amdt. 6; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Amdt. 5; Dated, 12 Dec. 64.



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: FFT VOR.
Bridgeport Int.	FFT VOR	Direct	2700	Climb to 2700', left turn direct to FFT VOR and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 060° Inbnd. Final approach intercepts runway center, line 3000' from threshold. Chart 1029' tower 38°11'04" N., 84°51'03" W. 938' water tower 38°10'24" N., 84°53'47" W. Runway 6, TDZ elevation, 799'.
Gratz Int.	FFT VOR	Direct	2700	
Georgetown Int.	FFT VOR	Direct	2700	

Procedure turn S side of crs, 240° Outbnd, 060° Inbnd, 2700' within 10 miles of FFT VOR.  
Final approach crs, 060°.  
MSA: 000°-090°-2600'; 090°-180°-3000'; 180°-270°-2300'; 270°-360°-2600'.  
NOTE: Use Lexington altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-6	1300	1	561	1300	1	561	1300	1	561	1300	1½	561
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1300	1	561	1300	1	561	1300	1½	561	1300	2	561
A	Not authorized.			T 2-eng. or less—300-1, Runway 6; Standard, Runway 24. T over 2-eng.—300-1 Runway 6; Standard, Runway 24.								

City, Frankfort; State, Ky.; Airport name, Capital City; Elev., 799'; Facility, FFT; Procedure No. VOR Runway 6, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: VOR.
Bridgeport Int.	FFY NDB	Direct	2500	Climbing right turn to 2500', return to FFY NDB and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 242° Inbnd. Final approach lies 400' right of runway centerline at 3000' from threshold. Chart 1029' tower 38°11'04" N., 84°51'03" W. 938' water tower 38°10'24" N., 84°53'47" W. Runway 24, TDZ elevation, 786'.
Gratz Int.	FFY NDB	Direct	2500	
Georgetown Int.	FFY NDB (NOPT)	Direct	1900	

Procedure turn N side of crs, 063° Outbnd, 243° Inbnd, 2500' within 10 miles of FFY NDB.  
FAF, FFY NDB. Final approach crs, 243°. Distance FAF to MAP, 4.4 miles.  
Minimum altitude over FFY NDB, 1900'.  
MSA: 000°-090°-2400'; 090°-180°-3000'; 180°-360°-2500'.  
NOTE: Use Lexington altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-24	1340	1	554	1340	1	554	1340	1	554	1340	1½	554
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1340	1	541	1340	1	541	1340	1½	541	1300	2	561
A	Not authorized.			T 2-eng. or less—300-1, Runway 6; Standard, Runway 24. T over 2-eng.—300-1, Runway 6; Standard, Runway 24.								

City, Frankfort; State, Ky.; Airport name, Capital City; Elev., 799'; Facility, FFT; Procedure No. VOR Runway 24, Amdt. Orig.; Eff. date, 13 Nov. 69

## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Minimum altitudes (feet)	Missed approach
From—	To—	Via			
GGW NDB.....	GSG VOR.....	Direct.....		4500	MAP: 12.9 miles after passing GSG VOR. Make left-climbing turn to 4500' direct to VOR. Supplementary charting information: Final approach crs to intersection of Runways 12 and 7. LRCO 122.1R, 122.2T. Water tank 2891' at 48°34'20"/106°31'00".

Procedure turn W side of crs, 358° Outbnd, 178° Inbnd, 4500', within 10 miles of GSG VOR.  
FAF, GSG VOR. Final approach crs, 178°. Distance FAF to MAP, 12.9 miles.  
Minimum altitude over GSG VOR, 4500'.  
MSA: 045°-135°-4100'; 135°-225°-3800'; 225°-315°-4100'; 315°-045°-4400'.  
CAUTION: Runways 7/26 unlighted.  
\*Night visibility 2 miles.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	3300	1	1007	3300	1	1007	3300	1½	1007	3300	2	1007
A	1100-2.	T 2-eng. or less—Standard.						T over 2-eng.—Standard.				

City, Glasgow; State, Mont.; Airport name, Glasgow International; Elev., 2293'; Facility, GSG; Procedure No. VOR-1, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Orig.; Dated, 10 Nov. 66

Terminal routes				Minimum altitudes (feet)	Missed approach
From—	To—	Via			
Typhoon DME/Int.....	KOA, R 312°.....	UPP, R 241°.....		4000	MAP: KOA VOR. Climbing right turn to 2000' via KOA, R 312° to Reef Int and hold. Supplementary charting information: Hold NW, 1 minute, right turns, 132° Inbnd. Runway 11, TDZ elevation, 5'.
Mynab Int.....	Reef Int (NOPT).....	Direct.....		1500	
Reef Int.....	Taro DME/Int (NOPT).....	Direct.....		1500	

Procedure turn S side of crs, 312° Outbnd, 132° Inbnd, 2000' within 10 miles of Reef DME/Int.  
Final approach crs, 132°.  
Minimum altitude over Taro DME/Int, 1500'.  
MSA: 070°-160°-15,000'; 160°-340°-3900'; 340°-070°-11,300'.  
NOTE: Instrument approach procedure not authorized when control zone not effective except for operators with approved weather reporting service.  
%Takeoff Runway 11, turn right; all departures must climb between radials 180°-330° CW.  
#Circling not authorized N of airport.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-11.....	340	1	335	340	1	335	340	1	335	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C#.....	520	1	504	520	1	504	640	1½	624	NA
A.....	Standard.		T 2-eng. or less—Standard. %				T over 2-eng.—Standard. %			

City, Kailua Kona; State, Hawaii; Airport name, Kona; Elev., 16'; Facility, KOA; Procedure No. VOR Runway 11, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Orig.; Dated, 10 Nov. 66



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
KG LFR R 030, AKN VORTAC CCW	AKN VORTAC R 291°, AKN VORTAC (NOPT)	Direct 10-mile Arc AKN, R 302° lead radial.	1800 2000	MAP: 3.7 miles after passing AKN VOR TAC.  Climb to 3000' on R 111° within 15 miles. Alternate missed approach: When directed by ATC, climb to 2000', right turn to R 165° within 15 miles. Supplementary charting information: 280' tower 0.8 mile NW of airport. 190' LFR towers 1.1 miles W of airport. Runway 11, TDZ elevation, 44'.
R 205, AKN VORTAC CW	R 291°, AKN VORTAC (NOPT)	10 mile Arc AKN, R 380° lead radial.	2000	

Procedure turn S side of crs, 291° Outbnd, 111° Inbnd, 1800' within 10 miles of AKN VORTAC.  
FAF, AKN VORTAC. Final approach crs, 111°. Distance FAF to MAP, 3.7 miles.  
Minimum altitude over AKN VORTAC, 700'.  
MSA: 000°-090°-3700'; 090°-180°-3500'; 180°-270°-1400'; 270°-360°-1000'.

NOTE: ASR.

\* When AKN control tower not operating, visibility for Categories A, B, and C aircraft increased by ¼ mile.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11*	540	1½	496	540	1½	496	540	1½	496	540	1	496
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	580	1	523	580	1	523	580	1½	523	620	2	563
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, King Salmon; State, Alaska; Airport name, King Salmon; Elev., 57'; Facility, AKN; Procedure No. VOR Runway 11, Amdt. 6; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Amdt. 8; Dated, 16 July 66

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
				MAP: 4.4 miles after passing LEB VOR.  Climb straight ahead to 2000', then right climbing turn to 4300' direct to LEB VOR and hold. Supplementary charting information: Hold NE LEB VOR, 1 minute, right turns, 246° Inbnd. CAUTION: High terrain; turbulence all quadrants.

Procedure turn N side of crs, 066° Outbnd, 246° Inbnd, 4300' within 10 miles of LEB VOR.  
FAF, LEB VOR. Final approach crs, 346°. Distance FAF to MAP, 4.4 miles.  
Minimum altitude over LEB VOR, 2800'.

MSA: 000°-090°-5000'; 090°-180°-4200'; 180°-360°-5300'.

NOTE: Approach from a holding pattern not authorized. Procedure turn required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS		
C-D	1780	1¾	1200	1820	2	1240	1880	2¾	1300	NA		
C-N	2280	2¾	1700	2320	2¾	1740	2380	3	1800	NA		
A	2500-3.			T 2-eng. or less—D-1000-2, N-2000-2.			T over 2-eng.—D-1000-2, N-2000-2.					

City, Lebanon; State, N.H.; Airport name, Lebanon Regional; Elev., 580'; Facility, LEB; Procedure No. VOR-1, Amdt. 8; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Amdt. 7; Dated, 29 Jan. 66

## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.4 miles after passing LEB VOR.
				Climb straight ahead to 2000', then right-climbing turn to 4300', direct to LEB VOR and hold. Supplementary charting information: Hold NE, LEB VOR, 1 minute, right turns, 240° Inbnd. CAUTION: High terrain; turbulence all quadrants.
Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 4300' within 10 miles of LEB VOR. FAF, LEB VOR. Final approach crs, 240°. Distance FAF to MAP, 4.4 miles. Minimum altitude over LAH RBN/FM, 2000'; over LEB VOR, 2500'. MSA: 060°-090°-3000'; 090°-180°-4300'; 180°-360°-5300'. NOTE: Approach from a holding pattern not authorized. Procedure turn required.				

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C-D.....	1780	1½	1200	1820	2	1240	1880	2½	1300	NA
C-N.....	2280	2½	1700	2320	2½	1740	2380	3	1800	NA
A.....	2500-3.		T 2-eng. or less—D-1000-2, N-2000-2.				T over 2-eng.—D-1000-2, N-2000-2.			

City, Lebanon; State N.H.; Airport name, Lebanon Regional; Elev., 580'; Facility, LEB; Procedure No. VOR-2, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.3 miles after passing Jeffersonville Int (15.1-mile DME).
LOU VORTAC.....	Jeffersonville Int (15.1-mile DME)	Direct.....	3000	Climb to 2500' on heading 120° intercept R 060° LOU VORTAC and proceed to Shelby Int and hold or when directed by ATC climbing left turn to 2500' to heading 040° intercept R 175° ABB VOR and proceed to ABB VOR. Hold NE, 1 minute, right turns, 238° Inbnd. Supplementary charting information: Hold NE, 1 minute, right turns, 240° Inbnd Runway 14, TDZ elevation, 545'.
Henryville Int.....	Jeffersonville Int (15.1-mile DME) (NOPT).	Direct.....	2400	

Procedure turn E side of crs, 330° Outbnd, 150° Inbnd, 3000' within 10 miles of Jefferson Int (15.1-mi DME)  
 FAF, Jeffersonville Int (15.1-mile DME).  
 Final approach crs, 150°. Distance FAF to MAP, 6.3 miles.  
 Minimum altitude over Jeffersonville Int (15.1-mi DME), 2400'.  
 MSA: 060°-090°-2500'; 090°-180°-2100'; 180°-270°-2500'; 270°-360°-3000'.  
 NOTE: Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-14.....	1080	1	535	1080	1	535	1080	1	535	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1080	1	534	1120	1	574	1120	1½	574	NA
A.....	Not authorized.		T 2-eng. or less-300-1.				T over 2-eng.-300-1.			

City, Louisville; State, Ky.; Airport name, Bowman Field; Elev., 546'; Facility, LOU; Procedure No. VOR Runway 14, Amdt. Orig.; Eff. date, 13 Nov. 69



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.2 miles after passing LOU VOR TAC.
				Climbing right turn to 2800' to heading 120° intercept R 060° LOU VORTAC and proceed to Shelby Int and hold. Or when directed by ATC, climbing right turn to 2500' to heading 040° intercept R 175° ABB VOR, and proceed to ABB VOR. Hold NE, 1 minute, right turns, 238° Inbnd. Supplementary charting information: Hold NE, 1 minute, right turns, 240° Inbnd. Runway 32, TDZ elevation, 545'.

Procedure turn E side of crs, 150° Outbnd, 330° Inbnd, 2500' within 10 miles of LOU VORTAC. FAF, LOU VORTAC. Final approach crs, 330°. Distance FAF to MAP, 8.2 miles. Minimum altitude over LOU VORTAC, 2500'; over Fern Int (3.5-mile DME), 1320'. MSA: 000°-090°-2500'; 090°-180°-2100'; 180°-270°-2500'; 270°-360°-3000'. NOTE: Radar vectoring.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
B-32	1320	1	775	1320	1½	775	1320	1½	775	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1320	1	774	1320	1½	774	1320	1½	774	NA
	VOR/NDB or DME Minimums:									
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
B-32	1000	1	455	1000	1	455	1000	1	455	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1040	1	494	1120	1	574	1120	1½	574	NA
A	Not authorized.			T 2-eng. or less—300-1.			T over 2-eng.—300-1.			

City, Louisville; State, Ky.; Airport name, Bowman Field; Elev., 546'; Facility, LOU; Procedure No. VOR Runway 32, Amdt. 7; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1, Amdt. 6; Dated, 10 Apr. 65

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing MON VOR TAC.
R 088°, MON VORTAC CW	R 151°, MON VORTAC (NOPT)	7-mile ARC MON, R 151° lead radial.	1800	Turn right climb to 1800', direct to MON VORTAC and hold. Supplementary charting information: Hold SE of MON VORTAC on R 151°, 331° Inbnd, right turns, 1 minute. LRCO, 122.1.

Procedure turn E side of crs, 151° Outbnd, 331° Inbnd, 1800' within 10 miles of MON VORTAC. FAF, MON VORTAC. Final approach crs, 331°. Distance FAF to MAP, 4.8 miles. Minimum altitude over MON VORTAC, 1800'. MSA: 180°-270°-1600'; 270°-180°-1700'. NOTE: Use Pine Bluff altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	940	1	670	940	1	670	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Monticello; State, Ark.; Airport name, Monticello Municipal; Elev., 270'; Facility, MON; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 13 Nov. 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MIE VOR.
OKK VORTAC.....	MIE VOR.....	Direct.....	2500	Right turn, climb to 2500' within 5 miles on MIE R 014°, make right turn and return to VOR. Supplementary charting information: Runway 20, TDZ elevation, 936'.
MZZ VOR.....	MIE VOR.....	Direct.....	2500	

Procedure turn W side of crs, 014° Outbnd, 194° Inbnd, 2500' within 10 miles of MIE VOR.

Final approach crs, 194°.

MSA: 000°-360°-2500'.

NOTE: Use Grissom AFB altimeter setting when control zone not effective, circling and straight-in MDA increased 200' except for operators with approved weather reporting service.

CAUTION: Unlighted 1043' powerline 1½ mile NW of Runway 14.

#Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-20.....	1500	1	564	1500	1	564	1500	1	564	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1500	1	563	1500	1	563	1500	1½	563	NA
A.....	Standard.#			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Muncie; State, Ind.; Airport name, Delaware County Johnson Field; Elev., 937'; Facility, MIE; Procedure No. VOR Runway 20, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing OKC VOR TAC.
				Climb to 3000' on OKC VORTAC, R 312° within 20 miles.

Procedure turn S side of crs, 132° Outbnd, 312° Inbnd, 3000' within 10 miles of OKC VORTAC.

FAF, OKC VORTAC. Final approach crs, 312°. Distance FAF to MAP, 3.6 miles.

Minimum altitude over OKC VORTAC, 2300'.

MSA: 000°-090°-3800'; 090°-150°-2500'; 150°-270°-3000'; 270°-360°-2700'.

NOTE: Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	1780	1	427	1800	1	447	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Oklahoma City; State, Okla.; Airport name, Cimarron Municipal; Elev., 1353'; Facility, OKC; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 13 Nov. 69



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.2 miles after passing OAF VOR.
VTU VOR	Pleasant Int.	Direct	4190	Climbing left turn to 2400' proceed west-bound via OAF VOR, R 240° within 20 miles of OAF. All maneuvering S of cra. Supplementary charting information: Chart: 201' building 34°12'00"/119°10'58.9". Delete: 293' antenna 34°11'30"/119°07'34". Runway 25, TDZ elevation, 40'.
FIM VOR	Pleasant Int (NOPT)	Direct	3400	
R 129° VTU VOR CCW	Boney Int.	VTU 8.5-mile DME Arc	4200	
Boney Int CCW	Pleasant Int (NOPT)	VTU 8.5-mile DME Arc	3400	
Virginia Int.	Pleasant Int (NOPT)	295° crs 1 mile and OAF R 070°	3400	

Procedure turn N side of cra, 070° Outbnd, 250° Inbnd, 4100' within 10 miles of Pleasant Int. FAF, OAF VOR. Final approach crs, 247°. Distance FAF to MAP, 5.2 miles. Minimum altitude over Pleasant Int, 3400'; over Camarillo Int, 3400'; over OAF VOR, 2100'. MSA: 000°-090°-8500'; 090°-180°-4200'; 180°-270°-3200'; 270°-000°-8000'.

Notes: (1) Radar vectoring. (2) Delay up to 30 minutes may occur during periods of air defense activity. (3) Descent from holding at OAF VOR not authorized, procedure turn required.

\*Alternate minimums not authorized when using OAF AFB altimeter setting during time control tower not in operation except operators with approved weather reporting service.

#Air carrier reduction not authorized Runway 7.

@Inoperative table does not apply to REIL Runway 25. Sliding scale not authorized.

%IFR departure procedures: Northbound and eastbound (315° through 155°) climb westbound on OAF VOR R 255° within 20 miles. Reverse crs S to recross OAF VOR at or above 4000'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-250@	460	1	420	460	1	420	460	1	420	460	1	420
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	520	1	477	520	1	477	520	1 1/2	477	560	2	517
A	Standard.*			T 2-eng. or less—Runway 25, Standard; Runway 7, T over 2-eng.—Runway 25, Standard; Runway 7, 200-1.8%								

City, Oxnard; State, Calif.; Airport name, Ventura County; Elev., 43'; Facility, OAF; Procedure No. VOR Runway 25, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.4 miles after passing SPS VORTAC.
				Climb to 2700' on SPS VORTAC, R 206° within 20 miles.

Procedure turn W side of cra, 016° Outbnd, 196° Inbnd, 2300' within 10 miles of SPS VORTAC. FAF, SPS VORTAC. Final approach crs, 196°. Distance FAF to MAP, 2.4 miles. Minimum altitude over SPS VORTAC, 2100'. MSA: 000°-270°-3100'; 270°-360°-3300'.

Notes: (1) Radar vectoring. (2) Use Sheppard approach control altimeter setting.

\*Night landings by prior arrangement for runway lights.

%IFR departure procedures: Southbound (129° through 179°) IFR departures, climb via SPS, R 206° to 2500' via assigned route.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
*C	1420	1	400	1480	1	400	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%	

City, Wichita Falls; State, Tex.; Airport name, Wichita Valley; Elev., 1030'; Facility, SPS; Procedure No. VOR-1, Amdt. 3, Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR 1 Amdt. 2; Dated, 14 Dec. 63



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 9.2-mile DME Fix, R 188°.
R 172°, CRP VORTAC CW.....	R 188, CRP VORTAC lead radial 183. 20-mile DME Arc.....		1600	Climb to 2000' direct to CRP VORTAC.
20-mile Arc.....	15-mile DME, R 188° (NOPT).....	R 188°.....	1600	Supplementary charting information: Final approach crs intercepts runway centerline, 3600' from threshold. Runway 35 TDZ elevation, 42'.

Procedure turn not authorized. Approach crs (profile) starts at 15-mile DME Fix, R 188°.

Final approach crs, 008°.

Minimum altitude over 15-mile DME, R 188°, 1600'.

MSA 25-mile CRP VORTAC: 180°-270°-2100'; 270°-180°-1900'.

NOTE: ASR.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35.....	460	1	418	460	1	418	460	1	418	460	1	418
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	480	1	437	500	1	457	500	1½	457	600	2	557
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Corpus Christi; State, Tex.; Airport name, International; Elev., 43'; Facility, CRP; Procedure No. VOR/DME Runway 35, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 10.6-mile DME Fix.
R 080°, FAM VORTAC CW.....	R 115°, FAM VORTAC (NOPT).....	7-mile Arc.....	2900	Climbing left turn to 2900' direct to FAM VORTAC.
R 196°, FAM VORTAC CCW.....	R 115°, FAM VORTAC (NOPT).....	7-mile Arc.....	2900	Supplementary charting information: Final approach crs to airport reference point.

Procedure turn N side of crs, 115° Outbnd, 295° Inbnd, 2900' within 10 miles of FAM VORTAC.

Final approach crs, 295°.

Minimum altitude over FAM VORTAC, 2900'; over 6-mile DME Fix, 2900'.

MSA: 000°-180°-2400'; 180°-270°-2800'; 270°-360°-3000'.

NOTES: (1) Use Cape Girardeau, Mo., altimeter setting, except operators with approved weather reporting service. (2) Operators with approved weather reporting service may reduce all MDAs by 200 feet.

\*Standard alternate minimums authorized for operators with approved weather reporting service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS		
C.....	1600	1	600	1600	1	600	1600	1½	600	NA		
A.....	Not authorized.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Farmington; State, Mo.; Airport name, Farmington Municipal; Elev., 931'; Facility, FAM; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 13 Nov. 69

# RULES AND REGULATIONS

17245

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
BRT VORTAC.....	GSW 10-mile DME.....	BRT R 330° and GSW R 181°	2500	MAP: GSW VORTAC. Climbing left turn to 2200' on GSW, R 309° within 20 miles. Supplementary charting information: Runway 35, TDZ elevation, 541'.
GSW 10-mile DME.....	GSW 5-mile DME (NOPT).....	R 181°	1900	

Procedure turn W side of crs, 181° Outbnd, 001° Inbnd, 2500' within 10 miles of 5-mile DME Fix.

Final approach crs, 001°.

Minimum altitude over 5-mile DME Fix, R 181°, 1900'; over 3-mile DME Fix, 1300'.

MSA: 090°-180°-3400'; 180°-270°-2800'; 270°-090°-2300'.

NOTE: ASR.

CAUTION: Lighted highway paralleling Runway 35 to the W may be mistaken for runway lights during periods of reduced visibility.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35.....	900	2½	359	900	2½	359	900	2½	359	900	2½	359
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1020	2½	452	1020	2½	452	1020	2½	452	1120	2½	552
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Fort Worth; State, Tex.; Airport name, Greater Southwest International Dallas-Fort Worth; Elev., 568'; Facility, GSW; Procedure No. VOR/DME Runway 35, Amdt. Orig. Eff. date, 13 Nov. 69

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
AMG VORTAC.....	6-mile DME Fix.....	R 342°	2000	MAP: 21.6-mile DME Fix. Turn left, climb to 2000' direct to AMG VORTAC via AMG R 332°, and hold. Supplementary charting information: Hold S Alma VORTAC, 1 minute, right turns, 342° Inbnd. Chart: Tower 677', 3 miles SE of airport. Runway 32, TDZ elevation, 235'.
6-mile DME Fix.....	16-mile DME Fix (NOPT).....	R 342°	1800	

Procedure turn not authorized. Approach crs (profile) starts at 6-mile DME Fix.

Final approach crs, 342°.

Minimum altitude over AMG R 342° 6-mile DME, 2000'; 16-mile DME Fix, 1800'.

MSA: 090°-270°-2300'; 270°-090°-1800'.

NOTES: (1) No weather reporting. (2) Use Alma, Ga., FSS altimeter setting when FSS in is operation. (3) Procedure not authorized when Alma FSS not in operation.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-32.....	1040	1	785	1040	1¼	785	1040	1¼	785	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C.....	1040	1	784	1040	1¼	784	1040	1¼	784	NA	
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.				

City, Hazlehurst; State, Ga.; Airport name, Hazlehurst; Elev., 256'; Facility, AMG; Procedure No. VOR/DME Runway 32, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 15 Apr. 67



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VORTAC

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AKN R 111°, 5-mile DME.
KG LFR.....	AKN VORTAC R 111°, 8-mile DME.	Direct.....	2800	Climb to 1800' direct to AKN VORTAC, continue climb on R 291° within 15 miles.
R 030°, AKN VORTAC CW.....	R 111°, AKN VORTAC (NOPT).....	15-mile Arc AKN, R 103° lead radial.	2800	Alternate missed approach: When directed by ATC, climb to 2000', left turn to R 165° within 15 miles.
R 205°, AKN VORTAC CCW.....	R 111°, AKN VORTAC (NOPT).....	15-mile Arc AKN, R 119° lead radial.	2800	Supplementary charting information: 280' tower 0.8 mile NW of airport. 190' LFR towers, 1.1 miles W of airport. Runway 29, TDZ elevation, 57'.

Procedure turn S side of crs, 111° Outbnd, 291° Inbnd, 2800' within 10 miles of AKN R 111°, 8-mile DME.

Final approach crs, 291°.

Minimum altitude over AKN R 111°, 10-mile DME, 1300'; over 8-mile DME, 800'.

MSA: 000°-090°-3700'; 090°-180°-3500'; 180°-270°-1400'; 270°-360°-1600'.

NOTE: ASR.

\*When AKN control tower not operating, visibility for Categories A, B, and C aircraft increased by ¼ mile.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	HIS	HAT	MDA	VIS	HAT
S-29°.....	380	¾	323	380	¾	323	380	¾	323	380	1	323
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	580	1	523	580	1	523	580	1½	523	630	2	563
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, King Salmon; State, Alaska; Airport name, King Salmon; Elev., 57'; Facility, AKN; Procedure No. VORTAC Runway 29, Amdt. 3; Eff. date, 13 Nov. 69; Sup. Amdt. No. VOR/DME-29, Amdt. 2; Dated, 29 Aug. 68.

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 20.7-mile Fix.
R 347°, CAP VORTAC CW.....	R 036°, CAP VORTAC (NOPT).....	10-mile Arc.....	2300	Climbing left turn to 3300' to intercept CAP VORTAC R 032°, proceed to Gilbert Int.
R 109°, CAP VORTAC CCW.....	R 036°, CAP VORTAC (NOPT).....	10-mile Arc.....	2300	
CAP VORTAC.....	Broadwell Int (15-mile DME) CAP R 036° (NOPT).....		2300	

Procedure turn not authorized. Four-mile holding pattern, SW of Broadwell Int (15-mile DME), 036° Inbnd, right turns, 2300'.

Final approach crs, 036°.

Minimum altitude over Broadwell Int (15-mile DME), 2300'.

MSA: 000°-090°-2200'; 090°-180°-2000'; 180°-270°-2100'; 270°-360°-2000'.

NOTE: Use Capital, Ill., airport altimeter setting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-3.....	1160	1	565	1160	1½	565	1160	1½	565	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C.....	1160	1	565	1160	1½	565	1160	1½	565	NA		
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Lincoln; State, Ill.; Airport name, Logan County; Elev., 593'; Facility, CAP; Procedure No. VOR/DME Runway 3, Amdt. Orig.; Eff. date, 13 Nov. 69.

# RULES AND REGULATIONS

17217

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 33.1-mile DME Fix.
R 287°, HUT VORTAC CW	R 020°, HUT VORTAC (NOPT)	15-mile Arc	4000	Climbing left turn to 4000' direct to Sun-
R 009°, HUT VORTAC CCW	R 020°, HUT VORTAC (NOPT)	15-mile Arc	4000	beam Int (15-mile DME).
HUT VORTAC	Sunbeam Int (15-mile DME) (NOPT)	HUT R 020°	4000	Supplementary charting information: Chart MAP 1 mile S of runway threshold.

Procedure turn not authorized. Four-mile holding pattern, SW of Sunbeam Int (15-mile DME), 020° Inbnd, right turns, 4000'.  
Final approach crs, 020°.  
Minimum altitude over Sunbeam Int., (15-mile DME), 4000'; over 30-mile DME Fix, 2700'.  
MSA: 135°-225°-3000'; 225°-315°-3100'; 315°-135°-4100'.  
NOTE: Use Hutchinson, Kans., altimeter setting.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-36	1920	1	423	1920	1¼	423	1920	1¼	423	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C	2080	1	583	2080	1¼	583	2080	1¼	583	NA	
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, McPherson; State, Kans.; Airport name, McPherson; Elev., 1497'; Facility, HUT; Procedure No. VOR/DME Runway 36, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AT 20.6-mile DME.
CCV VORTAC	Exmore/15-mile DME Fix (NOPT)	Direct	2000	Climbing right turn to 2000' direct to Exmore/15-mile DME Fix and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 040° Inbnd, 331' tower, 2 miles N of airport. 230' antenna, 1.2 miles NE of airport. Runway 2, TDZ elevation, 48'.

Procedure turn not authorized. One-minute holding pattern, S of Exmore/15-mile DME Fix, 040° Inbnd, right turns, 2000'.  
FAP, Exmore/15-mile DME Fix. Final approach crs, 040°.  
Minimum altitude over Exmore/15-mile DME Fix, 2000'.  
MSA: 000°-090°-1400'; 090°-180°-1300'; 180°-270°-1600'; 270°-360°-1400'.  
NOTES: (1) Radar vectoring. (2) Use Patrick Henry altimeter setting.  
\*5000' of runway lighted.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-2*	600	1	552	600	1¼	552	600	1¼	552	600	1¼	552
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	740	1	692	740	1¼	692	740	1¼	692	740	2	692
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Melfa; State, Va.; Airport name, Accomack County; Elev., 48'; Facility, CCV; Procedure No. VOR/DME Runway 2, Amdt. Orig.; Eff. date, 13 Nov. 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 17.5-mile DME Fix.
				Right climbing turn to 2200' and proceed to FNT VORTAC.

Procedure turn not authorized. Approach crs (profile) starts at FNT VORTAC.  
 Final approach crs, 278°.  
 Minimum altitude over FNT VORTAC, 1900'; over 12-mile DME Fix, 1900'.  
 MSA: 045°-135°-2500'; 135°-225°-2800'; 225°-045°-2000'.  
 NOTE: Use Flint altimeter setting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS
S-28	1300	1	560	1300	1	560	1300	1½	560		NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C	1300	1	560	1300	1	560	1300	1½	560		NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, Owosso; State, Mich.; Airport name, Owosso; Elev., 740'; Facility, FNT; Procedure No. VOR/DME Runway 28, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.7-mile DME Fix.
R 315°, VIH VORTAC CCW	R 236°, VIH VORTAC (NOPT)	15-mile Arc	2700	Climbing right turn to 2700' direct to Vienna Int (9-mile DME), or when directed by ATC, climb to 2700' on R 061° to VIH VORTAC.
R 130°, VIH VORTAC CW	R 236°, VIH VORTAC (NOPT)	15-mile Arc	2700	
VIH VORTAC	Vienna Int (9-mile DME)	VIH, R 236	2700	
15-mile Arc	Vienna Int (9-mile DME) (NOPT)	VIH, R 236	2700	

Procedure turn not authorized. Four-mile holding pattern W of Vienna Int (9-mile DME), 056° Inbnd, right turns, 2700'.  
 Final approach crs, 056°.  
 Minimum altitude over Vienna Int (9-mile DME), 2700'.  
 MSA: 000°-270°-2900'; 270°-090°-2400'.  
 NOTE: Inoperative components table does not apply to HIRL Runway 4.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4	1440	1	292	1440	1	292	1440	1	292	1440	1	292
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1540	1	392	1600	1	452	1600	1½	452	1700	2	552
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Rolla; State, Mo.; Airport name, Rolla National; Elev., 1148'; Facility, VIH; Procedure No. VOR/DME Runway 4, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 17.1-mile DME Fix.
R 231°, UBS VORTAC CW	R 256°, UBS VORTAC	30-mile DME Arc	2200	Climbing right turn to 2200' to Longview Int via R 256° UBS VOR and hold.
R 206°, UBS VORTAC CCW	R 256°, UBS VORTAC	30-mile DME Arc	2200	
30-mile DME Arc	Longview Int (NOPT)	R 256°, UBS	1500	Supplementary charting information: Hold W, 1 minute, left turns, 076° Inbnd.
UBS VORTAC	Longview Int	Direct	2200	Final approach crs to center of landing area.

Procedure turn N side of crs, 256° Outbnd, 076° Inbnd, 2200' within 10 miles of Longview Int.  
 Final approach crs, 076°.  
 Minimum altitude over Longview Int., 1500'.  
 MSA: 000°-180°-1800'; 180°-300°-1900'.

NOTES: (1) Night minimums not authorized runway 14-32. (2) Use Columbus approach control altimeter setting. (3) No weather reporting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	800	1	467	800	1	467	800	1½	467	900	2	867
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—standard.					

City, Starkville; State, Miss.; Airport name, George M. Bryan Field; Elev., 333'; Facility, UBS; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 13 Nov. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 18.5-mile DME Fix, R 264°.
				Turn left, climbing to 2000' direct to MON VORTAC and hold. Supplementary charting information: Hold E of MON VORTAC on R 088°, 268° Inbnd, right turns, 1 minute. LRCO, 122.1.
Procedure turn 8 side of crs, 088° Outbnd, 268° Inbnd, 2000' within 10 miles of MON VORTAC. Final approach crs, 264°. Minimum altitude over MON VORTAC, 2000'; over 14-mile DME Fix, 1800'. MSA: 180°-270°-1600'; 270°-180°-1700'. NOTE: Use Pine Bluff FSS altimeter setting.				

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	800	1	565	800	1	565	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Warren; State, Ark.; Airport name, Warren Municipal; Elev., 235'; Facility, MON; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 13 Nov. 69

12. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.5 miles after passing SOK VORTAC.
				Climbing right turn to 3000' on 180° heading return to SOK VOR at 4000' and hold. Supplementary charting information: Warning Area 510 limits procedure turn to 9 miles. UNICOM 122.8 at Koloa. Airport not lighted. Hill 2 miles N of SOK VORTAC, 900'. Hold SE, 1 minute, right turns, 302° Inbnd. Runway 8, TDZ elevation, 415'.

Procedure turn 8 side of crs, 258° Outbnd, 078° Inbnd, 3000' within 9 miles of SOK VORTAC.  
FAF, SOK VORTAC. Final approach crs, 078°. Distance FAF to MAP, 2.5 miles.  
Minimum altitude over SOK VORTAC, 1400'.  
MSA: 045°-135°-4300'; 135°-225°-3100'; 225°-315°-5200'; 315°-045°-7200'.

NOTES: (1) Use Lihue altimeter setting. (2) Night and alternate minima not authorized. (3) Private airport. Prior approval required for landing.

DAY AND NIGHT MINIMUMS

Cond.	A			B	C	D
	MDA	VIS	HAT	VIS	VIS	VIS
S-S.....	980	1	565	NA	NA	NA
	MDA	VIS	HAA			
C.....	980	1	565	NA	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.		
				T over 2-eng.—Standard.		

City, Koloa; Island, Kauai; State, Hawaii; Airport name, Poipu; Elev., 415'; Facility, SOK; Procedure No. VOR Runway 8, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 27 June 68



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.0 miles after passing Hyde Int.
HOU VORTAC.....	Hyde Int.....	Direct.....	1600	Climb to 1600', right turn to intercept HOU VORTAC R 066° to Fry Int and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 246° Inbnd. Depict Hyde Int as a VHF/DME Fix. Depict MAP also as 11.1 DME.

Procedure turn N side of crs, 075° Outbnd, 255° Inbnd, 1600' within 10 miles of Hyde Int.  
FAF, Hyde Int. Final approach crs, 255°. Distance FAF to MAP, 3.9 miles.  
Minimum altitude over Hyde Int, 1200'.  
MSA within 25 miles of HOU VORTAC: 000°-090°-1600'; 090°-180°-2200'; 180°-270°-2500'; 270°-360°-1800'.  
NOTES: (1) ASR. (2) Use Houston, Tex., altimeter setting when La Porte altimeter setting not received.  
#MDA increased 30' when La Porte altimeter setting not received.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS	
C#.....	440	1	411	480	1	451	NA			NA	
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, La Porte; State, Tex.; Airport name, La Porte Municipal; Elev., 29'; Facility, HOU; Procedure No. VOR-1, Amdt. 4; Eff. date, 13 Nov. 69; Sup. Amdt. No. 3; Dated, 31 July 69.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.3 miles after passing MNM VOR.
				Climb to 2100' on R 109° within 10 miles return to VOR. Supplementary charting information: 890' tower 2 miles SSE of airport. 742' water tank 3150' NE of airport at 45°07'51"/87°37'22". L RCO 122.1, 123.6. Runway 18, TDZ elevation, 608'.

Procedure turn W side of crs, 349° Outbnd, 169° Inbnd, 2100' within 10 miles of MNM VOR.  
FAF, MNM VOR. Final approach crs, 169°. Distance FAF to MAP, 3.3 miles.  
Minimum altitude over MNM VOR, 1800'.  
MSA: 000°-090°-2200'; 090°-270°-2100'; 270°-360°-2400'.  
NOTE: Use Green Bay altimeter setting when control zone not effective. Circling and straight-in MDA raised 200' except for operators with approved weather reporting service.  
\*Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.  
%IFR departure procedure: Aircraft departing Runway 36 climb to 1200' on runway heading prior to turning eastbound.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-18.....	1000	1	392	1000	1	392	1000	1	392	1000	1	392
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1200	1	579	1200	1	579	1200	1½	579	1200	2	579
A.....	Standard.*			T 2-eng. or less—300-1, Runways 14 and 18; Standard all others.%			T over 2-eng.—300-1, Runways 14 and 18; Standard all others.%					

City, Menominee; State, Mich.; Airport name, Menominee County; Elev., 621'; Facility, MNM; Procedure No. VOR Runway 18, Amdt. 4; Eff. date, 13 Nov. 69; Sup. Admit. No. 3; Dated, 18 Sept. 69.

# RULES AND REGULATIONS

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## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.5 miles after passing Squid Int.
Channel Int.	Anacapa Int.	Direct	2000	Turn right, climb via R-240 to 2400' within
VTU VOR	Squid Int.	Direct	3000	20 miles of OAF VOR.
OAF VOR	Squid Int.	Direct	3000	Supplementary charting information:
Anacapa Int.	Squid Int (NOPT)	Direct	1500	Runway 7 TDZ elevation, 38'.

Procedure turn S side of crs, 240° Inbnd, 1900' within 10 miles of Squid Int.  
FAF, Squid Int. Final approach crs, 060°. Distance FAF to MAP, 5.5 miles.  
Minimum altitude over Squid Int., 1500'.  
MSA: 000°-090°-8500'; 090°-180°-4200'; 180°-270°-3200'; 270°-360°-8600'.

NOTES: (1) Radar vectoring. (2) Delay up to 30 minutes may occur during periods of air defense activity.  
\*Alternate minimums not authorized when using OAF AFB altimeter setting during time control tower not in operation except operators with approved weather reporting service.

‡Sliding scale not authorized.

§IFB departure procedures: North and eastbound (315° through 155°) climb westbound on OAF VOR R 255° within 20 miles. Reverse crs S to recross OAF VOR at or above 4000'.

#Air Carrier reduction not authorized. Runway 7.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7@	480	1	442	480	1	442	480	1	442	480	1	442
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	520	1	477	520	1	477	520	1½	477	660	2	617
A	Standard.*			T 2-eng. or less Runway 25, Standard; Runway 7, 200-1.5%‡			T over 2-eng.—Runway 25, Standard; Runway 7, 200-1.5%‡					

City, Oxnard; State, Calif.; Airport name, Ventura County; Elev., 43'; Facility, OAF; Procedure No. VOR Runway 7, Amdt. 2; Eff. date, 13 Nov. 69; Sup. Amdt. No. 1; Dated, 28 Nov. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.9 miles after passing VIH VORTAC.
				Climb to 2700', right turn to VIH VORTAC.

Procedure turn N side of crs, 061° Outbnd, 241° Inbnd, 2700' within 10 miles of VIH VORTAC.  
FAF, VIH VORTAC. Final approach crs, 241°. Distance FAF to MAP, 2.9 miles.  
Minimum altitude over VIH VORTAC, 2000'.  
MSA: 090°-270°-2600'; 270°-090°-2400'.

NOTE: Inoperative table does not apply to HIRL Runway 22.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22	1440	1	292	1440	1	292	1440	1	292	1440	1	292
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1540	1	392	1600	1	452	1600	1½	452	1700	2	552
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Rolla; State, Mo.; Airport name, Rolla National; Elev., 1148'; Facility, VIH; Procedure No. VOR Runway 22, Amdt. 3; Eff. date, 13 Nov. 69; Sup. Amdt. No. 2; Dated 4 Apr. 68



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SJU VORTAC.
R 304°, SJU VORTAC CW	R 094°, SJU VORTAC	10-mile Arc	1500	Turn right, climb to 1800' on R 350° with in 10 miles of SJU VORTAC. Supplementary charting information: Final approach crs to SJU VORTAC.
Isla Verde Int.	4-mile DME (NOPT)	R 094°	800	

Procedure turn not authorized.  
Approach crs profile starts at Isla Verde Int.  
Final approach crs, 274°.  
MDA over Isla Verde Int, 1500'; 4-mile DME Fix, 800'.  
MSA: 090°-090°-1200'; 090°-180°-4000'; 180°-270°-5100'; 270°-360°-1800'.  
NOTES: (1) ASR. (2) Sliding scale not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
C.....	700	1	691	700	1	691	700	1½	691	740	2	731
VOR/DME Minimums:												
C.....	500	1	491	500	1	491	500	1½	491	560	2	551
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9'; Facility, SJU; Procedure No. VOR-1, Amdt. 11; Eff. date, 13 Nov. 69; Sup. Amdt. No. 10; Dated, 17 Feb. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SJU VORTAC.
SJU NDB	SJU VORTAC	Direct	1800	Turn right, climb to 1800' on R 350° within 10 miles of SJU VORTAC. Supplementary charting information: Final approach crs intercepts runway centerline 5300' from threshold. Runway 28, TDZ elevation, 7'.
SJU NDB	SJU VORTAC	Direct	1600	
R 304°, SJU VORTAC CW	R 066°, SJU VORTAC	10-mile DME Arc SJU, R 066°, lead radial.	1800	
R 094°, SJU VORTAC CCW	R 066°, SJU VORTAC	10-mile DME Arc.	1500	

Procedure turn N side of crs, 066° Outbnd, 246° Inbnd, 1500' within 10 miles of SJU VORTAC.

Final approach crs, 246°.  
MSA: 060°-060°-1200'; 060°-180°-4000'; 180°-270°-5100'; 270°-360°-1800'.

NOTE: ASR.

\*Procedure turn not authorized for Categories B, C, D aircraft when warning area (W-368) active; when inactive, procedure turn limits extended to 10 miles.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25.....	440	1	433	440	1	433	440	1	433	440	1	433
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	500	1	491	500	1	491	500	1½	491	560	2	551
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9'; Facility, SJU; Procedure No. VOR Runway 28, Amdt. 9; Eff. date, 13 Nov. 69; Sup. Amdt. No. 8; Dated 17 Feb. 69

13. By amending § 97.23 of Subpart C to cancel very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

Fort Worth, Tex.—Greater Southwest International Dallas-Fort Worth Field, VOR Runway 35, Amdt. 8, effective 13 Mar. 1969, canceled, effective 13 Nov. 1969

14. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing Plaza LOM.
Grand Island Int.	Plaza LOM GB	Direct	2400	Climbing left turn to 2600' to BUF VOR-TAC R 302° to Grand Island Int and hold; or when directed by ATC, climb to 2100' on 052° crs to Clarence LOM. Hold NE, 1 minute, right turns, 232° Inbnd. Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd. Runway centerline lighting 5/23. Steel towers 5 miles W 1349'; 8 miles NW 1549'; 3 miles W 865'. Runway 5, TDZ elevation, 700'.
Buffalo VORTAC	Plaza LOM GB	Direct	2400	
Crystal Beach Int.	Plaza LOM GB (NOPT)	090° and SW (BC) ILS	2300	
Wolcottville Int.	Plaza LOM GB	Clarence (BU) LOM	2400	

Procedure turn S side of crs, 232° Outbnd, 052° Inbnd, 2400' within 10 miles of Plaza LOM.

FAF, Plaza LOM. Final approach crs, 052°. Distance FAF to MAP, 4.8 miles.

Minimum altitude over Plaza LOM, 2300'.

MSA: 090°-090°-2600'; 090°-180°-3000'; 180°-270°-3100'; 270°-360°-2600'.

NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
E-S	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 50	340
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1160	1	437	1150	1	457	1180	1½	457	1280	2	557
A	Standard. T 2-eng. or less—Runway 5, RVR 40'; Standard all others. T over 2-eng.—Runway 5, RVR 40'; Standard all others.											

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, I-BUF; Procedure No. LOC (BC) Runway 5, Amdt. 12; Eff. date, 13 Nov. 69; Sup. Amdt. No. 11; Dated, 14 Mar. 68

15. By amending § 97.25 of Subpart C to amend localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.3 miles after passing Green River Int.
PLL VORTAC	Donna Int.	Direct	2400	Climb to 2300', left turn to MLI VORTAC, or when directed by ATC, climb to 1900' to ML LOM. Supplementary charting information: Steel tower 2.1 miles N of airport 974'. Steel tower 0.7 mile S of airport 748'. Steel tower 6 miles NE of airport 1649'. Runway 27, TDZ elevation, 580'.
PDL VORTAC	Normandy Int.	Direct	2400	
BDF VORTAC	Donna Int.	Direct	2300	
CVA VOR	Green River Int.	Direct	2600	
MLI VORTAC	Green River Int.	Direct	2300	
Normandy Int.	Donna Int.	Direct	2400	
Donna Int.	Green River Int (NOPT)	Direct	2300	
R 130°, MLI VORTAC (CCW)	MLI LOC (NOPT)	23-mile Arc MLI, R 072° lead radial.	2300	

Procedure turn N side of crs, 087° Outbnd, 276° Inbnd, 2300' within 10 miles of Green River Int.

FAF, Green River Int. Final approach crs, 267°. Distance FAF to MAP, 5.3 miles.

Minimum altitude over Green River Int, 2300'.

NOTE: Radar vectoring.

%IFR departure procedures: When weather below 1500-3, aircraft departing Runway 4, climbing right turn to 1500' on E heading before proceeding on crs. Runways 9, 27, and 31 departures climb to 1500' on runway heading before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			C		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HA
E-27	1060	¾	474	1060	¾	474	1060	¾	474	1060	1	474
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	530	1120	1	530	1120	1½	530	1280	2	690
A	Standard. T 2-eng. or less—RVR 24', Runway 9; Standard all others. % T over 2-eng.—RVR 24', Runway 9; Standard all others. %											

City, Moline; State, Ill.; Airport name, Quad City; Elev., 590'; Facility, MLI; Procedure No. LOC (BC) Runway 27, Amdt. 11; Eff. date, 13 Nov. 69; Sup. Amdt. No. 10; Dated, 26 June 69



## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing 5-mile Radar Fix.
R 341°, SJU VORTAC CW	SJU LOC (NOPT)	8-mile Arc SJU, R 060° lead radial.	1500	Climb to 1600' on LOC crs 255° to SJ NDB (LOM) and hold. Supplementary charting information: Hold W, 1 minute, left turns, 105° inbnd. HIRL Runway 7/25. Runway 25, TDZ elevation, 7'.
R 094°, SJU VORTAC CCW	SJU LOC (NOPT)	8-mile Arc SJU, R 088° lead radial.	1500	
8-mile Arc	5-mile Radar Fix (NOPT)	LOC crs.	1500	

Procedure turn not authorized.

FAF, 5-mile Radar Fix. Final approach crs, 255°. Distance FAF to MAP, 5 miles.

Minimum altitude over 5-mile Radar Fix, 1500'.

NOTE: Radar required.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25	400	1	393	400	1	393	400	1	393	400	1	393
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	500	1	491	500	1	491	500	1½	491	500	2	551
A	Standard.			T 2-eng. or less.—Standard.			T over 2-eng.—Standard.					

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9'; Facility, I-SJU; Procedure No. LOC(BC) Runway 25, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 12 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing JKN NDB
SUX VORTAC	JKN NDB	Direct	2600	Climb to 2800' on SE crs of ILS within 10 miles, return to JKN NDB. Supplementary charting information: 2420' tower 6.5 miles NE and 3360' tower 12 miles NE. Prominent 1310' hill 1.4 miles ENE. Runway 13, TDZ elevation, 1063'.
Jefferson Int.	JKN NDB	Direct	2600	
Hubbard Int.	JKN NDB	Direct	2600	
R 238°, SUX VORTAC CW	SUX LOC	19-mile Arc, R 300°, lead radial.	3100	
R 165°, SUX VORTAC CCW	R 346°, SUX VORTAC	19-mile Arc	4400	
R 346°, SUX VORTAC CCW	SUX LOC	19-mile Arc, R 314°, lead radial.	3100	
19-mile DME Arc	JKN NDB (NOPT)	LOC crs.	2300	

Procedure turn S side of crs, 307° Outbnd, 127° Inbnd, 2600' within 10 miles of JKN NDB.

FAF, JKN NDB. Final approach crs, 127°. Distance FAF to MAP, 4.1 miles.

Minimum altitude over JKN NDB, 2300'.

MSA: 000°-090°-4400'; 090°-180°-2900'; 180°-360°-2700'.

NOTE: Restrictions due to 2420' tower 6.5 miles NE, 3360' tower 12 miles NE, and 1310' terrain 1.4 miles ENE.

% IFR departure procedures: For northbound and northeastbound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.

#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	1440	¾	347	1440	¾	347	1440	¾	347	1440	1	347
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1620	1	523	1620	1	523	1660	1½	563	1660	2	563
A	Standard.			T 2-eng. or less.—#300-1, Runway 4; RVR 24', Runway 31; % Standard all other runways.			T over 2-eng.—#300-1, Runway 4; RVR 24', Runway 31; % Standard all other runways.					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, I-SUX; Procedure No. LOC (BC) Runway 13, Amdt. 9; Eff. date, 13 Nov. 69; Sup. Amdt. No. 8; Dated 13 Feb. 69

16. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
Grand Island Int.	Plaza LOM GB	Direct	2400	MAP: 4.8 miles after passing Plaza LOM. Climbing left turn to 2600' to BUF VOR TAC, R 302° to Grand Island Int and hold. Or when directed by ATC, climb to 2100' on 052° crs to Clarence LOM. Hold NE, 1 minute, right turn, 232° Inbnd. Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd. Steel towers 5 miles W, 1349'; 8 miles NW, 1549'; 3 miles W, 865'. Runway centerline lighting Runways 5-23. Runway 5, TDZ elevation, 700'.
Buffalo VORTAC	Plaza LOM GB	Direct	2400	
Crystal Beach Int.	Plaza LOM GB (NOPT)	100° and 232° bearing from Plaza (GB) LOM.	2300	
Wolcottville Int.	Plaza LOM GB	Clarence (BU) LOM	2400	

Procedure turn S side of crs, 232° Outbnd, 052° Inbnd, 2400' within 10 miles of Plaza LOM.

FAF, Plaza LOM. Final approach crs, 052°. Distance FAF to MAP, 4.8 miles.

Minimum altitude over Plaza LOM, 2300'.

MSA: 000°-090°-2600'; 090°-180°-3900'; 180°-270°-3100'; 270°-360°-2900'.

NOTE: ASR.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
B-5	1100	RVR 50	400	1100	RVR 50	400	1100	RVR 50	400	1100	RVR 50	400
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1100	1	437	1180	1	457	1180	1½	457	1280	2	557
A	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others.			T over 2-eng.—Runway 5, RVR 40'; Standard all others.					

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, GB; Procedure No. NDB (ADF) Runway 5, Amdt. 3; Eff. date, 13 Nov. 69; Sup. Amdt. No. 2; Dated, 14 Mar. 68

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
Wolcottville Int.	Clarence LOM (NOPT)	Direct	2100	MAP: 4 miles after passing Clarence LOM. Climb to 2500' on 232° crs from BU LOM to BUF VORTAC, R 259° to Crystal Beach Int and hold. Or as directed by ATC, climb to 2100' on 232° crs from BU LOM, within 10 miles. Left turn return to Clarence LOM. Hold NE, 1 minute, right turn, 232° Inbnd. Supplementary charting information: Hold W, 1 minute, right turns, 079° Inbnd. Steel towers 5 miles W, 1349'; 8 miles NW, 1549'; 3 miles W, 865'. Runway touchdown and centerline lighting Runway 23. Runway 23, TDZ elevation, 723'.
Buffalo VORTAC	Clarence LOM	Direct	2100	

Procedure turn N side of crs, 052° Outbnd, 232° Inbnd, 2100' within 10 miles of Clarence LOM.

FAF, Clarence LOM. Final approach crs, 232°. Distance FAF to MAP, 4 miles.

Minimum altitude over Clarence LOM, 2100'.

MSA: 000°-090°-2200'; 090°-270°-3900'; 270°-360°-2600'.

NOTE: ASR.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
B-23	1160	¾	437	1160	¾	437	1160	¾	437	1160	1	437
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1160	1	437	1180	1	457	1180	1½	457	1280	2	557
A	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others.			T over 2-eng.—Runway 5, RVR 40'; Standard all others.					

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, BU; Procedure No. NDB (ADF) Runway 23, Amdt. 7; Eff. date, 13 Nov. 69; Sup. Amdt. No. 6; Dated, 16 May 68



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 7.8 miles after passing PA LOM.	
Lofall Int.	PA LOM.	Direct.	3000	Climbing right turn to 2000' direct to PA LOM and hold. Supplementary charting information: \$Hold N, 1 minute, right turns, 15s' Inbnd. Runway, 16 TDZ elevation, 565'.	
PAE VOR.	PA LOM.	Direct.	3000		

Procedure turn W side of crs, 338° Outbnd, 158° Inbnd, 2000' within 10 miles of PA LOM.

FAF, PA LOM. Final approach crs, 158°. Distance FAF to MAP, 7.8 miles.

Minimum altitude over PA LOM, 2000'.

MSA: 000°-090°-7000'; 090°-180°-6400'; 180°-270°-4500'; 270°-360°-5700'.

\*Use Boeing Field altimeter setting when control zone not effective. Circling and straight-in MDA increased 100' and alternate minimums not authorized when control zone not effective.

†Categories A, B, and C visibility increased to 1 mile and Category D visibility increased to 1½ miles for inoperative ALS or when control zone is not effective.

‡RVR 24 authorized Runway 16.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-16*	1120	RVR 40	555	1120	RVR 40	555	1120	RVR 40	555	1120	RVR 50	555
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1120	1	517	1120	1	517	1120	1½	517	1160	2	557
A	Standard.*			T 2-eng. or less—Standard.†			T over 2-eng.—Standard.‡					

City, Everett; State, Wash.; Airport name, Snohomish County (Paine Field); Elev., 603'; Facility, PA; Procedure No. NDB (ADF) Runway 16, Amdt. 6; Eff. date, 13 Nov. 69; Sup. Amdt. No. 5; Dated, 16 Jan. 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: GGW NDB.	
GGG VOR.	GGW NDB.	Direct.	4400	Climb to 4300' on 145° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline 2550' from threshold. LRCO, 123.6. Runway 12, TDZ elevation, 2280'.	

Procedure turn W side of crs, 325° Outbnd, 145° Inbnd, 4300' within 10 miles of GGW NDB.

Final approach crs, 145°.

Minimum altitude over Vandalia Int, 2800'.

MSA: 000°-090°-4100'; 090°-270°-3900'; 270°-360°-4300'.

CAUTION: Runways 7/25 unlighted.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12	2800	1	571	2800	1	571	2800	1	571	2800	1½	571
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2800	1	567	2800	1	567	2800	1½	567	2800	2	567
NDB/VOR minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12	2780	1	491	2780	1	491	2780	1	491	2780	1	491
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2780	1	487	2780	1	487	2780	1½	487	2800	2	567
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Glasgow; State, Mont.; Airport name, Glasgow International; Elev., 2293'; Facility, GGW; Procedure No. NDB (ADF) Runway 12, Amdt. Orig.; Eff. date, 13 Nov. 69

# RULES AND REGULATIONS

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## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GGW NDB.
GGG VOR.....	GGW NDB.....	Direct.....	4400	Climb to 4300' on 275° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline 3630' from threshold. LRCO, 123.6. Runway 30, TDZ elevation, 2290'.

Procedure turn N side of crs, 095° Outbnd, 275° Inbnd, 4300' within 10 miles of GGW NDB.  
Final approach crs, 275°.  
Minimum altitude over Whately Int, 2840'.  
MSA: 045°-135°-4100'; 135°-225°-3900'; 225°-315°-4000'; 315°-045°-4300'.  
CAUTION: Runways 7/25 unlighted.

### DAY AND NIGHT MINIMUMS

Cond:	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30.....	2840	1	550	2840	1	550	2840	1	550	2840	1½	550
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2840	1	547	2840	1	547	2840	1½	547	2860	2	567
NDB/VOR Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30.....	2780	1	490	2780	1	490	2780	1	490	2780	1	490
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2780	1	487	2780	1	487	2780	1½	487	2860	2	567
A.....	Standard.			T 2-eng. or less.—Standard.			T over 2-eng.—Standard.					

City, Glasgow; State, Mont.; Airport name, Glasgow International; Elev., 2293'; Facility, GGW; Procedure No. NDB (ADF) Runway 30, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.9 miles after passing Lyledale LOM.
LOU VORTAC.....	Lyledale LOM (NOPT).....	LOU R 300° and LK bearing 163°.	2200	Climbing right turn to 2500' to heading 120° intercept R 060° LOU VORTAC and proceed to Shelby Int and hold. Or when directed by ATC climbing right turn to 2500' to heading 040° intercept R 175° ABB VOR and proceed to ABB VOR. Hold NE, 1 minute, right turns, 238° Inbnd. Supplementary charting information: Hold NE, 1 minute, right turns, 240° Inbnd. Runway 32, TDZ elevation, 545'.

Procedure turn E side of crs, 163° Outbnd, 343° Inbnd, 2500' within 10 miles of Lyledale LOM.  
FAF, Lyledale LOM. Final approach crs, 343°. Distance FAF to MAP, 4.9 miles.  
Minimum altitude over Lyledale LOM, 2200'.  
MSA: 000°-090°-2500'; 090°-270°-2300'; 270°-360°-3000'.  
NOTE: Radar vectoring.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-32.....	1040	1	495	1040	1	495	1040	1	495	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C.....	1040	1	494	1120	1	574	1120	1½	574	NA		
A.....	Not authorized.			T 2-eng. or less—300-1.			T over 2-eng.—300-1.					

City, Louisville; State, Ky.; Airport name, Bowman Field; Elev., 546'; Facility, LK; Procedure No. NDB (ADF) Runway 32, Amdt. 6; Eff. date, 13 Nov. 69; Sup. Amdt. No. ADF 1, Amdt. 5; Dated, 13 Aug. 66



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing MGC NDB.
North Liberty Int.	MGC NDB	Direct	2300	Climb to 2100' on bearing 234° within 5 miles make right turn and return to MGC NDB.

Procedure turn S side of crs, 054° Outbnd, 234° Inbnd, 2300' within 10 miles of MGC NDB.

FAP, MGC NDB. Final approach crs, 234°. Distance FAP to MAP, 3.6 miles.

Minimum altitude over MGC NDB, 2100'.

MSA: 000°-090°-2100'; 090°-180°-3000'; 180°-360°-2200'.

NOTES: (1) Use South Bend altimeter setting. (2) Procedure not to be used between 0200-1300Z.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
S-23	1220	1	552	1220	1	552	NA			NA
	MDA	VIS	HAA	MDA	VIS	HAA				
C	1220	1	552	1220	1	552	NA			NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Michigan City; State, Ind.; Airport name, Municipal; Elev., 668'; Facility, MGC; Procedure No. NDB (ADF) Runway 23, Amdt. Orig.; Eff. date, 13 Nov. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AVW NDB.
Cedar Int.	AVW NDB	Direct	3300	Climb to 3300' on 165 bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline 1600' from threshold. Runway 18, TDZ elevation, 1627'.
Willow Int.	AVW NDB	Direct	3300	

Procedure turn W side of crs, 345° Outbnd, 165° Inbnd, 3300' within 10 miles of AVW NDB.

Final approach crs, 165°.

MSA: 045°-135°-4500'; 135°-225°-3000'; 225°-045°-3100'.

NOTE: Use Rhinelander, Wis., altimeter setting, when not available use Wausau, Wis., altimeter setting and increase all MDAs 200'. Operators with approved weather reporting service may reduce all MDAs by 60'.

CAUTION: Turf Runways 10/28 unlighted.

\*Standard alternate minimums for operators with approved weather reporting service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
S-18	2140	1	513	2140	1	513	2140	1	513	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	2140	1	513	2160	1	533	2160	1 1/2	533	NA
A	Not authorized.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Minolqua-Woodruff; State, Wis.; Airport name, Lakeland Airport; Elev., 1627'; Facility, AVW; Procedure No. NDB (ADF) Runway 18, Amdt. Orig.; Eff. date, 13 Nov. 69

17. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: CXO NDB.
Conroe Int.	CXO NDB	Direct	1800	Climb to 1800', right turn direct to CXO
New Waverly Int.	CXO NDB	Direct	1800	NDB and hold.
Cleveland Int.	CXO NDB	Direct	1800	Supplementary charting information: Hold NW, 1 minute, right turn, 130° Inbnd. Runway 14, TDZ elevation, 245'.

Procedure turn W side of crs, 310° Outbnd, 130° Inbnd, 1800' within 10 miles of CXO NDB.

Final approach crs, 130°.

MSA within 25 miles of CXO NDB: 000°-360°-1860'.

NOTE: Runways 1/19 and 9/27 unlighted.

\*Use Houston Intercontinental altimeter setting when Montgomery County altimeter setting not received, and raise straight-in and circling MDA 95'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS
S-14*	880	1	635	880	1	635	880	1 1/4	635		NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C*	880	1	633	880	1	633	880	1 1/2	633		NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, Conroe; State, Tex.; Airport name, Montgomery County; Elev., 247'; Facility, CXO; Procedure No. NDB (ADF) Runway 14, Amdt. 2; Eff. date, 13 Nov. 69; Sup. Amdt. No. 1; Dated, 22 May 69

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.8 miles after passing FFY NDB.
Bridgeport Int.	FFY NDB	Direct	2500	Climbing right turn to 2500', return to
Gratz Int.	FFY NDB	Direct	2500	FFY NDB and hold.
Georgetown Int.	FFY NDB (NOPT)	Direct	1900	Supplementary charting information: Hold NE, 1 minute, right turn, 242° Inbnd. Chart 1029 lower 38°11'04" N., 84°51'03" W. 938' water lower 38°10'24" N., 84°53'47" W. Runway 24, TDZ elevation, 780'.

Procedure turn N side of crs, 062° Outbnd, 242° Inbnd, 2500' within 10 miles of FFY NDB.

FAF, FFY NDB. Final approach crs, 242°. Distance FAF to MAP, 3.8 miles.

Minimum altitude over FFY NDB, 1900'.

MSA: 000°-090°-2600'; 090°-180°-3000'; 180°-270°-2500'; 270°-360°-2600'.

NOTE: Use Lexington altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-24	1400	1	614	1400	1	614	1400	1	614	1400	1 1/4	614
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1400	1	601	1400	1	601	1400	1 1/4	601	1400	2	601
A	Not authorized.			T 2-eng. or less—300-1, Runway 6; Standard Runway 24.			T over 2-eng.—300-1, Runway 6; Standard Runway 24.					

City, Frankfort; State, Ky.; Airport name, Capital City; Elev., 799'; Facility, FFY; Procedure No. NDB (ADF) Runway 24, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 21 Aug. 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MJQ NDB.
EST VOR.....*	MJQ NDB.....	Direct.....	3000	Climb to 3000' on 140° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline 3000' from threshold. Runway 13, TDZ elevation, 1430'.

Procedure turn E side of crs, 330° Outbd, 140° Inbd, 3000' within 10 miles of Jackson NDB.

Final approach crs, 140°

MSA: 060°-270°-3000'; 270°-090°-2800'.

NOTE: Use Fairmont, Minn., altimeter setting; when not available use Redwood Falls, Minn., altimeter setting and increase all MDA's 140'.

\*Aircraft departing Runway 13 make left-climbing turn to 2300' on 090° bearing from NDB before proceeding southbound.

CAUTION: Runway 4/22 unlighted.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-13*	2140	1	704	2140	1	704	2140	1½	704	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C*	2140	1	695	2140	1	695	2140	1½	695	NA
A.....	Not authorized.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %			

City, Jackson; State, Minn.; Airport name, Municipal; Elev., 1445'; Facility, MJQ; Procedure No. NDB (ADF) Runway 13, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 19 Sept. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: POF NDB.
Bloomfield Int.....	POF NDB.....	Direct.....	2100	Climbing right turn to 1900' on bearing 184° within 10 miles, return to POF NDB. Supplementary charting information: Final approach crs crosses runway centerline extended 4687' from threshold.

Procedure turn E side of crs, 184° Outbd, 004° Inbd, 1900' within 10 miles of POF NDB.

Final approach crs, 004°

MSA: 000°-180°-1900'; 180°-360°-2100'.

NOTE: Use Cape Girardeau, Mo., altimeter setting, except operators with approved weather reporting service.

\*Standard alternate minimums authorized for operators with approved weather reporting service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS			VIS
S-30§	1140	1	810	1140	1½	810	1140	1½	810	NA
	MDA	VIS	HAA	MDA	VIS	HAA				
C§	1140	1	810	1140	1½	810	1140	1½	810	NA
A.....	Not authorized.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Poplar Bluff; State, Mo.; Airport name, Earl Fields Memorial; Elev., 330'; Facility, POF; Procedure No. NDB (ADF) Runway 36, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 3 Apr. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ROX NDB.
BDE VOR	ROX NDB	Direct	3000	Make right-climbing turn to 3000' on 145° bearing from NDB within 10 miles return to NDB. Supplementary charting information: Final approach intercepts runway centerline 3000' from threshold. Runway 34, TDZ elevation, 1659'.
TVF VOR	ROX NDB	Direct	3000	
PMB VORTAC	ROX NDB	Direct	3000	

Procedure turn E side of crs, 145° Outbd, 325° Inbd, 3000' within 10 miles of ROX NDB.

Final approach crs, 325°.

MSA: 000°-360°-2600'.

CAUTION: TURF Runways 7/25 unlighted.

NOTE: Use Thief River Falls, Minn., altimeter setting, when not available, use Grand Forks, N. Dak., altimeter setting and increase all MDAs 140'. Operators with approved weather reporting service may reduce all MDAs by 220'.

\*Standard alternate minimums for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
E 34	1700	1	701	1700	1	701	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1780	1	721	1780	1	721	NA	NA
A	Not authorized.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Roseau; State, Minn.; Airport name, Roseau Municipal; Elev., 1059'; Facility, ROX; Procedure No. NDB (ADF) Runway 34, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 29 May 60

18. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 950', LOC 4.8 miles after passing Plaza LOM.
Grand Island Int.	Plaza LOM GB	Direct	2400	Climbing left turn to 2600' to BUF VOR TAC R 302° to Grand Island Int and hold; or, when directed by ATC, climb to 2100' on 052° crs to Clarence LOM. Hold NE, 1 minute, right turns, 232° Inbd. Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbd. Runway centerline lighting 5/23. Steel towers 5 miles W 1349'; 8 miles NW 1549'; 3 miles W 865'. Runway 5, TDZ elevation, 700'.
Buffalo VORTAC	Plaza LOM GB	Direct	2400	
Crystal Beach Int.	Plaza LOM GB (NOPT)	090° and ILS-5 FC	2300	
Wolcottville Int.	Plaza LOM GB	Clarence (BU) LOM	2400	

Procedure turn S side of crs, 232° Outbd, 052° Inbd, 2400' within 10 miles of Plaza LOM.

FAF, Plaza LOM. Final approach crs, 052°. Distance FAF to MAP, 4.8 miles.

Minimum glide slope interception altitude, 2900'. Glide slope altitude at OM, 2270'; at MM, 933'.

Distance to runway threshold at OM, 4.8 miles; at MM, 0.6 mile.

MSA: 000°-090°-2600'; 090°-180°-3000'; 180°-270°-3100'; 270°-360°-2600'.

NOTES: (1) ASR. (2) Back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-5	950	RVR 40	250	950	RVR 40	250	950	RVR 40	250	950	RVR 50	250
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 50	340
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1160	1	437	1180	1	457	1180	1½	457	1280	2	557
A	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others. T over 2-eng.—Runway 5, RVR 40'; Standard all others.								

City, Buffalo; State, N. Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, I-GBI; Procedure No. ILS Runway 5, Amdt. 4; Eff. date, 13 Nov. 66; Sup. Amdt. No. 3; Dated, 14 Mar. 68



## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: ILS DH 923', LOC 4 miles after passing Clarence LOM.
From—	To—	Via		
Wolcottville Int.	Clarence LOM (NOPT)	Direct	2100	Climb to 2500' on SW crs BUF ILS to BUF VORTAC, R 250° to Crystal Beach Int and hold; or, when directed by ATC, climb to 2100' on SW ILS crs within 10 miles. Left turn, return to Clarence LOM. Hold NE, 1 minute, right turns, 232° Inbnd. Supplementary charting information: Hold W, 1 minute, right turns, 070° Inbnd. Runway T.D. and C/L lighting Runway 23. Steel towers 5 miles W 1349'; 8 miles NW 1549'; 3 miles W 865'. Runway 23, TDZ elevation, 723'.
Buffalo VORTAC	Clarence LOM	Direct	2100	

Procedure turn N side of crs, 052° Outbnd, 232° Inbnd, 2100' within 10 miles of Clarence LOM.  
FAF, Clarence LOM. Final approach crs, 232°. Distance FAF to MAP, 4 miles.  
Minimum glide slope interception altitude, 2100'. Glide slope altitude at OM, 2082'; at MM, 980'.  
Distance to runway threshold at OM, 4 miles; at MM, 0.5 mile.  
MSA: 000°-090°-2200'; 090°-270°-3900'; 270°-360°-2600'.  
Notes: (1) A/R. (2) Glide slope unusable below 923'.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-23	923	½	200	923	½	200	923	½	200	923	½	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23	1040	½	317	1040	½	317	1040	½	317	1040	½	317
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1160	1	437	1180	1	457	1180	1½	457	1280	2	557
A	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others.			T over 2-eng.—Runway 5, RVR 40'; Standard all others.					

City, Buffalo; State, N. Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, I-BUF; Procedure No. ILS Runway 23, Amdt. 18; Eff. date, 13 Nov. 69; Sup. Amdt. No. 17; Dated, 2 Jan. 69

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: ILS DH 765', LOC 7.8 miles after passing PA LOM.
From—	To—	Via		
Lofall Int.	PA LOM	Direct	3000	Climb straight ahead to 1000', make climbing right turn to 2000' direct to PA LOM and hold; or when directed by ATC, climb straight ahead to 1000', make climbing right turn to 2000' on R 235° of PAE VOR within 10 miles. Supplementary charting information: Hold N, 1 minute, right turns, 158° Inbnd. Runway 16, TDZ elevation 565'.
PAE VOR	PA LOM	Direct	3000	

Procedure turn W side of crs, 338° Outbnd, 158° Inbnd, 2800' within 10 miles of PA LOM.  
FAF, PA LOM. Final approach crs, 158°. Distance FAF to MAP, 7.8 miles.  
Minimum glide slope interception altitude, 2800'. Glide slope altitude at OM, 2749'; at MM, 765'.  
Distance to runway threshold at OM, 7.8 miles; at MM, 0.6 mile.  
MSA: 000°-090°-7000'; 090°-180°-6400'; 180°-270°-4500'; 270°-360°-5700'.  
Note: Back crs unusable.  
#RVR 24' authorized Runway 16.

\*Use Boeing Field altimeter setting when control zone not effective. DH, circling and straight-in MDA increased 100' and alternate minimums not authorized when control zone not effective. ILS straight-in visibility increased by ¼ mile all categories and localizer only visibility increased to 1 mile all categories when control zone not effective.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-16*	765	RVR 24	200	765	RVR 24	200	765	RVR 24	200	765	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-16*	960	RVR 24	395	960	RVR 24	395	960	RVR 24	395	960	RVR 40	395
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1020	1	417	1060	1	457	1060	1½	457	1160	2	557
A	Standard.*			T 2-eng. or less—Standard.#			T over 2-eng.—Standard.#					

City, Everett; State, Wash.; Airport name, Snohomish County (Paine Field); Elev., 603'; Facility, I-PAE; Procedure No. ILS Runway 16, Amdt. 8; Eff. date, 13 Nov. 69; Sup. Amdt. No. 7; Dated, 16 Jan. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: ILS DH 244', LOC 4.8 miles after passing AK LOM.
From—	To—	Via		
KG LFR	AK LOM	Direct	1800	Climb to 3000' on E crs I-AKN LOC with in 15 miles. Alternate missed approach: When directed by ATC, climb to 2000', right turn to R 165° AKN VORTAC within 15 miles. Supplementary charting information: 280' tower 0.8 mile NW of airport, 190' towers 1.1 miles W of airport, Runway 11, TDZ elevation, 44'.
AKN VORTAC	AK LOM	Direct	1800	
R 030° AKN VORTAC CCW	AKN LOC Crs (NOPT)	10-mile Arc AKN R 302° lead radial.	2000	
R 205° AKN VORTAC CW	AKN LOC Crs (NOPT)	10-mile Arc AKN R 280° lead radial.	2000	

Procedure turn S side of crs, 291° Outbound, 111° Inbound, 1800' within 10 miles of AK LOM.  
FAF, AK LOM. Final approach crs, 111°. Distance FAF to MAP, 4.8 miles.  
Minimum altitude over AK LOM, 1700' (LOC); over KG LFR, 440'.  
Minimum glide slope interception altitude, 1700'. Glide slope altitude at OM, 1643'; at MM, 206'.  
Distance to runway threshold at OM, 4.8 miles; at MM, 0.6 mile.  
MSA: 000°-090°-3700'; 090°-180°-3500'; 180°-270°-1400'; 270°-360°-1900'.  
NOTE: ASR.

\*When AKN control tower not operating, ILS DH increased by 50', visibility increased by  $\frac{1}{4}$  mile, localizer visibility increased by  $\frac{1}{4}$  mile.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-11*	244	$\frac{1}{2}$	200	244	$\frac{1}{2}$	200	244	$\frac{1}{2}$	200	244	$\frac{1}{2}$	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11*	360	$\frac{1}{2}$	316	360	$\frac{1}{2}$	316	360	$\frac{1}{2}$	316	360	$\frac{1}{2}$	316
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	580	1	523	580	1	523	580	$1\frac{1}{2}$	523	620	2	563
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, King Salmon; State, Alaska; Airport name, King Salmon; Elev., 57'; Facility, I-AKN; Procedure No. ILS Runway 11, Amdt. 3; Eff. date, 13 Nov. 69; Sup. Amdt. No. ILS-11, Amdt. 8; Dated, 1 Oct. 66

19. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)

From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Notes
330°	060°	0-20	2200	19-15	2700	15-20	3300					
060°	120°	0-10	2200	10-15	3300	15-20	4000					MTI must be operating for all surveillance approaches. Radar will provide 1000' vertical clearance within 3-mile radius of following towers: 9 miles NNW 1549'; 6 miles W 1349'; 7 miles SW 1142'; 19 miles S 2811'. All bearings are from the radar site with sectors azimuths progressing clockwise. (Notes continued below.)
120°	210°	0-10	2600									
210°	330°	0-20	2600									

Missed approach:

Runways 5-31—Climbing right turn to 2500' to BUF VORTAC.

Runways 13-23—Climbing left turn to 2500' to BUF VORTAC. Hold E BUF VORTAC, 1 minute, right turns, 284° Inbound.

Notes (continued):

Descend aircraft after passing final approach fix.

(1) ASR Runway 23 FAF 5 miles from threshold. Tower 830' 0.4 mile N threshold right of C/L. TDZ elevation, 723'.

(2) ASR Runway 31 FAF 5 miles from threshold. Factory with obstruction at threshold penetrating to 799' and through 20: 1. Steel tank 1.3 miles E of airport 590'. TDZ elevation, 713'.

(3) ASR Runway 5 FAF 5 miles from threshold. TDZ elevation, 700'.

(4) ASR Runway 13 FAF 5 miles from threshold. Trees at threshold penetrating through 20: 1. Towers 5 miles NW 865' and 1.4 miles N of airport 832'. TDZ elevation, 712'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23	1120	$\frac{1}{2}$	397	1120	$\frac{1}{2}$	397	1120	$\frac{1}{2}$	397	1120	$\frac{3}{4}$	397
S-31	1120	1	407	1120	1	407	1120	1	407	1120	1	407
S-5	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 40	340	1040	RVR 50	340
S-13	1100	1	388	1100	1	388	1100	1	388	1100	1	388
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C-23, 31, 5, 13	1160	1	437	1180	1	457	1180	$1\frac{1}{2}$	457	1280	2	557
A	Standard.			T 2-eng. or less—Runway 5, RVR 40'; Standard all others.			T over 2-eng.—Runway 5, RVR 40'; Standard all others.					

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 723'; Facility, Buffalo Radar; Procedure No. Radar-1, Amdt. 5; Eff. date, 13 Nov. 69; Sup. Amdt. No. 4; Dated, 14 Mar. 68



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)												Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
*000°	360°	0-20	1900									1. Aircraft on radar vector to Municipal Airport in a sector from 060° clockwise to 240° from Municipal Airport may descend to 800' MDA after passing 4-mile Radar Fix to Municipal Airport. 2. Radar must provide 3 miles horizontal or 1000' vertical separation from 1549' tower 23.5 miles E. CAUTION: Water tank 555' on airport. *Terminal radar vectors approved only in Cairns Racon delegated airspace.
000°	090°	20-30	2400									
090°	360°	20-30	1900									

Radar azimuths are clockwise with distance and altitudes based on antenna at Cairns AAF.

Missed approach: Right turn, climb to 2000' on R 019° DHN VORTAC to Abbeville Int., or radar vector at 2000' as directed by ATC.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	800	1	400	800	1	400	800	1½	400	900	2	500
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Dothan; State, Ala.; Airport name, Dothan; Elev., 400'; Facility, Cairns Racon; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 13 Nov. 69

## Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)

From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Notes
As established by AKN ASR minimum altitude vectoring charts.												Descend aircraft to MDA after FAF: ASR Runways 29, 11, 18, 36—4 miles from threshold. Supplementary charting information: 1. 280' tower 0.8 mile NW of airport. 2. 190' towers 1.1 miles W of airport. *3. When AKN control tower not operating, PAR Runway 11 DH raised by 50', visibility increased by 1/4 mile. ASR Runway 11 visibility increased by 1/4 mile for Categories A, B, and C aircraft. 4. Runway threshold elevations: Runway 11, 44'; Runway 29, 57'; Runway 18, 50'; Runway 36, 43'.

## Missed approach:

1. PAR Runway 11: Upon reaching DH of 244', climb straight ahead to 3000' within 15 miles.
2. ASR Runways 29, 18, 36: Climb straight ahead to 3000' within 15 miles.
3. ASR Runway 11: Climb straight ahead to 3000' within 15 miles.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
PAR:												
S-11*	244	¾	200	244	¾	200	244	¾	200	244	¾	200
ASR:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11*	540	¾	406	540	¾	406	540	¾	406	540	1	406
S-29	540	¾	483	540	¾	483	540	¾	483	540	1	483
S-36	420	1	377	420	1	377	420	1	377	420	1	377
S-18	540	1	400	540	1	400	540	1	400	540	1	400
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	580	1	523	580	1	523	580	1½	523	620	2	563
Military Minimums:												
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-11	144	¾	100	144	¾	100	144	¾	100	144	¾	100
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, King Salmon; State, Alaska; Airport name, King Salmon; Elev., 57'; Facility, King Salmon Radar; Procedure No. Radar-1, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Radar 1, Orig.; Dated, 5 Nov. 66



20. By amending § 97.31 of Subpart C to amend precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)												Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Corpus Christi ASR minimum vectoring charts.												1. Final approach within 3.5-mile radius of airport reference point. 2. Descend aircraft to MDA after FAF. 3. FAF, 3.5 miles from airport reference point. #RVR 24' authorized Runway 13.

Missed approach: Climb to 2000', right or left turn, direct to CRP VORTAC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	600	1	557	600	1	557	600	1½	557	600	2	557
A.....	Standard.			T 2-eng. or less—Standard.#			T over 2-eng.—Standard.#					

City, Corpus Christi; State, Tex.; Airport name, International; Elev., 43'; Facility, CRP Radar; Procedure No. Radar-1, Amdt. 1; Eff. date, 13 Nov. 69; Sup. Amdt. No. Orig.; Dated, 23 Jan. 69.

21. By amending § 97.31 of Subpart C to cancel precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

San Juan, P.R.—Isla Grande, Radar-1, Orig., effective 9 Jan. 1969, canceled, effective 13 Nov. 1969.

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on October 8, 1969.

EDWARD C. HODSON,  
Acting Director, Flight Standards Service.

[F.R. Doc. 69-12370; Filed, Oct. 23, 1969; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SPR-32]

PART 378a—BULK INCLUSIVE TOURS  
BY TOUR OPERATORS

Correction

In F.R. Doc. 69-12491 appearing at page 16864 in the issue of Saturday, October 18, 1969, the following changes should be made:

(1) Paragraph 4 on page 16866 should read:

4. We turn next to the proposal that §§ 378a.12 and 378.12 include a provision that: "Advertising by tour operators of tour prices shall be limited to the total tour price without a breakdown into component parts, except that additional charges for optional services or facilities may be reflected." The proposal was motivated by the practice of certain tour operators under Part 378 of advertising in such a way as to disclose only in very small print that there are charges in addition to the price highlighted in very large print.

(2) In § 378a.14(d), the word "participate" in the second line should read "participants;"

Title 16—COMMERCIAL  
PRACTICES

Chapter I—Federal Trade  
Commission

PART 15—ADMINISTRATIVE  
OPINIONS AND RULINGS

Tripartite Promotional Plan for Larger  
Supermarkets

§ 15.374 Tripartite promotional plan  
for larger supermarkets.

(a) The Commission issued an advisory opinion concerning a proposed tripartite promotional plan for larger supermarkets.

(b) The applicant proposed to solicit advertising from packagers of goods which are normally stocked in grocery stores. The applicant would arrange for the display of such advertising in its projector using a color sound film cartridge which would be installed in supermarkets that record an average of 7,500 transactions per week or have an annual sales volume in excess of \$1 million. Consideration to participating retailers for the permission to install the projector units

would be one of the three commercial spots on each film cartridge provided while the units are in their stores.

(c) The Commission expressed the view that implementation of the proposed course of action in the manner described probably would violate the Clayton Act, section 2(d) or 2(e), as amended, and/or the Federal Trade Commission Act, section 5 for the reason that the proposed payment or services would be made available only to the larger supermarkets. See Guide 7 of the Commission's Guides for Advertising Allowances and Other Merchandising Payments and Services (May 29, 1969). The proposed plan makes no provision for retailers for whom the basic plan is not usable and suitable. (See Guide 9.) The plan makes inadequate provision for informing competing customers of the availability of the program. (See Guide 8.)

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

Issued: October 23, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-12538; Filed, Oct. 23, 1969; 8:45 a.m.]



## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### Dimethoate

A petition (PP 9F0812) was filed with the Food and Drug Administration by the American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the insecticide dimethoate (O,O-dimethyl S-(N-methylcarbamoylmethyl) phosphorodithioate) and its oxygen analog in or on the raw agricultural commodity pecans.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerance is being established.

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.204 is amended by inserting the following tolerance after the tolerance "0.2 part per million \* \* \*":

§ 120.204 Dimethoate including its oxygen analog; tolerances for residues,

0.1 part per million (negligible residue) in or on pecans.

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

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 17, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[P.R. Doc. 69-12722; Filed, Oct. 23, 1969; 8:46 a.m.]

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### O,O-Dimethyl O-[4-(methylthio)-m-tolyl] Phosphorothioate

A petition (PP 9F0811) was filed with the Food and Drug Administration by the Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of O,O-dimethyl O-[4-(methylthio)-m-tolyl] phosphorothioate and its cholinesterase-inhibiting metabolites in poultry tissue at 0.1 part per million; and in eggs and milk at 0.01 part per million (negligible residue) from use as a wall spray for dairy barns and poultry houses. Subsequently the petitioner was notified that the data show that no finite residues will result in milk or eggs from the proposed uses and therefore these uses are in the category specified in § 120.6(a)(3). The petitioner amended the petition by withdrawing the request for tolerances for residues in milk and eggs.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which the tolerance is being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.214 is revised to read as follows:

§ 120.214 O,O-dimethyl O-[4-(methylthio)-m-tolyl] phosphorothioate; tolerances for residues.

Tolerances are established for residues of the insecticide O,O-dimethyl O-[4-(methylthio)-m-tolyl] phosphorothioate and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodities meat, fat, and meat by-products of cattle and poultry at 0.1 part per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the *FEDERAL REGISTER* file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in

quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 17, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[P.R. Doc. 69-12723; Filed, Oct. 23, 1969; 8:46 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### SUBCHAPTER D—MILITARY RESERVATIONS AND NATIONAL CEMETERIES

#### PART 533—NATIONAL CEMETERIES

##### Visitors to Arlington National Cemetery

A new § 553.20 is added to this part, as follows:

§ 553.20 Visitors rules for the Arlington National Cemetery.

(a) **Purpose.** The regulations of this section define the standards of conduct required of all visitors to the Arlington National Cemetery, Arlington, Va. Applicable Army regulations and directives should be consulted for all other matters not within the scope of this section.

(b) **Scope.** Pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, and based upon the delegation of authority from the Administrator, General Services Administration, this section applies to all Federal property within the charge and control of the Superintendent, Arlington National Cemetery, and to all persons entering in or on such property. Any person who violates any of the rules set out in paragraphs (c), (d), (e), and (f) of this section shall be subject to prosecution before a U.S. Commissioner or a Judge of the District Court of the United States under the terms of the Act of June 1, 1948, chapter 359 (62 Stat. 281; 40 U.S.C. 318), as amended.

(c) **Visitors hours.** Visitors hours shall be established by the Superintendent and posted in conspicuous places. Unless otherwise posted or announced by the Superintendent, visitors will be admitted during the following hours:



October through March—8 a.m. through 5 p.m.  
April through September—8 a.m. through 7 p.m.

It is unlawful to enter or remain in the cemetery beyond the time established by the posted visitors hours.

(d) *Destruction or removal of property.* It is unlawful to willfully destroy, damage, mutilate, or remove any monument, gravestone, or other structure, or to willfully destroy, damage, mutilate, or remove any tree, shrub, or plant located within the cemetery grounds.

(e) *Conduct within the cemetery.* Since the Arlington National Cemetery is a shrine to the honored dead of the Armed Forces of the United States and since certain acts, appropriate elsewhere, are not appropriate in the Arlington National Cemetery, all visitors are expected to observe proper standards of decorum and decency while within the cemetery grounds. In this regard, it is unlawful to:

(1) Conduct any service, ceremony or demonstration within the cemetery except those approved by the Superintendent in accordance with the rules established in Technical Manual 10-287;

(2) Engage in any picketing or similar conduct within the cemetery grounds;

(3) Engage in any orations or similar conduct to assembled groups of people, unless the oration is part of an authorized funeral or memorial service;

(4) Display any placards, banners, or foreign flags within the cemetery grounds, unless the same is approved by the Superintendent and is part of an authorized funeral or memorial service;

(5) Engage in any disorderly conduct within the cemetery grounds. For purpose of this section a person shall be guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or with knowledge that he is likely to cause public inconvenience, annoyance or alarm, he:

(i) Engages in fighting, or in threatening, violent, or tumultuous behavior;

(ii) Makes unreasonable noise or coarse utterance, gesture, or display, or addresses abusive language to any person present; or

(iii) Otherwise creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

(f) *Soliciting and vending.* It is unlawful to display or distribute commercial advertising or to solicit business while within the cemetery grounds.

[Regs., Secretary of the Army, Aug. 13, 1969] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012, 24 U.S.C. 271-296)

For the Adjutant General.

HAROLD SHARON,  
Chief, Legislative and Precedent  
Branch, Management Division,  
TAGO.

[F.R. Doc. 69-12708; Filed, Oct. 23, 1969; 8:45 a.m.]

## Chapter XII—Defense Supply Agency

### SUBCHAPTER A—DEFENSE SUPPLY PROCUREMENT REGULATION

#### REVISION OF REGULATION

Subchapter A, Chapter XII, of Title 32 of the Code of Federal Regulations is revised to read as follows:

Part	
1201	General provisions.
1202	Procurement by formal advertising.
1203	Procurement by negotiation.
1205	Interdepartmental and coordinated procurement.
1206	Foreign purchases.
1207	Contract clauses.
1208	Termination of contracts.
1209	Patents, data, and copyrights.
1210	Bonds, insurance, and indemnification.
1212	Labor.
1213	Government property.
1214	Procurement quality assurance.
1216	Procurement forms [Reserved].
1217	Extraordinary contractual actions to facilitate the national defense.
1219	Transportation.
1220	Administrative matters.
1221	Procurement management reporting system.
1225	Production management.
1230	Appendixes.

#### PART 1201—GENERAL PROVISIONS

Sec.	
1201.101	Purpose of subchapter.
1201.102	Applicability of subchapter.
1201.103	Arrangement of subchapter.
1201.103-2	Numbering.
1201.103-4	Citation.
1201.104	Content of subchapter.
1201.104-50	DSPR.
1201.104-51	Interim revisions to DSPR.
1201.104-52	Procurement letters.
1201.104-53	Multiple letters.
1201.105	Amendment of subchapter.
1201.107	Dissemination of ASPR and DSPR and effective date of DSPR revisions.
1201.108	Departmental procurement instructions and ASPR Implementations.
1201.109	Deviations from ASPR, DSPR, and other Department of Defense publications governing procurement.
1201.109-1	Applicability.
1201.109-2	Deviations affecting one contract or transaction.
1201.109-50	Submission of requests for deviations.
1201.109-51	Control of deviations.
1201.110	Reports of Purchases and contracts.
1201.110-50	Advance notification of proposed awards.
1201.110-51	Advance notification of proposed contract terminations.
1201.111	Reports of suspected criminal conduct, noncompetitive practices, kickbacks, and other procurement irregularities.
1201.115	Noncollusive bids and proposals.
1201.150	Administration and interpretation.

Sec.	
1201.151	Procurement and production directors' conference.

#### Subpart B—Definition of Terms

1201.201	Definitions.
1201.201-14	Procuring activity—referral of actions.

#### Subpart C—General Policies

1201.310	Liquidated damages.
1201.312	Voluntary refunds.
1201.314	Disputes and appeals.
1201.318	Contracts conditioned upon the availability of funds.
1201.350	Changes in procurement processes, techniques or methods.
1201.350-1	General.
1201.350-2	Concept of notification.
1201.350-2	Examples of significant changes.
1201.350-4	Data support request.
1201.351	Delivery status information on procurements for the international logistics program (ILP).

#### Subpart D—Procurement Responsibility and Authority

1201.401	Responsibility of each procuring activity.
1201.401-50	Delegation of authority.
1201.402	Authority of contracting officers.
1201.402-50	General responsibilities of contracting officers.
1201.402-51	Procedures for closing contracts, with inconsequential amounts undelivered.
1201.403	Requirements to be met before entering into contract.
1201.403-50	Legal review.
1201.405	Selection, appointment, and termination of appointment of contracting officers.
1201.405-1	Selection.
1201.405-2	Appointment.
1201.450	Selection and appointment of contracting officers' representatives.
1201.453	Review and approval requirements.
1201.453-1	General.
1201.453-2	Actions requiring HQ DSA review and approval prior to award.
1201.453-3	Information to be furnished.
1201.453-4	Release of information.
1201.453-5	Special review requirements.
1201.453-6	Postaward review.
1201.453-7	Actions approved but not awarded.
1201.453-8	Cancellation requirements.
1201.453	Review and approval requirements at the procuring activity.
1201.454	Review and approval requirements for a procurement office not designated as a "procuring activity".

#### Subpart E [Reserved]

#### Subpart F—Debarment, Ineligibility, and Suspension

1201.601	Establishment and maintenance of records and lists of firms or individuals debarred, ineligible or suspended.
1201.601-1	General



Sec.	
1201.601-3	Joint consolidated list.
1201.601-50	Attempted evasions.
1201.603	Grounds for listing and treatment to be accorded listed concerns.
1201.603-50	Total restrictions.
1201.604	Administrative debarment of firms or individuals (Type A).
1201.604-3	Notice of debarment.
1201.605	Suspension of firm or individual.
1201.608	Reporting.
1201.650	Review of past contractual relationships.

#### Subpart G—Small Business Concerns

1201.705	Cooperation with the Small Business Administration.
1201.705-4	Certificates of Competency.

#### Subpart H [Reserved]

#### Subpart I—Responsible Prospective Contractors

1201.905	Procedures for determining responsibility of prospective contractors.
1201.905-1	General.
1201.905-4	Preliminary surveys.
1201.950	Defense Supply Agency contractor experience list (DSACEL).

#### Subpart J—Publicizing Procurement Actions

1201.1002	Dissemination of information relating to invitations for bids and requests for proposals.
1201.1002-6	Paid advertisements in newspapers and trade journals.
1201.1003	Synopses of proposed procurements.
1201.1003-50	Reports control symbol.
1201.1005	Publicizing award information.
1201.1005-50	Reports control symbol.

#### Subparts K-T [Reserved]

#### Subpart U—Advance Procurement Planning

1201.2100	Advance procurement planning.
1201.2100-1	General.
1201.2100-2	Applicability.
1201.2100-3	Initiation of advance procurement planning.
1201.2100-4	Responsibility for preparation.
1201.2100-5	Approval.
1201.2101	Guidelines for development of advance procurement plans.
1201.2102	Sample format for the preparation of advance procurement plans.

**AUTHORITY:** The provisions of this Part 1201 issued under R.S. 161, secs. 2302, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DoD Directive 5105.22, Nov. 6, 1961.

#### Subpart A—Introduction

##### § 1201.101 Purpose of subchapter.

The Defense Supply Procurement Regulation (DSPR) is issued by the Executive Director, Procurement and Production, HQ DSA by authority of the Director, Defense Supply Agency (DSA). It implements the Armed Services Procurement Regulation (ASPR) and other Department of Defense publications and, pursuant to § 1.108 of this title, establishes for DSA procedures relating to the procurement of supplies and services under the authority of chapter 137, title

10 of the United States Code, or other statutory authority.

##### § 1201.102 Applicability of subchapter.

This subchapter is applicable to the purchasing function at all DSA activities, but is not applicable to the performance of field contract administration assigned to Defense Contract Administration Services (DCAS). ASPR is the primary source to which procurement personnel should make reference. DSPR implements and does not in any way supersede ASPR. Material published in ASPR is not duplicated in DSPR.

##### § 1201.103 Arrangement of subchapter.

##### § 1201.103-2 Numbering.

The numbering system in DSPR follows the numbering system in ASPR. Where a section of the DSPR does not implement a particular section but pertains to the general subject matter covered in a particular subpart of the ASPR, the added section shall be numbered starting with the digits "50" (e.g., in Subpart I of Part I, this would be DSPR § 1201-150). Likewise where the DSPR has material implementing a main ASPR section but not fitting under the ASPR point numbers and titles, such material is numbered to end in .50, .51, etc., such as 1201.110-50, 1201.110-51, etc.

##### § 1201.103-4 Citation.

The DSPR shall be referred to as the Defense Supply Procurement Regulation and any section may be cited as DSPR followed by the section number. Thus, this section would be cited as DSPR 1201.103-4.

##### § 1201.104 Content of regulation.

##### § 1201.104-50 DSPR.

This subchapter contains all Departmental policies, procedures, and instructions relating to procurement of supplies and services within the Defense Supply Agency, except those contained in ASPR and the DSAR or DSAM series of DSA regulations. DSPR does not duplicate or paraphrase ASPR and is issued only to cover delegations of authority, assign responsibilities, and other procedures consonant with § 1.108 of this title which are essential to DSA.

##### § 1201.104-51 Interim revisions to DSPR.

Interim revisions are issued only in urgent cases to give advance distribution prior to the incorporation of the subject matter substantially in the same form in the printed revisions of ASPR or DSPR. Also included are some policy statements of general interest to all users of DSPR. The interim revisions are numbered and the notes and filing instructions accompanying each regular revision will indicate which "interims" are current and which are superseded.

##### § 1201.104-52 Procurement letters.

Numbered procurement letters include procurement information of a temporary nature. They are directed to procurement staff levels within the Defense Supply Centers (DSCs) and generally do

not require implementation below that level. Normally they will be canceled within 6 months. In any event that cancellation date will be shown on each letter.

##### § 1201.104-53 Multiple address letters.

Unnumbered multiple address letters will be issued for one-time requests for comments or reports, announcements of Procurement and Production Directors' Conferences and other meetings, etc. No implementation beyond the action requested is contemplated. They are self-canceling when they have served their purpose.

##### § 1201.105 Amendment of subchapter.

Recommendations for revision of ASPR and DSPR shall be submitted, through channels, to the Executive Director, Procurement and Production, Defense Supply Agency, Cameron Station, Alexandria, Va. 22314, Attention: DSAH-PPR.

##### § 1201.107 Dissemination of ASPR and DSPR and effective date of DSPR revisions.

(a) Heads of procuring activities shall insure that copies of the ASPR and DSPR, including revisions, are distributed to all interested activities and individuals.

(b) Compliance with a revision to the DSPR shall be permissive effective with the date of issuance thereof (as indicated by the page revision date) and shall be mandatory effective 30 days thereafter, unless otherwise provided in such revision.

##### § 1201.108 Departmental procurement instructions and ASPR implementations.

(a) Implementations of ASPR and DSPR may be issued by heads of procuring activities provided they are consistent with § 1.108 of this title. In addition, the Executive Director, Procurement and Production, has delegated this authority to the Commander, Defense Industrial Plant Equipment Center (DIPEC). Implementations will not duplicate or paraphrase ASPR or DSPR, modify or revise the policy expressed in ASPR or DSPR, or contain deviations to ASPR or DSPR unless authorized by the procedures of § 1.109 of this title and 1201.109. The format, general plan, and numbering system of implementations will be the same as ASPR/DSPR.

(b) Heads of Procuring Activities shall furnish the HQ DSA, Attention: DSAH-PPR, one copy of each implementing instruction properly referenced to the ASPR or DSPR section to which it pertains.

##### § 1201.109 Deviations from ASPR, DSPR, and other Department of Defense publications governing procurement.

##### § 1201.109-1 Applicability.

Actions which constitute deviations from ASPR of Department of Defense publications governing procurement as set forth in § 1.109-1 of this title shall



also constitute deviations from the provisions of DSPR.

**§ 1201.109-2 Deviations affecting one contract or transaction.**

Deviations from ASPR, a Department of Defense Directive, or the DSPR which affects only one contract or transaction, will be made only after prior approval by the Executive Director, Procurement and Production, DSA, or his designee.

**§ 1201.109-50 Submission of requests for deviations (Dev).**

(a) Requests for authority to deviate from the provisions of ASPR, Department of Defense Directives, or the DSPR will be submitted (in original and four copies) to the HQ DSA, Attention: DSAH-PPR.

(b) For those deviations which have originated in any DSA field activity, it will be the responsibility of the originator to initiate action for renewal or extension, where appropriate, at least 90 days prior to the expiration date. In the event no request is received in DSAH-PPR, it will be assumed the need for the deviation no longer exists and the deviation will automatically expire.

**§ 1201.109-51 Control of deviations.**

Separate registers shall be maintained by the Executive Director, Procurement and Production of the deviations granted from ASPR and DSPR. Each deviation shall be recorded in its appropriate register and shall be assigned a control number as follows: an abbreviation of the regulation involved and the word deviation; fiscal year; and the serial number assigned to the particular deviation; e.g., ASPR Dev 70-1, DSPR Dev 70-1. The control number shall be embodied in the document authorizing the deviation and shall be cited in all references to the deviation.

**§ 1201.110 Reports of purchases and contracts.**

**§ 1201.110-50 Advance notification of proposed awards.**

(a) Data on all proposed contract awards of \$1 million or more will be submitted to the HQ DSA contact point by telephone at least 48 hours (2 full working days) prior to 1,100 hours of the date the Center proposes to make the contract award. Mandatory orders to be placed with the Federal Prison Industries and the Industries for the Blind are not included in this reporting requirement. However, nonmandatory orders to be placed with the Industries for the Blind are included. This report will be known as "Contract Announcement" and will carry Reports Control Symbol DD-DSA(AR)183(P).

**(b) Definitions:**

(1) Contract awards as used herein include any contractual instrument that obligates funds where the total amount of the contract is \$1 million or is expected to reach or exceed \$1 million. Requirements contracts that do not obligate funds at the time of award are not "contract awards" for the purpose of this paragraph. Delivery orders in the amount of \$1 million or more issued

against these requirements contracts are "contract awards." Where a requirements contract does obligate an amount of less than \$1 million at the time of award and it is estimated that the cumulative amount of the contract will exceed \$1 million, such type of requirements contract is a "contract award."

(2) Contractual instrument includes but is not limited to notices of award, definitive contracts, letter contracts, orders placed against requirements or indefinite delivery type contracts, supplemental agreements, change orders, provisioning orders, contract modifications, letters of intent, and funding action.

(c) The HQ DSA contact point is DSAH-PC, OX 4-6461.

(d) Data submitted to the HQ DSA contact point shall be verified for accuracy by a responsible DSA field activity official prior to submission to HQ DSA. This data is used to provide information outside the Department of Defense, therefore, accuracy is of paramount importance.

(e) The following data shall be provided (in this sequence) to the HQ DSA contact point:

- (1) Name and address of purchasing activity;
- (2) Proposed release date;
- (3) Contract number;
- (4) Amount;
- (5) Name and location of proposed contractor (include street address, zip code and county and size of business, i.e., large or small);
- (6) Item and quantity to be awarded;
- (7) Name and location of facility to perform contract, indicating if a division or affiliate of contractor in subparagraph (5) of this paragraph (include street address, zip code, county and labor surplus area designation);
- (8) Type of contract;
- (9) Amount previously obligated (if this announcement is a modification to an existing contract);
- (10) Number of concerns solicited and number of concerns submitting bids/proposals;
- (11) Using Military Service;
- (12) Name of official in field activity familiar with award; and
- (13) Information as to any proposed local press release or any local congressional interest.

(f) Awards and release of information on contract awards of \$1 million or more shall not be made before the date and time agreed upon by the DSA contact point and the field activity. Any proposed local press release should also be withheld. If for any reason clearance is not received by HQ DSA, the Defense Supply Center will be notified promptly to withhold award until clearance has been obtained. If following agreement as to date and time of contract award announcement, the award will not be made, the HQ DSA contact point shall be notified by telephone immediately.

**§ 1201.110-51 Advance notification of proposed contract terminations.**

At least 10 working days prior to any contract termination action which will

result in the discharge (reduction-in-force) of 100 or more contractor employees (or a lesser number in a labor surplus area), notification of such termination action will be telephoned to the HQ DSA contact point listed in § 1201.110-50(c). This notification is required in order to provide advance information on the proposed termination action to the Office of the Secretary of Defense OSD. The formal termination action will be withheld pending receipt of instructions from HQ DSA to proceed with the proposed termination action.

**§ 1201.111 Reports of suspected criminal conduct, noncompetitive practices, kickbacks, and other procurement irregularities.**

Reports of possible violations of Federal criminal statutes in connection with procurement and related matters, including reports of possible fraud or violation of antitrust laws, will be made in accordance with Part I, Subpart F of this title and Subpart F of this part.

**§ 1201.115 Noncollusive bids and proposals.**

(e) The authority to make the determination described in paragraph (d) of the clause prescribed in § 1.115(a) of this title is delegated to Heads of Procuring Activities. This authority may not be re-delegated.

**§ 1201.150 Administration and interpretation.**

The administration and interpretation of DSPR is the responsibility of Executive Director, Procurement and Production HQ DSA (DSA-PP).

**§ 1201.151 Procurement and production directors' conference.**

The Procurement and Production Directors' Conference consists of the Chiefs Procurement Division (DSA-PP), Production, Quality and Reliability Division (DSA-PR), and the Procurement and Production Directors of DSA field activities. The conference assists in the development of procurement and production policies and procedures affecting DSA, and provides a forum for the discussion of current problems. The conference is convened on a semiannual basis or at the call of the Executive Director, Procurement and Production (DSA-P).

**Subpart B—Definition of Terms**

**§ 1201.201 Definitions.**

**§ 1201.201-14 Procuring activity/referral of actions.**

The Executive Director, Procurement and Production, HQ DSA, shall exercise the functions, not otherwise delegated, of head of procuring activity for any DSA Supply Centers or Activities not under an HPA and not designated as "Procuring Activities" pursuant to 1.201-14 of this title. This includes the:

- (a) Defense Industrial Plant Equipment Center;
- (b) Defense Logistics Services Center;
- (c) Defense Depot Memphis;
- (d) Defense Depot Ogden;
- (e) Defense Depot Tracy; and



(f) Defense Supply Agency Administrative Support Center.

Actions required by the Armed Services Procurement Regulation, this subchapter, or other directives involving the functions, not otherwise delegated, of the head of procuring activity shall be referred to the HQ DSA, Attention: DSAH-P.

### Subpart C—General Policies

#### § 1201.310 Liquidated damages.

Recommendations concerning the remission of liquidated damages shall be transmitted to the Counsel, HQ DSA.

#### § 1201.312 Voluntary refunds.

Voluntary refunds will be accepted and processed in accordance with instructions issued by the heads of procuring activities.

#### § 1201.314 Disputes and appeals.

(d) All appeals will be presented to the Armed Services Board of Contract Appeals by trial attorneys of the DSA Defense Supply Center involved. Direct communication with the Board is authorized. The charter and rules of the Armed Services Board of Contract Appeals are set forth in Appendix A, ASPR. All official correspondence with the Board will be addressed to the Recorder, Armed Services Board of Contract Appeals, Washington, D.C. 20025. At the time of filing with the Board or receipt by the trial attorney, a copy of each Notice of Appeals, Complaint, Answer, Rule 4 Memorandum (without enclosures), Brief, and Motion for Reconsideration, if any, shall be forwarded to the Counsel, HQ DSA.

(e) In all cases except those to be disposed of under Rule 12, the trial attorney shall forward to the Counsel, HQ DSA, copies of the Trial Memorandum, documents that have been filed under Rule 4 or are to be introduced in evidence at the hearing, and if not included in the Trial Memorandum, a summary of the testimony of proposed witnesses. This information shall be forwarded 10 days prior to date set for the hearing.

(f) If, after review of a Board decision on contracts of his procuring activity, Counsel for the activity is of the opinion that the decision is erroneous, a Motion for Reconsideration should be filed. If the Board denies the motion or sustains its previous decision and a decision by the Comptroller General is desired prior to payment, the request for such a decision shall be forwarded to the Counsel, HQ DSA.

#### § 1201.318 Contracts conditioned upon the availability of funds.

It is recognized that there may be instances, other than those described in § 1.318 of this title, where it will be necessary to initiate a procurement prior to the availability of funds. In such instances, the action will only be taken after the facts concerning the proposed solicitation are presented to DSAH-P for review as to the necessity for such action and the obtaining of the required

ASPR deviation permitting use of the provision set forth in § 1.318 of this title.

#### § 1201.350 Changes in procurement processes, techniques or methods.

##### § 1201.350-1 General.

Whenever a procuring activity contemplates a significant change in a procurement process, technique or method which may reasonably be expected to have a substantial impact on industry and/or the Government, the activity shall notify promptly HQ DSA Attention: DSAH-PPR of the contemplated change and the reasons and bases therefor.

##### § 1201.350-2 Concept of notification.

Headquarters, DSA requires notification of contemplated changes which are of significant nature prior to initiation of action to accomplish such changes. This prior notification is necessary in order that Headquarters may become conversant with the matter in the event there is any reaction from industry, the Congress, or the using Military Departments. In addition, Headquarters has access to, and knowledge of, information which may not be available at the field level and, as such, is in a position to evaluate the significance of the proposed action to the Agency as a whole. Accordingly, it is essential that HQ DSA know what is contemplated before the initiation of a significant change is publicized. This requires that all notifications be submitted as far in advance of public disclosure as possible, in order that HQ DSA clearance may be obtained, and the intended purpose of this requirement be served.

##### § 1201.350-3 Examples of significant changes.

Representative types and categories of contemplated changes which are of a significant nature and which necessitate prior notification to HQ DSA are (but not limited to) a change in:

- (a) A longstanding inspection requirement or procedure;
- (b) The method of providing and/or accounting for Government-furnished property;
- (c) A type of contract which constitutes a significant departure from the procurement technique previously utilized;
- (d) Solicitation techniques and the elements used in evaluation of offers;
- (e) The region/area from which procurement of an item has been previously accomplished;
- (f) The location of a buying/purchasing office; or
- (g) Item specification which prompts a major change in manufacturing and/or processing techniques.

##### § 1201.350-4 Data to support request.

In order that the impact of a contemplated change in procurement method may be determined, requests for approval of a proposed change in a procurement method should contain the following information:

(a) A description of the present and proposed procurement methods;

(b) A statement of the difficulties encountered in the use of the presented method and/or the improvements foreseen as the result of a change;

(c) A statement as to the degree of impact of the change expected on industry and/or the Government; and

(d) A statement as to the net benefits accruing to the Government as a result of the change.

#### § 1201.351 Delivery status information on procurements for the international logistics program (ILP).

Contracts and purchase orders awarded in support of requisitions from the Navy International Logistics Control Office, Bayonne, N.J., for the ILP shall:

(a) Identify the requirement as a separate contract line item or subline item in accordance with 20.304-2 of this title. In the event the purchase request does not contain this information, the contracting officer shall contact the originator to obtain the necessary data. The applicable requisition number shall be entered immediately under the line or subline item. (ILP requisitions are identified by the letter P or K preceding the requisition number.)

(b) Provide for the designated contract administration services component to distribute to the Navy International Logistics Control Office (Bayonne, N.J.), a copy of any report or document which indicates an anticipated or actual delay in delivery of line or subline items for the ILP. Copies of such reports distributed to Navy International Logistics Control Office shall include the requisition number applicable to the line or subline item involved and shall be in addition to any other distribution required by the contract or directives applicable to the contract administration services component.

### Subpart D—Procurement Responsibility and Authority

#### § 1201.401 Responsibility of each procuring activity.

##### § 1201.401-50 Delegation of authority.

Authority conferred upon the Heads of Procuring Activities under any section of the ASPR and DSPR may be delegated with power of redelegation to other officers or civilian officials of DSA, except when specifically limited by law or the provisions of the pertinent ASPR or DSPR section.

#### § 1201.402 Authority of contracting officers.

Properly designated contracting officers are granted all authority conferred by law, the ASPR, and the DSPR, but only to the extent delegated therein and as that authority may be limited in the orders designating them as contracting officers.

(a) Contracting officers are agents of the Government and must act in accordance with the law and within their prescribed duties and authority. Contracting officers must insure that their acts are in full accord with their authority.



The action of a contracting officer binds the Government only when the action is authorized.

(b) Contracting officers may enter into, amend, modify, and take other action with respect to contracts: *Provided*,

(1) Approval of award has been obtained, if required, and the contract embodies the award as approved;

(2) The contract is written on a standard or an approved form of contract;

(3) The contract is authorized by law and complies with the provisions of ASPR and DSPR with respect to the use of contract clauses and does not contain any clause or involve matters in conflict with the established policy of higher authority; and

(4) Compliance has been made with all other requirements of law, the ASPR, the DSPR, and the applicable procuring activity instructions.

**§ 1201.402-50 General responsibilities of contracting officers.**

(a) Contracting officers are responsible for,

(1) The safeguarding of the interests of the United States in contractual relationships;

(2) Their acts as contracting officers under law and regulations;

(3) Maintaining constant cognizance with respect to contract compliance on the part of the contractor;

(4) Obtaining the necessary legal, technical, and administrative review of the contracts they make; and

(5) Knowing the scope and limitation of their authority.

(b) Contracting officers shall personally sign all contracts and modifications entered into by them. This authority cannot be delegated to others.

(c) Contracting officers shall be bound in all their actions to exercise reasonable care, skill, and judgment. They must assure themselves that the contract is authorized by law, that funds are available, and of their authority to subject the Government or its property to any risk. Contracting officers shall neither act as nor perform the duties of a contracting officer with respect to any contractual instrument obligating only non-appropriated funds. However, contracting officers may act in an advisory capacity with respect to the aforementioned instruments.

**§ 1201.402-51 Procedure for closing contracts with inconsequential amounts undelivered.**

(a) The Procuring Contracting Officer (PCO) is authorized on a case-by-case basis to consider a contract completed when an inconsequential amount not falling within the variation in quantity clause remains undelivered: *Provided*, all of the following conditions exist:

(1) Payment is provided for on a unit price basis, and the contractor advises that no further deliveries will be made;

(2) Payment is made for the units actually received;

(3) The undelivered portion is inconsequential and the cost of effecting a

formal contract modification (including but not limited to taking termination action) is excessive in relation to the benefits to the Government from such action; and

(4) The PCO makes a statement in writing showing that the above criteria have been met, referencing the communication from the contractor, and stating the contract is considered complete. This statement shall be issued on a Standard Form 30 as an administrative change to the contract for deobligation of funds and given complete and prompt distribution.

(b) This authority shall not be delegated by the PCO.

**§ 1201.403 Requirements to be met before entering into contracts.**

**§ 1201.403-50 Legal review.**

(a) Legal advice and assistance of assigned legal counsel shall be obtained in the preparation of clauses other than standard clauses which are to be contained in invitations for bids and requests for proposals, and on any questionable legal areas in the preparation and/or execution of contractual documents.

(b) Procuring activities within the Defense Supply Agency shall issue instructions on the legal review of solicitations and contractual documents issued by their activities.

**§ 1201.405 Selection, appointment, and termination of appointment of contracting officers.**

The authority in 1201.405 of this title has been delegated by the Executive Director, Procurement and Production, HQ DSA (DSAH-PP), to the Commander of each of the following activities:

Defense Depot Memphis.  
Defense Depot Ogden.  
Defense Depot Tracy.  
Defense Industrial Plant Equipment Center.  
Defense Logistics Service Center.  
Defense Supply Agency Administrative Support Center.

**§ 1201.405-1 Selection.**

High qualification standards must be maintained for the appointment of contracting officers. Authority to execute and administer contracts of \$100,000 or greater should be given only to civilian personnel of Grade GS-12 or above, and to military personnel with at least 3 years' specialized experience in procurement and 3 years' experience in related fields. Exceptions to these minimum qualifications may be granted on a case-by-case basis by the head of a procuring activity and the Commanders of the activities enumerated in § 1201.405, where exceptional circumstances necessitate appointment of an individual.

**§ 1201.405-2 Appointment.**

(a) Contracting Officer Appointment Documentation Sheet, DSA Form 581, as revised, shall be used to facilitate the documentation of recommendations for appointment. This form will be completed by the official recommending an individual for appointment. Properly prepared,

the form will make it readily apparent to the appointing authority, normally the HPA, whether or not the nominee is qualified for appointment. Also, it will provide HQ DSA a current profile of contracting officers.

(b) One copy of each appointment Documentation Sheet shall be sent to the Dr HQ DSA Attention: DSAH-PPR.

**§ 1201.450 Selection and appointment of contracting officers' representatives.**

(a) *Designation.* The selection, appointment, and termination of appointment of Contracting Officers' Representative (COR) shall be made by the contracting officer. Such appointments shall take into consideration the ability, training, and experience of COR designees and shall assure that designees are appropriately qualified to act as an authorized representative of the contracting officer. COR designations shall be in writing and shall define the scope and limitations of the authorized representative's authority. Appointment shall be made by letter substantially in the form set forth in paragraph (d) of this section. Unless the appointment of a COR contains other provisions for automatic termination, the appointment shall be effective, unless sooner revoked, until the COR is reassigned, or his employment is terminated. Revocation of a COR appointment may be effected at any time by the appointing authority, or higher appointing authority, or any successor to either. Revocation shall be made by letter reading substantially as shown in paragraph (e) of this section.

(b) *Authority.* COR's will be responsible to and under direct supervision of the contracting officer, and unless specifically prohibited by the terms of the contractual instrument involved may, at the discretion of the contracting officer, be empowered to take any and all actions which could be lawfully taken by the contracting officer consistent with the scope and limitations of the appointment. Compliance with the Standards of Conduct prescribed in DoD Directive 5500.7 and DSAR 5500.1 will be maintained.

(c) *Documentation.* Supplementing the normal supervision of the COR by the contracting officer, the contracting officer shall maintain an "activity" file on each COR. The purpose of this file is to record and maintain the results of periodic reviews of the COR's procurement activities conducted semiannually by the contracting officer. The contents of the activity file will include but are not limited to:

(1) A copy of the COR's letter of appointment;

(2) Examples of in-depth reviews of the COR's performance with appropriate identification of the work performed including PO/DOs issued; and

(3) Documentation by the contracting officer of the date, substance, and extent of the reviews conducted.

(d) *Sample form of suggested letter for appointing CORs.*

Subject: Appointment as Contracting Officer's Representative.



To: (Address to Individual, indicating rank or grade, branch, division, activity and location).

1. Under the authority vested in me by the \_\_\_\_\_, January 1, 1969, subject: Delegation of Authority, you are hereby designated Contracting Officer's Representative with authority conferred by the Contracting Officer.

2. This order shall be in full force and effect until revoked by me or my successor in the same manner as it is hereby granted, or upon your being transferred from the (include branch, division, activity and location).

Contracting Officer.

(e) Sample form of suggested letter for terminating appointment as Contract Officer's Representative.

Subject: Termination of Appointment as Contracting Officer's Representative.

To: (Address to Individual, indicating rank or grade, branch, division, activity and location).

Your appointment as Contracting Officer's Representative contained in letter appointment dated \_\_\_\_\_ is hereby terminated effective \_\_\_\_\_.

Contracting Officer.

#### § 1201.451 [Reserved]

#### § 1201.452 Review and approval requirements.

##### § 1201.452-1 General.

Every proposed contractual document and supporting file must be reviewed by the contracting officer prior to signature of the document and prior to forwarding the file for review by higher authority. The contracting officer is responsible for the completeness and accuracy of the file as well as for the soundness of the contractual action. Each file must contain the applicable information, or cross reference thereto, contemplated by ASPR Supplement No. 2 "Contract File Maintenance, Closeout, and Disposition" in sufficient detail to permit reconstruction of all significant actions by a subsequent reviewer without referrals to the individuals who consummated the procurement. The contracting officer shall signify completeness of the contract file by signature on DSA Form 678, "File Content List" which must accompany the files supporting every contractual action, except those actions accomplished in accordance with Part 3, Subpart F, of this title.

##### § 1201.452-2 Actions requiring HQ review and approval prior to award.

(a) The actions listed below require the review and approval of the HQ DSA, Attention: DSAH-PC prior to award. For review purposes, the dollar amount of a proposed contract shall be the sum of the estimated or actual amount of obligation and the amount of any option included in the proposed contract.

(1) All proposed contracts other than firm fixed-price or fixed-price with escalation;

(2) All proposed letter contracts;

(3) All proposed contracts providing for special performance incentives;

(4) All proposed contracts involving—

(i) Architectural-engineering services;

(ii) Management engineering services;

(iii) Management surveys and studies;

(iv) Personal or professional services, not covered by applicable civilian personnel instructions;

(v) Services for maintenance of or for manufacture in Government-owned, contractor-operated facilities. (Not applicable to the Defense Fuel Supply Center);

(vi) Services and materials for the repair, maintenance, rehabilitation, alteration or modification of Government installations and utilities of \$25,000 or more;

(vii) Proposed lease of Government property for nondefense use;

(viii) Acquisition of automatic data processing equipment in accordance with DSAR 4710.1 and;

(ix) Acquisition of facilities.

(5) Awards from an invitation for bids (including Balance of Payments and Small Business Restricted Advertising types) when award is proposed to a sole responsive, responsible bidder, and the total dollar amount of the sole bid items being awarded is \$100,000 or more; (see § 1201.454(b));

(6) Noncompetitive procurements of \$100,000 or more; under authority of 10 U.S.C. 2304(a)(10); (see § 1201.454(b));

(7) All proposed contracts which involve construction of petroleum facilities;

(8) All proposed contracts (agreements) with the Small Business Administration entered into under authority of section 8(a) of the Small Business Act;

(9) Negotiated procurements (excluding Balance of Payments and Small Business Restricted Advertising and the set-aside portion of a procurement made by formal advertising) in an amount equal to or in excess of—

Defense Construction Supply Center	750,000
Defense Depot Memphis	50,000
Defense Depot Ogden	50,000
Defense Depot Tracy	50,000
Defense Electronics Supply Center	500,000
Defense Fuel Supply Center:	
Supplies	5,000,000
Services	100,000
Defense General Supply Center	750,000
Defense Industrial Plant Equip. Center	50,000
Defense Industrial Supply Center	200,000
Defense Logistics Services Center	50,000
Defense Personnel Support Center:	
Clothing and Textiles	500,000
Medical	500,000
Subsistence	1,000,000
DSA Administrative Support Defense Supply Center	2,500

(10) Each proposed exercise of an option and each proposed order under a basic ordering agreement, when the proposed action is in an amount equal to or in excess of that stated in § 1201.452-2

(a) (9) for the activity concerned;

(11) Each order under an indefinite quantity contract in which the amount of the order is equal to or in excess of that stated in § 1201.452-2(a) (9) for the

activity concerned, except where the original contract was awarded to a sole source.

(b) Orders placed against requirements contracts, other Federal agencies, or the National Industries for the Blind are excluded from this review requirement.

##### § 1201.452-3 Information to be furnished.

The complete contract file of those actions subject to HQ DSA review and approval shall be transmitted for review upon completion of negotiations but prior to award. DSA Form 677, "Contractual Documents Transmittal—Approval/Disapproval", signed by the contracting officer and by the Commander, his deputy, or the principal officer responsible for procurement shall be used to request review and approval. A copy of the current specification covering the basic items or service shall be included in the file. The file shall be organized in accordance with ASPR Supplement No. 2 and individual documents numbered in accordance with DSA Form 678, "File Content List", which shall be attached to DSA Form 677. All documents shall be securely fastened in the file which shall be assembled so as to permit viewing of each document without disassembling the file. A carbon copy of the DSA Form 677 and 678, together with copies of the proposed contract, review comments of the Procuring Activity Review Office, Memorandum of Negotiation, Determinations and Findings, and Price/Cost Analysis (all assembled as above), shall be furnished for retention by HQ DSA. The purchasing office will be notified immediately by telephone when significant information is missing from the file or the available information is inadequate to permit review. Further review action will be withheld pending receipt of the required information. Where a solicitation results in two or more proposed awards, one or more of which requires approval, the quantities, prices and names of proposed awardees shall be submitted with requests for approval and all awards will be withheld pending advice of required approval. Telephonic notification of approval, qualified approval, or disapproval will be furnished immediately with written approval evidenced on the original of DSA Form 677, "Contractual Documents Transmittal—Approval/Disapproval", which shall be made part of the contract file.

##### § 1201.452-4 Release of information.

Prospective suppliers are not to be advised that awards have been forwarded to HQ DSA for approval.

##### § 1201.452-5 Special review requirements.

(a) Proposed shifts in procurements from a competitive to a non-competitive basis. A presolicitation approval of procurements in which it is proposed to shift from a competitive to a noncompetitive basis shall be required as follows:

(1) Procurements of more than \$1 million shall be approved in advance by the Director, DSA.



(2) In addition, procurements of \$10 million and over shall be approved in advance by the Assistant Secretary of Defense (Installations and Logistics).

(3) Data to support the request for such a presolicitation approval shall be submitted to DSAH-PC and shall include the following—

(i) Description of the supplies or services required.

(ii) The estimated cost and fund availability.

(iii) A summary of the purchase plan to include:

(a) Performance dates.

(b) Proposed dates for issuance of solicitation and award of contract.

(c) Synopsis intentions.

(d) Type of contract proposed and basis therefor.

(e) Any applicable special requirements to be included in the schedule.

(f) Any proposed deviations from ASPR or DSPR.

(iv) Substantiation for the proposed shift from a competitive to a noncompetitive procurement.

(b) *Purchases of antibiotics.* For purchases of antibiotics which contain foreign material, approval may be requested and obtained telephonically from DSAH-PC.

#### § 1201.452-6 Postaward review.

Selected contracts will be subject to postaward review. This review may be accomplished by a call for the contract file or during a visit to the applicable purchasing activity by HQ DSA contract review personnel. The results of these reviews and the results of the reviews accomplished prior to award will be utilized to determine future review levels for the activity involved.

#### § 1201.452-7 Actions approved but not awarded.

If for any reason actions subject to the requirements of § 1201.452-2 are reviewed and approved and subsequently not awarded, HQ DSA shall be so advised. A complete explanation of the failure to make the award shall be provided.

#### § 1201.452-8 Cancellation requirements.

(a) In order to insure that supply discipline and financial stability are not attained at the expense of sound procurement methods and the responsibility of this Agency to its suppliers, the following review system is in effect:

(1) Each partial or total cancellation of an Invitation for Bids after opening shall be effected only with the approval of the head of the procuring activity.

(2) Reprocurement of an item within 90 days after cancellation under (1) above, where the cancellation was occasioned by a revision of requirements or by funding limitations, shall have the prior approval of HQ DSA, Attention: DSAH-PC.

(b) This procedure shall apply to cancellations for any reason other than failure to obtain coverage or unreasonableness of offered prices.

(c) This procedure shall not apply to procurements of nonstocked items or to procurements originated by a MIPR.

#### § 1201.453 Review and approval requirements at the procuring activity.

(a) Each DSA procuring activity shall establish and maintain requirements and procedures for review and approval of proposed contractual actions to assure conformance with law, regulations, and established policy, and the exercise of good business judgment. The scope and depth of the review will be determined by heads of procuring activities based on workload and available manpower, but as a minimum will encompass a representative number of actions, including sole bids/offers and complex or high dollar value procurements. In addition, randomly selected procurement actions including noncompetitive small purchases will be reviewed after award. A summary record of such post award reviews and the results thereof shall be maintained by the activity.

(b) The Contract Review Office, organized in conformance with DSAM 5810.1, shall perform the review function. The review shall be performed as a full-time duty where the workload requires one or more people for the review. The person selected as the chairman of the Contract Review Office, in addition to possessing the qualifications set forth for a contracting officer in § 1.405 of this title and § 1201.405, shall be a strong personality with demonstrated technical proficiency and capability of exercising sound business judgment. Personnel from other areas such as counsel, small business, technical operations, production, etc., may serve in an advisory capacity, as appropriate. Members may be rotated at intervals to ameliorate workload problems and to afford the individuals an opportunity to utilize the experience so gained.

(c) In addition to the above requirements for review by the Contract Review Office, all procurements over \$10,000 are to be reviewed at a level higher than the contracting officer prior to award.

#### § 1201.454 Review and approval requirements for a procurement Office not designated as a "Procuring Activity" (see § 1201.201-14).

(a) All procurements over \$10,000 are to be reviewed at a level higher than the Contracting Officer prior to award.

(b) The dollar threshold under §§ 1201.452-2(a) (5) and (6) is \$25,000.

#### Subpart E [Reserved]

#### Subpart F—Debarment, Ineligibility, and Suspension

#### § 1201.601 Establishment and maintenance of records and lists of firms or individuals, debarred, ineligible, or suspended.

##### § 1201.601-1 General.

The Counsel, DSA shall maintain the DSA list which will contain only the names of firms and individuals located in the United States, its territories and its possessions.

#### § 1201.601-3 Joint consolidated list.

The Counsel, DSA shall furnish to the Department of the Army a listing of all additions, deletions, or modifications to the Joint Consolidated List resulting from DSA action.

#### § 1201.601-50 Attempted evasions.

In some instances, firms or individuals have attempted to evade the prohibitions contained in § 1.604 and § 1.605 of this title and §§ 1201.604 and 1201.605 by change of address or by formation of a new company. In such cases where it can be reasonably established that the suspended or debarred firm or individual has the controlling or active interest in a new company, or that the address is the same as that of the suspended or debarred firm or individuals, a report shall be submitted through channels to the Counsel, DSA.

#### § 1201.603 Grounds for listing and treatment to be accorded listed concerns.

##### § 1201.603-50 Total restrictions.

In the event that a bid or proposal is tendered by a debarred or suspended contractor it shall be received and recorded. Where a low bid or proposal from such a bidder is rejected the reason shall be stated in the certificate to the General Accounting Office as follows:

The bid of \_\_\_\_\_ is rejected pursuant to ASPR 1-603.

#### § 1201.604 Administrative debarment of firms or individuals (Type A).

##### § 1201.604-3 Notice of debarment.

Upon the debarment or removal from debarment of a contractor prior to termination of the specified period, the Counsel, DSA shall furnish advice of such action to the contractor, and to the General Services Administration in accordance with § 1.604-3(b) of this title.

#### § 1201.605 Suspension of firm or individual.

(a) *Payments.* Where suspension is recommended or a contractor is suspended, no payments shall be made without the prior approval of the Counsel, DSA. Upon receipt of a notice of suspension, disbursing officers shall retain all administratively approved vouchers in favor of the contractor pending instructions from the contracting officer. Offices holding or in receipt of proper invoices covering amounts due to suspended contractors shall prepare and administratively approve the necessary vouchers and shall forward the certified vouchers to their assigned disbursing officers, inviting attention to the fact of suspension. This procedure shall be followed whenever any additional or new amounts become due during the period of suspension. In cases where in the opinion of the head of the procuring activity concerned the circumstances surrounding either the procurement or the suspicion of fraud or criminal conduct are of such a nature as to permit or require complete or partial release of withheld funds due the suspended contractor, a recommendation for such release including a full



statement supporting such recommendation shall be made to the Counsel, DSA.

(b) *Terminations.* Negotiations toward settlement of terminated contracts shall cease with the suspension of a contractor. Negotiations must likewise cease with respect to terminated subcontracts either awarded or held by a suspended contractor. All authorizations granted to such a contractor under section VIII, ASPR or DSPR shall be revoked immediately.

(c) *Awards.* Bids submitted by suspended contractors shall not be rejected by contracting officers solely because of the suspension but will be received, recorded and retained in accordance with established procedures. Where a suspended contractor is the low bidder or offeror (or, in the case of surplus and salvage sales, the high bidder), and the procuring activity considers it in the interest of the Government to accept the bid or offer, information relating to (1) the low (or high) bid or offer and the next lowest (or highest) bid or offer; (2) expirations of options and whether such options may be extended; and (3) the desirability or necessity of acceptance of the suspended contractor's bid or offer shall be reported together with recommended action in the same manner as set forth in § 1.608 of this title for a determination as to the placement of any awards with the suspended contractor.

(d) *Inquiries.* Inquiries by procuring activities concerning the status of reported cases shall be transmitted in triplicate to the Counsel, DSA.

#### § 1201.608 Reporting.

Heads of procuring activities shall submit the reports described in § 1.608 of this title, which shall be designated "For Official Use Only" unless the details included warrant a security classification.

#### § 1201.650 Review of past contractual relationships.

When the name of a concern has been added to the consolidated listing in § 1.601 of this title, or a report is submitted requesting suspension or debarment, a review also shall be made of contractual relationships with the company and its affiliates for the previous 2 years, or longer if considered necessary to determine whether the Government may have any basis for recovery of damages, or payments from the contractor.

#### Subpart G—Small Business Concerns

##### § 1201.705 Cooperation with the Small Business Administration.

##### § 1201.705-4 Certificates of competency.

(a) Where a small business is determined nonresponsible because of lack of capacity or credit, but it is determined under the authority of § 1.705-4(c) (iv) of this title that the expediency of the requirement precludes referral to the Small Business Administration (SBA) for Certificate of Competency (CoC) action, award to the next lowest responsible bidder must be made within the 15 working day period established in § 1.705-4(c) of this title for SBA CoC action. If such award cannot be made in

this time period, SBA should be given an opportunity to consider the issuance of the Certificate of Competency. All efforts should be made through proper procurement planning to provide sufficient time for CoC action by SBA, should such action become necessary. This includes (1) the issuance of procurement requests at a time early enough to allow sufficient time for orderly procurement, (2) the earliest possible request for preaward survey, (3) the handling of CoC referrals by telephone where appropriate and (4) expeditious followup of CoC referrals.

(b) In those cases where the urgency situation contemplated by § 1.705-4(c) (iv) of this title clearly exists, the requiring activity shall fully document the urgency involved, indicating exact dates, quantities, usage data, etc. These determinations shall be coordinated with the Small Business Specialist and reviewed and approved as indicated below, before the low small business bid is bypassed and award made to a higher bidder.

(1) For Defense Supply Centers, the determination shall be approved by the head of the procuring activity, or his designee, but in no case shall such designation be below the Director of Procurement and Production.

(2) For other purchasing activities, the determination shall be approved by the Activity Commander.

(c) § 1.705-4(c) (vi) of this title, requires that when a contracting officer makes a determination that a small business concern is not responsible for reasons other than deficiencies in capacity or credit, his decision must be supported by substantial evidence documented in the contract file. In those cases where such a determination is made, the documentation shall be reviewed to assure that the evidence presented substantiates the decision as to the concern's lack of integrity, business ethics or persistent failure to apply the necessary tenacity and perseverance to do an acceptable job. For Defense Supply Centers, this review should be made by the head of the procuring activity, or his designee. For other purchasing activities, the review shall be made by the Activity Commander or his designee. In addition, for each case where a determination is made under § 1.705-4(c) (vi) of this title, a copy of all pertinent information, including supporting documents, will be forwarded to HQ DSA, Attention: DSAH-PS, for informational purposes.

(d) Contracts involving a contractor to whom a CoC was issued by SBA, or to whom loans were made with SBA participation, will not be terminated for default without prior approval by the head of the procuring activity.

#### Subpart I—Responsible Prospective Contractors

##### § 1201.905 Procedures for determining responsibility of prospective contractors.

##### § 1201.905-1 General.

When the contracting officer makes a determination regarding the prospective contractor's responsibility that is con-

trary to that recommended in the preaward survey report, the reason for not following the preaward survey report recommendation shall be included in the determination required by § 1.904-1 of this title. In each instance wherein the preaward survey report recommendation is not followed, the case must be reviewed and concurred in at a level no lower than the Director of Procurement and Production. Procuring contracting officers shall advise the DCAS office performing the preaward survey as to the reason for not following the DCAS preaward survey recommendation.

#### § 1201.905-4 Preaward surveys.

(a) Preaward surveys shall be accomplished in accordance with § 1.905-4, Appendix F 200.1524, and Appendix K of this title, and DSAM 4100.2, section VIII.

(b) A preaward survey shall be requested only when an award is contemplated to a firm from which a bid or proposal has been received. Concurrent requests for preaward surveys on the same procurement will not be made except in emergency situations and/or when multiple awards are contemplated.

(c) A preaward survey shall be obtained prior to making award of a contract in excess of \$2,500 to any supplier listed on the Defense Supply Agency Contractor Experience List (DSACEL), the Navy Contractor Experience List (NCEL) or the Air Force Contractor Experience List (AFCEL).

(d) A preaward survey shall be made unless there is current quality, production and financial information available to waive the requirement. Even if the prospective contractor is currently producing or has successfully performed under a recent contract (within 1 year) and is being considered for an award of a similar undertaking, i.e., similar item and similar size contract, a partial survey may be required to determine current financial capability and capacity. However, if the same contractor is being considered for a much larger contract or a contract involving a fundamentally different undertaking, a complete or partial survey, as indicated by the circumstances, shall be requested. If the prospective contractor is newly entering into the manufacture of the goods sought by the Government or has no recent history of performance of a similar undertaking, a complete survey shall be requested.

(e) A decision by a contracting officer not to request a preaward survey for a proposed award in excess of \$10,000 (except for perishable and commodity market subsistence items and bulk fuel) shall be fully documented as to the reasons therefor and shall be recorded in the contract file. In order to insure full compliance with the intent of § 1.905.4(b) of this title, each DSA procuring activity shall establish and maintain requirements and procedures for review and approval of such decisions. These procedures shall include a requirement for approval of such decisions at the level of the Director of Procurement and Production for proposed awards in excess of \$100,000, except that for subsistence, approval shall be at the level of the Chief,



Purchasing Division of the Subsistence Regional Headquarters.

**§ 1201.950 Defense Supply Agency contractor experience list (DSACEL).**

(a) Headquarters, Defense Supply Agency maintains a Defense Supply Agency Contractor Experience List (DSACEL). The purpose of the DSACEL is to assist contracting officers in the selection of responsible contractors, in accordance with Part 1, Subpart I of this title by identifying firms whose performance under DSA contracts has been less than satisfactory. The listing of a supplier on the DSACEL indicates only that the unsatisfactory condition existed at the time the supplier was placed on the list and does not constitute a basis for a determination of current non-responsibility.

(b) The listing of a supplier on the DSACEL must not be interpreted to mean that (1) the listed supplier will not be given an opportunity to bid or quote on a proposed procurement, (2) negotiations cannot be carried on with that supplier, or (3) an award cannot be made to that supplier.

(c) The DSACEL has no relationship to the Joint Consolidated List of Debarred, Ineligible and Suspended Contractors and the inclusion of any supplier on the DSACEL shall not, in any sense, be regarded as a determination of debarment or ineligibility.

(d) Recommendations for inclusion of suppliers on the DSACEL will be made to HQ DSA, Attention: DSAH-PRS by the Defense Supply Centers in accordance with paragraphs (e), (f), (g), (h), (i), and (o) of this section or by cognizant DCAS activities in accordance with DSAR 8335.1, Contractor Experience List for Contract Administration Services.

(e) Prior to recommending a supplier for inclusion on the DSACEL, DSCs shall advise the cognizant DCAS activity of contemplated action to preclude a duplication of effort by the DCAS activity and DSC. In addition, DSCs shall inform the supplier of the reasons for recommendation for placement on the DSACEL. Each reason should be verified and discussed with the supplier to preclude any disagreement as to the facts.

(f) Defense Supply Center letters recommending suppliers for inclusion on the DSACEL shall be prepared in substantially the following form and signed by the Director of Procurement and Production:

**(LETTERHEAD OF RECOMMENDING ACTIVITY)**

Subject: Recommendation for Inclusion on the Defense Supply Agency Contractor Experience List.

To: Executive Director, Procurement and Production (DSAH-PRS) Headquarters Defense Supply Agency, Cameron Station, Alexandria, Va. 22314.

1. Name and address of supplier recommended for inclusion on the DSACEL.

2. Total number of open contracts with this supplier during past 12 months (include only contracts awarded by recommending activity).

3. Total dollar value of these contracts.

4. Total number and dollar value of these contracts on which deficiencies and/or delinquencies occurred.

5. Brief description of deficiencies and/or delinquencies by specific contract number including item description. Indicate reasons in accordance with paragraph (g) below. (Supplement by and refer to enclosures as appropriate.)

6. Previous Government action taken to assist the supplier in correcting the deficiencies and/or delinquencies reported herein, including final discussion in accordance with paragraph (e) of this section. (Supplement by and refer to enclosures as appropriate.)

Signature

(g) Suppliers may be considered for inclusion on the DSACEL for the following reasons:

(1) Suppliers who have a less than adequate financial capability for contract performance. Recommendations must be supported by current financial data evidencing lack of financial capability and that financial support is not available.

(2) Suppliers, other than those included on the joint consolidated list of debarred, ineligible, and suspended contractors, who have had one or more contracts terminated for default. The documentation in support of the recommendations will cite the contract number terminated for default, and date, supplies, or services covered, reasons for such termination, and results of any appeal action or other disposition of the default case (if available).

(3) Suppliers who have a less than satisfactory record of delivery. A summary of the frequency and seriousness of late deliveries considered to be the fault of the supplier will be provided with the recommending letter.

(4) Suppliers who have a less than satisfactory record of quality assurance/control. A current evaluation of the supplier's quality assurance plan or inspection system will be furnished with the recommending letter.

(5) Suppliers whose performance is considered less than satisfactory or whose responsibility is questioned for other reasons. The recommendations must specify the particular area in which the inadequacy is considered to exist.

(h) Each recommendation for placing a contractor on the DSACEL will include, as a minimum, the following:

(1) Indication for each contract for which less than satisfactory performance or conditions exist, the contract number, total dollar value, undelivered dollar balance (if any), item description of the commodity or services being procured, identification of the buying office, contract administration office, PCO, type of contract and, if appropriate, contract delivery date, actual delivery date, number of days delinquent, and whether delays or deficiencies are considered the fault of the contractor. When recommendation for inclusion on the DSACEL is based on contract delivery delinquencies, the originator will attach a list separately identifying contracts completed but delinquent (i.e., normally, completed contracts which have been delinquent within the previous 12-month period; but a shorter or longer period may be appropriate in the judgment of the originator) and contracts still active but delinquent. Subsequently reporting will contain only information that is updated or not previously reported.

(2) A narrative of the facts which prompted the recommendation. This should include a comment indicating that a discussion was held with the supplier as required by paragraph (e) of this section. Include a discussion of previous corrective action initiated by the purchasing office and/or contract administration office prior to submission of the recommendation and results obtained. Consideration of pertinent data will normally be limited to a supplier's performance during the preceding 12 months. If the performance of a supplier is considered less than satisfactory for only certain commodities or performance, or a particular plant(s), the recommendation shall so indicate. Separate recommendations and correspondence related thereto are required for each supplier being recommended for the DSACEL.

(3) Backup documentation and/or data as considered appropriate.

(i) At the time the recommendation is made to place a supplier on the DSACEL, the recommending activity will notify the supplier by letter of the recommendation and the reasons therefor. A copy of this letter will accompany the recommendation to HQ DSA for inclusion of the supplier on the DSACEL. The letter to the supplier must advise him that he may furnish HQ DSA, Attention: DSAH-PRS any pertinent facts having bearing on the case within 15 days after the date of the letter. Defense Supply Center letter notifications to suppliers shall be prepared in substantially the following form and be signed by the Executive Director of Procurement and Production:

(LETTERHEAD OF RECOMMENDING ACTIVITY)

Mr. \_\_\_\_\_, President  
\_\_\_\_\_, Contractor's  
\_\_\_\_\_, Name  
\_\_\_\_\_, and Address

Dear Mr. \_\_\_\_\_:

The Defense Supply Agency has established a list of contractors whose performance has been determined to be less than satisfactory. This list is the "Defense Supply Agency Contractor Experience List" (DSACEL). Contractors included on this list are not barred from bidding on or submitting proposals for future contracts. The list, does, however, identify to contracting officers those companies whose performance has been determined to be unsatisfactory.

This is to notify you that (indicate the company, plant, or division name and location) has been recommended for placement on the Defense Supply Agency Contractor Experience List. This action has been taken only after careful consideration of your record of unsatisfactory performance, including:

(Indicate contract number(s) and discuss specific unsatisfactory conditions.)

In the event this recommendation is approved and your company is placed on the DSACEL, a record of your performance on present and future contracts will be reviewed at least quarterly. Your early correction of



the unsatisfactory conditions enumerated above will result in our prompt recommendation for removal of your company from the DSACEL. Any comments you desire to offer concerning the unsatisfactory conditions cited above should be forwarded within 15 days after the date of this Notice directly to:

Executive Director, Procurement and Production (DSAH-PRS), Headquarters Defense Supply Agency, Cameron Station, Alexandria, Va. 22314.

It is sincerely hoped that you will correct the conditions which prompted this recommendation.

Sincerely yours,

*Signature.*

(j) Recommendations for inclusion of suppliers on the DSACEL will be considered by a Headquarters DSACEL Panel. Recommendations received from DCAS activities will be referred to cognizant DSCs for comment prior to final consideration by the Headquarters DSACEL Panel. Final determination regarding inclusion and retention of suppliers on the DSACEL or deletion of suppliers from the DSACEL will be made by the Executive Director of Procurement and Production (DSAH-P). HQ DSA will advise contractors by letter, with copies to cognizant DCAs and/or DCAS offices, of inclusion on or removal from the DSACEL.

(k) The activity recommending that a supplier be placed on the DSACEL will have the primary responsibility for continuing review to ascertain the need for retention on the DSACEL. The recommending activity will initiate a report to HQ DSA, Attention: DSAH-PRS with appropriate recommendations concerning retention within 45 days after each quarterly publication of the DSACEL until such time as the supplier has been removed from the DSACEL. When a supplier has not performed on a DSA contract for a period of 1 year, he may be recommended for removal from the DSACEL. Recommendations for removal from the DSACEL must be made immediately when improved performance or conditions justify such action.

(l) The DSACEL is maintained by HQ DSA, DSAH-PRS and the basic data considered for the determination of placing a supplier on the DSACEL will be retained in that office.

(m) The DSACEL will be published on a quarterly basis during the months of March, June, September, and December by means of Procurement Letters. Copies will be furnished Navy and Air Force for distribution to their buying offices. Copies of Navy and Air Force Contractor Experience Lists will be furnished with the DSACEL to the Defense Supply Centers. The DSACEL will include:

- (1) Name and address of potential supplier;
  - (2) Reason for inclusion on the list;
  - (3) Recommending activity; and
  - (4) Date originally placed on the list.
- (n) Prior to the award of any contract in excess of \$2,500 to any supplier who is listed on the then current DSACEL, the contracting officer shall request a preaward survey. The suppliers' responsibility shall be determined on the basis of such preaward survey and all other relevant information available.

(o) The DSACEL and all correspondence disclosing names included, or proposed to be included on the DSACEL, except the notifications to the supplier required by §§ 1201.950(i) and 1201.950(j), shall be marked "For Official Use Only" or carry a higher security classification if required.

#### Subpart J—Publicizing Procurement Actions

§ 1201.1002 Dissemination of information relating to invitations for bids and requests for proposals.

§ 1201.1002-6 Paid advertisements in newspapers and trade journals.

(f) *Requests for authority to place advertisement.* Requests for authority to place advertisements in newspapers publicizing procurement information shall be submitted, in quadruplicate, through channels, to HQ DSA, Attention: DSAH-PP for appropriate action.

§ 1201.1003 Synopses of proposed procurements.

§ 1201.1003-50 Reports control symbol.

For record purposes throughout the Defense Supply Agency, Reports Control Symbol DD-DSA (AR) 184 (P) is assigned to the requirement for synopsisizing proposed procurements.

§ 1201.1005 Publicizing award information.

§ 1201.1005-50 Reports control symbol.

For record purposes throughout the Defense Supply Agency, Reports Control Symbol DD-DSA (W) 185 (P) is assigned to the requirement for synopsisizing contract awards.

#### Subparts K-T [Reserved]

#### Subpart U—Advance Procurement Planning

§ 1201.2100 Advance procurement (AP) planning.

§ 1201.2100-1 General.

(a) The primary objectives of procurement planning are to effect procurement on a competitive basis to the optimum extent; insure the most effective use of funds and other resources; and obtain timely delivery of the desired quantity and quality of material and services. Effective procurement of supplies and services, particularly military items, depends largely upon the timeliness, extent, and validity of prior planning.

(b) AP Plan for DSA activities consists of at least three well-defined areas:

- (1) Buy forecasts to industry as covered by § 1.1007 of this title.
- (2) Programming and budget submissions with reviews and analyses of results.
- (3) Operational plans involving such factors influencing individual procurements as funding, methods of procurement, source selection, potential competition, contract types, delivery requirements, Government-furnished property, future requirements, necessary reviews and approvals, and contract administration.

#### § 1201.2100-2 Applicability.

(a) AP Planning is required at each DSC to fulfill the DSA mission. Commanders will insure that procurement planning is carried out to some degree for all procurements.

(b) Complete Advance Procurement Plans will be prepared for DSA procurements in the following categories:

- (1) *Noncompetitive.* Individual items with an annual demand value of \$100,000 or more.
- (2) *Competitive.* Individual items with an annual demand value of \$500,000 or more.
- (3) *Other.* Selected homogeneous groups of items with an annual demand value of \$1 million or more (excluding items covered by subparagraphs (1) and (2) of this paragraph).

Each individual buy or homogeneous group buy that warrants a complete AP Plan must be supported by a fully-documented procurement plan. Coordination will be effected among Directors of Procurement and Production, Supply Operations, Technical Operations, the Comptroller, and other cognizant supporting elements.

§ 1201.2100-3 Initiation of advance procurement planning.

(a) AP planning will be initiated at the time the item first appears on the Planned Procurement Program, and will be prepared substantially in accordance with the sample format shown in § 1201.2102.

(b) Advance Procurement Plans will be maintained in a current status throughout the procurement process. Any major departure from the original AP Plan will be explained by annotating the Advance Procurement Plan.

§ 1201.2100-4 Responsibility for preparation.

(a) Advance Procurement Plans will be initiated by the Item Manager within the Directorate of Supply Operations and furnished to the contracting officer, who will be the Procurement Manager. The ultimate responsibility for overall planning and coordination of each Advance Procurement Plan is vested in the Procurement and Production Directorate.

(b) The area which should be covered includes adequacy of procurement package, method of procurement, funding, source selection, production considerations, contract types, procurement history, competition, pricing objective, delivery, Government-furnished property, prospective solicitation and award dates, contract administration, future requirements, and any specific problem area(s) intended to be resolved by adherence to the plan.

§ 1201.2100-5 Approval.

Advance Procurement Plans will be approved by the Commander, Deputy Commander, or the Commander's designee to assure a balanced input from all directorates and offices concerned. Procurement plans, whether informal, handwritten, or detailed, formalized and documented, will be made a part of the contract file.



**§ 1201.2101 Guidelines for development of advance procurement plans.**

Advance Procurement Plans will be prepared on an individual item basis or on a homogeneous item group basis as set forth in § 1201.2100-3 above.

**§ 1201.2102 Sample format for the preparation of advance procurement plans.**

(a) The first page of the sample format identifies the item or group by number and description. The signatures of the Directors of Supply Operations, Technical Operations, Comptroller Procurement and Production, and other cognizant Directorates in the "Coordination" section of the format indicate concurrence with the proposed actions.

(b) The second and subsequent pages give details of the plan for the ensuing four quarters. This format may be adapted to plans for multiyear procurements. Narrative information should be included or attached as necessary to explain the basis for the proposed actions.

**PART 1202—PROCUREMENT BY FORMAL ADVERTISING**

**Subpart A [Reserved]**

**Subpart B—Solicitation of Bids**

- Sec.  
1202.201 Preparation of invitation for bids.  
1202.201-50 Missing pages.  
1202.203 Methods of soliciting bids.  
1202.203-50 Other distribution.

**Subpart D—Opening of Bids and Award of Contract**

- 1202.406 Mistakes in bids.  
1202.406-3 Other mistakes.  
1202.406-4 Disclosure of mistakes after award.  
1202.406-50 Actions referred to higher authority.  
1202.407 Award.  
1202.407-1 General.  
1202.407-3 Discounts.  
1202.407-5 Other factors to be considered.  
1202.407-6 Equal low bids.  
1202.407-8 Purchase of patented items when a patent indemnity clause is to be included in the contract.  
1202.407-9 Protests against award.  
1202.408 Information to bidders.  
1202.408-1 Unclassified awards.  
1202.450 Requests for decision by the Comptroller General.

**AUTHORITY:** The provisions of this Part 1202 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A [Reserved]**

**Subpart B—Solicitation of Bids**

- § 1202.201 Preparation of invitation for bids.  
§ 1202.201-50 Missing pages.

The provision below shall be included in as prominent a place as possible, in all

<sup>1</sup> Copy of the sample Format filed as part of the original document with the Office of the Federal Register.

invitations for bids. The inclusion of the provision does not relieve bidders of the responsibility to complete and return those pages of the invitation necessary for evaluation of their bids. The effect of this provision is to make those pages in the invitation not returned a part of the bid and to permit acceptance of bids that otherwise might have to be rejected. Contracts forwarded to DCAS for administration shall contain all pages in the invitation.

Unless the Bidder specifically states otherwise, by signing and returning a bid the Bidder agrees to be bound by all of the terms, conditions and clauses which comprise the invitation, exclusive of any amendments to the invitation, regardless of whether the page containing any such term, condition of clause (including this provision) is or is not returned by the Bidder. The documents comprising this invitation are listed on page \_\_\_\_\_. **Caution:** This provision does not relieve the Bidder of the responsibility to complete and return those pages of the invitation which require the Bidder to insert information necessary for evaluation of his bid. Failure to complete and return such information may be cause for rejection of the bid. (June 1968)

**§ 1202.203 Methods of soliciting bids.**

**§ 1202.203-50 Other distribution.**

One information copy of each invitation for bids involving the production testing of items will be forwarded at time of issue to HQ DSA, Attention: DSAH-PR.

**Subpart D—Opening of Bids and Award of Contract**

**§ 1202.406 Mistakes in bids.**

**§ 1202.406-3 Other mistakes.**

(b) Authority to make the determinations set forth in § 2.406-3(a)(1) of this title is hereby delegated to the purchasing activities having assigned counsel without power of redelegation. Requests for the determinations required by § 2.406-3(a)(2), (3), and (4) of this title will be forwarded through heads of procuring activities to the Counsel, DSA.

(g) A copy of the administrative determination permitting withdrawal of a bid will be forwarded to the Counsel, DSA, when executed.

**§ 1202.406-4 Disclosure of mistakes after award.**

(f) (iii) A copy of the determination and finding will be attached to all copies of the contract modification and a copy of the modification will be forwarded to the Counsel, DSA, when executed.

**§ 1202.406-50 Actions referred to higher authority.**

Mistakes in bids requiring action by higher authority or mistakes in bids in which the head of the procuring activity desires that the determinations be made by higher authority shall be forwarded to the Counsel, DSA.

**§ 1202.407 Award.**

**§ 1202.407-1 General.**

It is particularly important that copies of the award document furnished for

contract administration and finance purposes include detailed information as to acceptable additions or changes made by a bidder in the bid. The award document shall include the following data to the extent applicable:

(a) A list of the items or lots accepted with the quantity, unit price, and total price of each item;

(b) An indication of the extent to which award is made on the basis of f.o.b. destination or f.o.b. origin;

(c) Any discount offered by the successful bidder, whether or not such discount was considered in the evaluation of bids;

(d) When the invitation for bids authorizes bids on the basis of brand name or equal the brand, model, part number, and any other identifying characteristics of the item to be furnished by the successful supplier;

(e) The place of manufacture of the supplies or the performance of services awarded and the name of the supplier, when different from that of the contractor;

(f) The place of inspection and acceptance and the name of the activity authorized to effect inspection and acceptance on behalf of the Government;

(g) When the invitation for bids includes the requirement for minimum size of shipments or guaranteed maximum shipping weights (and dimensions, if applicable), and award is made f.o.b. origin, a clause as follows:

**NOTE TO ADMINISTRATIVE CONTRACTING OFFICER**

This award has been made on the basis of Guaranteed Maximum Shipping Weights or dimensions, and/or Minimum Size of Shipments as specified herein. Notify the Procuring Contracting Officer immediately if it becomes evident that the guaranteed maximum shipping weights or dimensions will be exceeded, or if the contractor tenders delivery of less than the minimum size shipments specified, in order that action may be taken to adjust the contract price.

(h) The time of delivery;

(i) The place of delivery;

(j) The place for the submission of invoices and payment;

(k) A statement that the award confirms a notice of award;

(l) A statement that the progress payment clause is a part of the contract; and

(m) A provision for advance payments.

**§ 1202.407-3 Discounts.**

(a) The clause in § 2.407-3(a) of this title shall be included in all invitations for bids, using the minimum periods of 20 calendar days where delivery and acceptance are at point of origin and 30 days where delivery and acceptance are at destination.

**§ 1202.407-5 Other factors to be considered.**

If in the opinion of the contracting officer the formal advertising procedure in itself does not insure competition sufficient for arriving at a fair and reasonable price, he will also consider valid criteria, such as, but not limited to:



(a) Prices paid by his or other Government purchasing activities on past procurements;

(b) Price trend information from the daily press, trade, or Government publications;

(c) Current market prices for comparable quantities;

(d) Extent of competitive pricing; and

(e) Cost analysis of similar procurements;

(f) Contractors' published commercial price lists. In those instances where this additional analysis is made, the contract file will be documented to reflect the actions taken to determine the reasonableness of bid prices.

#### § 1202.407-6 Equal low bids.

(See also § 1.111 of this title and § 1201.111 of this subchapter.) Whenever identical or equal bids are received pursuant to formal advertising and, in the opinion of the contracting officers, are indicative of collusive bidding, follow-the-leader pricing, related low bids, division of business, uniform estimating systems, or other practices designed to eliminate competition or to restrain trade, a report of the facts and pertinent information available which might tend to establish possible violation of the anti-trust laws shall be forwarded to the Counsel, HQ DSA.

#### § 1202.407-8 Purchase of patented items when a patent indemnity clause is to be included in the contract.

The principle stated in § 2.407-8 of this title applies also where in accordance with § 9.103 of this title the Patent Indemnity Clause is not to be included in the contract. (See Decision B-139585, July 2, 1959, of the Comptroller General.)

#### § 1202.407-9 Protests against award.

(b) *Protests before award.* Where it is known that a protest against the making of an award has been lodged with a higher headquarters or the Comptroller General, no award shall be made until the matter is resolved unless the determination required by § 2.407-9(b)(3) of this title has been made by the contracting officer and approved by the Counsel, DSA. Protests submitted for final resolution to levels of authority higher than the head of a procuring activity shall be forwarded to the Counsel, DSA. The file will include:

(1) A signed statement from the person making the protest, setting forth the facts on which the protest is based and any additional supporting evidence;

(2) A signed statement when relevant, from other persons or bidders affected by or involved in the protest, setting forth the protest, setting forth the facts with respect to their position in the matter and any additional supporting evidence;

(3) A copy of the bid submitted by the protesting bidder, and a copy of the bid of the bidder who is being considered for award, or whose bid is being protested;

(4) A copy of the invitation for bids including, where practicable, pertinent specifications relevant to the protest;

(5) A copy of the abstract of bids;

(6) Any other documents which are relevant to the protest; and

(7) A statement signed by the contracting officer setting forth his findings, actions, and recommendations in the matter together with any additional evidence or information deemed necessary in determining the validity of the protest. If the award was made pending resolution of the protest, the contracting officer's statement will include the determination prescribed in § 2.407-9(b)(3), of this title.

(c) *Protests after award.* Where a protest is received after the award of the contract the following action will be taken:

(1) Where it reasonably appears that the award may be held invalid, and a delay in receiving the supplies or services is not prejudicial to the Government's interest, the contracting officer should seek a mutual agreement with the successful bidder to "stop work" on a no-cost basis.

(2) If the contractor refuses to enter into such a mutual agreement, the head of the procuring activity may direct the contracting officer to issue a "stop work" order unless the head of the procuring activity determines that receipt of the supplies or services is so urgent that such an order would be prejudicial to the interest of the Government.

(3) Where guidance from higher authority on the withholding of contractor performance is necessary the matter will be submitted to the Counsel, DSA.

(4) Where it is known by the purchasing activity that a protest after award has been lodged directly with the Comptroller General, the documents required by paragraph (b) of this section will be forwarded to the Counsel, DSA.

#### § 1202.408 Information to bidders.

##### § 1202.408-1 Unclassified awards.

Notification to unsuccessful bidders should be given promptly after an award has been made. It should not be delayed pending preparation and distribution of contractual documents. Generally a form postal card is adequate for notification to unsuccessful bidders. However, in cases where a bidder is apparently low based on a comparison of bid prices only, the notification should take the form of a letter including in addition to the minimum requirements set forth in § 2.408 of this title the specific reasons for rejection of the lower bid. This is especially important where rejection results from a transportation evaluation, a negative preaward survey, or for any reason not readily apparent to the bidder. The following is an example of such a letter. This letter may be modified to fit the specific circumstances of the procurement.

GENTLEMEN:

Receipt is acknowledged of your bid in response to our Invitation for Bid No. .... This is to inform you that award was made to:

Contractor.....  
City.....  
State.....  
Item No.....  
Price.....

Your interest in bidding on the requirements of this Center is appreciated; however, we were unable to make the required determination that your company is "responsible" within the meaning of that term as defined in paragraph 1-902 of the Armed Services Procurement Regulation. The information upon which our decision was based was contained in a preaward survey which was issued by ..... (Insert name of appropriate activity). Further details with respect to their findings will be furnished by that activity if you so request.

Your name will be retained on the bidders list to receive future solicitations.

A letter such as the above, if complete and issued promptly, should minimize further correspondence and result in improved contractor relations.

#### § 1202.450 Requests for decision by the Comptroller General.

Where a decision by the Comptroller General is desired on procurement or disposal matters such as mistakes in bids, remission of liquidated damages, reformation of contracts or other contract issues, the request will be forwarded to the Counsel, DSA. Each case submitted for a Comptroller General decision will be accompanied by an administrative report which shall include a summary of the matter at issue, the recommendation of the procuring activity, and all documents and information deemed pertinent to the issue.

## PART 1203—PROCUREMENT BY NEGOTIATION

### Subpart A—Use of Negotiation

Sec. 1203.103 Records and reports of negotiated contracts.

### Subpart B—Circumstances Permitting Negotiation

1203.202 Public exigency.  
1203.202-2 Application.  
1203.215 Negotiation after advertising.  
1203.215-2 Limitation.

### Subpart C—Determination and Findings

1203.302 Determinations and findings by the Secretary of a Department.  
1203.303 Determinations and findings below the secretarial level.  
1203.303-50 Determinations and findings for procurement negotiated under 10 U.S.C. 2304(a)(10).  
1203.306 Procedure with respect to determinations and findings.  
1203.306-50 Class determinations and findings (CDFs).  
1203.307 Distribution of copies of determinations and findings.

### Subpart D [Reserved]

### Subpart E—Solicitations of Proposals and Quotations

1203.501 Preparation of request for proposals or request for quotations.  
1203.509 Protests against award.  
1203.550 Distribution of copies.



**Subpart F—Small Purchases and Other Simplified Purchase Procedures**

- Sec.  
1203.604-50 Competition and price representation in small purchases.  
1203.604-51 Minimum billing and service charges.  
1203.605 Blanket purchase agreement method (BPA).  
1203.605-2 Limitation on use.

**AUTHORITY:** The provisions of this Part 1203 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A—Use of Negotiation**

**§ 1203.103 Records and reports of negotiated contracts.**

An information copy of each negotiation document involving the production testing of items shall be forwarded at time of issue to HQ DSA, Attention: DSAH-PR.

**Subpart B—Circumstances Permitting Negotiation**

**§ 1203.202 Public exigency.**

**§ 1203.202-2 Application.**

A procurement of material to effect necessary and emergency repairs to a broken water main would be appropriate under § 3.202 of this title and this section: *Provided*, That the emergency conditions require immediate replacement of defective materials. This authority could also properly be cited for the emergency procurement of packing material required to effect an emergency air or rail shipment. The facts bearing on the emergency situation must clearly be shown in the determination and findings in sufficient detail to explain clearly the necessity for purchasing without formal advertising. The contracting officer's justification must be supported by the existence of specific emergency circumstances which in themselves relate to the particular purchase being effected. The facts bearing on the situation must clearly support the compelling and unusual urgency and indicate the extent to which the Government would be injured, financially or otherwise.

**§ 1203.215 Negotiation after advertising.**

**§ 1203.215-2 Limitation.**

Section 3.215-2 of this title requires two Secretarial determinations and findings (a) for the general or preliminary authority to negotiate after advertising, and (b) with regard to the particular contract being negotiated and the fact that the negotiated price is lower than the lowest rejected bid price of a responsible bidder. (See J-502(e) of this title). When the contracting officer considers that bid prices received after formal advertising are unreasonable as to all or part of the requirements, or were not independently reached in open competition, he shall, prior to initiating negotiations submit a proposed determination and findings, approximating in format that shown in J-502(e), for Secretarial signature in accordance with the procedures set forth in § 3.306 of this title and § 1201.306 of this subchapter. Partial awards made at bid prices considered reasonable should be indicated in the request for authority to negotiate. In the event the contracting officer considers that bid prices on all or part of the requirements were not independently reached in open competition, he shall in addition to requesting Secretarial authority to negotiate under 10 U.S.C. 2304(a) (15), submit the report thereon required by § 1.111 of this title and § 1201.111 of this subchapter.

**Subpart C—Determinations and Findings**

**§ 1203.302 Determinations and findings by the secretary of a department.**

All requests for Secretarial authority to negotiate, and their attached determination and findings, shall be submitted to HQ DSA, Attention: DSAH-PP in triplicate, except those invoking 10 U.S.C. 2304(a) (13) which will include an additional copy tabbed for retention by the Assistant Secretary of Defense (I&L) pursuant to § 3.213-5 of this title.

**§ 1203.303 Determinations and findings below the secretarial level.**

**§ 1203.303-50 Determinations and findings for procurement negotiated under 10 U.S.C. 2304(a) (10).**

Each determination and finding prepared by contracting officers to justify the use of 10 U.S.C. 2304(a) (10) for noncompetitive procurement due to lack of or inadequacy of technical data or other reasons will be supported by a written statement obtained from the requiring agency showing:

(a) The actions being taken (1) to avoid subsequent noncompetitive procurements of the items or services and (2) to obtain the data prescribed in § 3.108 (d) of this title; or

(b) A complete explanation of the reasons why efforts to obtain competitive procurements would be unavailing, and, therefore, actions that would permit competition are not being taken.

**§ 1203.306 Procedure with respect to determinations and findings.**

(a) Requests for authority to negotiate individual contracts, or a class of contracts under the authorities of 10 U.S.C. 2304(a) (11) through 10 U.S.C. 2304(a) (16), as implemented by § 3.211 through § 3.216 and Appendix J of this title require the approval of the Assistant Secretary of Defense (I&L). Such requests shall (i) contain in the letter of transmittal of the submitting procuring activity, a complete statement of facts and other data necessary to support the applicability of the cited negotiation authority, and (ii) include, on separate plain paper, a determination and findings prepared for the appropriate signature.

(b) Requests for the granting of Secretarial authority to negotiate under 10 U.S.C. 2304(a) (13) or 10 U.S.C. 2304(a) (16) will be signed by the head of the procuring activity or his deputy.

**§ 1203.306-50 Class Determinations and Findings (CDFs).**

(a) CDFs may be utilized when appropriate for negotiating a number of contracts for the same or related items where the use of individual determinations and findings would result in a repetition of the same set of facts or circumstances. CDFs should be submitted for Secretarial signature only when:

(1) Several procurements are to be effected within a reasonable period of time (normally 1 year or less) and are for items which are so related as to constitute a logical and distinctive category;

(2) The required supplies or services are such that they can be secured only by negotiation, such as—

(i) Items of standardized supplies meeting the criteria set forth in § 3.213 of this title; or

(ii) Research and development programs which have not reached the production stage and for which, consequently, adequate drawings, specifications, or other technical data are not available for formal advertising; or

(3) The nature of the required supplies is such that it is not only technical or specialized but the presence of military urgency or limited numbers of qualified suppliers (as related to previous investments by the Government or the supplies, extend periods required for preparation for manufacture, or continued availability of the suppliers in the event of a national emergency) preclude the use of formal advertising during the proposed effective period of the CDF.

(b) Class determinations: One authenticated copy of each determination and findings required by Subpart C, Part 3 of this title shall be sent to the appropriate Finance Center citing the contract number of each contract executed thereunder. The original determination and findings shall be filed with the signed copy of the contract retained in the official files of the purchasing office or procuring activity concerned. Additional copies may be distributed in accordance with instructions issued by the head of the procuring activity concerned.

(c) Heads of procuring activities should periodically review the necessity for continued use of a CDF during its effective period to assure that circumstances supporting the granted negotiation authority continue to be present.

**§ 1203.307 Distribution of copies of determinations and findings.**

(a) *Individual determinations.* One authenticated copy of each determination and findings required by Subpart C, Part 3 of this title shall be sent to the appropriate Finance Center citing the contract number of each contract executed thereunder. The original determination and findings shall be filed with the signed copy of the contract retained in the official files of the purchasing office or procuring activity concerned. Additional copies may be distributed in accordance with instructions issued by the head of the procuring activity concerned.

(b) *Class determinations.* One authenticated copy of each determination and findings made with respect to



classes of purchases or contracts shall be sent to the appropriate Finance Center citing the number of the first contract negotiated thereunder. Each subsequent contract negotiated thereunder shall refer on its face to the particular class determination and findings on file with the General Accounting Office, citing the number of the original contract. The original class determination and findings shall be filed with the signed copy of the first contract negotiated thereunder retained in the files of the purchasing office or procurement activity concerned. Additional copies may be distributed in accordance with instructions issued by the head of the procuring activity concerned.

#### Subpart D [Reserved]

#### Subpart E—Solicitations of Proposals and Quotations

##### § 1203.501 Preparation of request for proposals or request for quotations.

(b) (xxiv) Discount provisions (see § 1202.407-3);

##### § 1203.509 Protests against award.

In any protest to the General Accounting Office of a negotiated procurement where a written Determination and Findings (D&F) is required to support negotiation, a copy of the D&F will be included with the protest report.

##### § 1203.550 Distribution of copies.

In addition to the distribution of requests for proposals and requests for quotations in § 1.1002 of this title, one information copy of each such solicitation document for the production testing of items will be forwarded, at time of issue, to HQ DSA, Attention: DSAH-PR.

#### Subpart F—Small Purchase and Other Simplified Purchase Procedures

##### § 1203.604-50 Competition and price representation in small purchases.

(a) *General.* All purchases shall be made at reasonable prices considering the circumstances of the individual purchase. A determination that the price is reasonable shall be made in every procurement and documentation of the determination shall be placed in the procurement file.

(b) *Decision logic chart for pricing small purchases.* To assist buyers in establishing a reasonable price, the Decision Logic Chart for Pricing Small Purchases, shown at end of this subpart, will be utilized in every small purchase.<sup>1</sup> The chart presents a step-by-step price analysis process, in required sequence. Buyers should follow this sequence only to the step at which it can be determined that a reasonable price has been offered. Every purchase does not require processing through the entire sequence. It is expected that, in the majority of procurements, a reasonable price can be established at an early step. Narrative instruc-

tions explaining how each step should be performed are as follows:

(1) If solicitation results in adequate price competition, document the file and award. Notwithstanding this section, verification of a low bid by reference to price history is desirable whenever such information is available.

(2) If solicitation results in a quotation which is considered reasonable based on the price history, or a previous procurement with competition, or a history of award to more than one supplier, document file and award.

(3) If a current commercial price catalog, list, or other advertised pricing data is available, compare offered price with the published catalog or other pricing data for comparable quantities, after adjustment for any trade or other discounts allowed—

(i) If price is considered reasonable, document the file and award.

(ii) If price is considered too high, negotiate a reasonable price, document file and award.

(iii) In procurements made pursuant to priorities 01-03 in which a reasonable price cannot be established pursuant to subparagraphs (1) through (3) of this section, the contracting officer shall continue to apply the provisions in subparagraphs (4) through (9) of this section, or shall submit the matter to the Division Chief for a decision on whether award shall be made without further price review, based on the urgency of the need.

(4) Review available interchangeability and substitutability (I&S) data for an equivalent or similar item carrying an alternate PSN. If an alternate item is found—

(i) Review price history data for the alternate PSN item to determine if a reasonable price was established through:

- (A) Adequate competition;
- (B) Commercial catalog prices;
- (C) Price analysis and negotiation; or
- (D) Cost analysis and negotiation.

(ii) If the offered price compares favorably with the price of the alternate PSN item, document file and award.

(iii) If the offered price is unreasonable, but negotiation results in a reasonable price, document file and award.

(5) Review item characteristics as described in DD 146 or any available drawings for comparison with a similar item whose price is established as reasonable (see Step (4)(i) above). Should a similar item be found for comparison, proceed as instructed in Step (4)(i) and (ii) above.

(6) Where a sample of the item is available and a reasonable price can be estimated by physical examination of the item—

(i) Award if offered price compares favorably.

(ii) If the offered price is unreasonable, but negotiation results in a reasonable price, document file and award.

(7) Forward the PR with all available drawings to Technical Operations requesting an evaluation of the essential characteristics/requirements of the item and a report on their effect on the price. This may present such factors as complexity in manufacturing, high scrapage rate due to special requirements, high cost materials such as precious metals, critical application requiring extra quality control, or similar information on the cost of producing the item which may aid in determining a reasonable price.

(8) Contact the offeror for—

(i) A description of the item, including any special features that would affect price.

(ii) Any pricing information the offeror can supply (other than cost data).

(iii) If sufficient information is supplied to establish a reasonable price, document file and award.

(9) If the foregoing steps do not result in a determination that the price is reasonable, the case will be referred to the Director, Procurement and Production for decision whether to award at the offered price or refer to Supply Operations for validation of the requirement.

(c) *Price reasonableness documentation.* (1) Documentation of price reasonableness determinations and price representations for all small purchases shall be on DSA Form 1019, "Pricing Memorandum". Instructions for completion of DSA Form 1019, are as follows:

*Part 1—"Adequate Competition"* will be checked when two or more competitive offers are received. The buyer and the contracting officer shall assure that the companies from which prices are received are actually in competition, and normally supply the item being purchased.

When Block B is checked, the catalog, price list, bulletin, etc., must be identified and retained for a reasonable time for use in the event of a procurement review.

When Block C is checked, all pertinent information shall be entered. When entering data on a previous buy, identify this data fully and assure that price reasonableness was determined at that time.

When Block D(1) is checked, the data used, i.e., drawing specification, purchase description, will be attached to the form or referenced in sufficient detail to allow retrieval at a later date.

"Other" will be checked when criteria other than those listed under Block D are used to establish a reasonable price. The criteria must be set forth in detail.

##### Part 2—Self-explanatory.

*Part 3—Caution* should be exercised in completing this part. For example, if "Adequate Competition" is checked, the complete names, addresses, etc., of the offerors shall be entered. Care should also be exercised to anticipate obvious questions which would arise when the file is reviewed, e.g., when only vendors and not manufacturers are contacted or, when prices are received from only one company and the price is out of line with the standard price, a brief explanation should be set forth in this part.

*Part 4—The appropriate block* will be checked. In cases of more than one line item, each line item will be identified with the appropriate basis for price reasonableness. In the event blocks 3 or 4 are checked, additional data should be used to justify price reasonableness.

(2) The form shall be signed by the Buyer and Contracting Officer. A signature block for approval by higher authority is also provided, should this be required by Center or Headquarters procedures.

(d) *Pricing techniques in the absence of adequate price competition.* (1) The technique of comparing the items to a similar competitive or catalog item offers the best assurance of fair and reasonable pricing in small purchases. In the majority of cases under \$2,500 involving non-competitive and noncataloged items, this method should be employed to determine price reasonableness. It is not necessary to locate an identical item or to compare every feature of the two items. Quantity, packaging and other factors must be considered in arriving at an independent estimate of a reasonable price for the individual procurement. Abstracts of bids maintained by the purchasing office may be useful in this regard. Commercial

<sup>1</sup> Copy of the Decision Logic Chart filed with the Office of the Federal Register as part of the original document.



catalogs and price lists should also be used.

(2) Visual examination of warehouse samples, drawings and/or DD 146 descriptions can be of considerable value in determining that a price is fair and reasonable. Often the actual manufacturer is revealed by this examination. Sources solicited will include any manufacturer(s) revealed by visual examination.

(3) When other methods available to procurement personnel through use of the Decision Logic Chart are unproductive, technical assistance by the Directorate of Technical Operations should be obtained for use as a factor in the buyer's pricing determination.

(e) *Purchases not in excess of \$250.*  
(1) Purchases not in excess of \$250 will be accomplished in accordance with § 3.604-1 of this title.

(2) Reasonableness of price will be documented in accordance with § 3.604-3(e) of this title. Such documentation should be minimal and may be accomplished by checking appropriate blocks on DSA Form 1019, where possible.

(f) *Purchases in excess of \$250.* Purchases in excess of \$250 will be accomplished in accordance with § 3.604-2 of this title.

**§ 1203.604-51 Minimum billing and service charges.**

Procurement personnel should avoid placing orders with vendors who have a "minimum billing" or "service charge" policy wherever possible. In sole source situations, the following alternatives should be explored before placing an order:

(a) Make a concerted effort to consolidate orders with other buys from the same vendor;

(b) With customers' permission, increase the quantity of the buy; or

(c) Use manufacturers' dealer organizations, as they usually do not have a minimum order charge policy.

**§ 1203.605 Blanket purchase agreement (BPA).**

**§ 1203.605-2 Limitation on use.**

The maximum aggregate amount, if any, of all requests to be issued against one blanket purchase agreement shall be prescribed by the head of a procuring activity.

**PART 1205—INTERDEPARTMENTAL AND COORDINATED PROCUREMENT**

**Subparts A-C [Reserved]**

**Subpart D—Procurement of Prison-Made Supplies**

Sec.

1205.406 Procurement procedure.

1205.406-50 Pricing policies for awards to Federal Prison Industries, Inc.

**Subpart E [Reserved]**

**Subpart F—Procurement of Printing and Related Supplies**

1205.601 Printing and related supplies.

**Subpart G—Procurement Under the Economy Act From or Through Another Agency**

1205.750 Procurement of items from Commodity Stabilization Service (CSS), Department of Agriculture.

**Subparts H-K [Reserved]**

**Subpart L—Commodity Assignments**

1205.1201 Assignment authority.  
1205.1201-2 Exclusions—Defense Supply Agency assignments.

**AUTHORITY:** The provisions of this Part 1205 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subparts A-C [Reserved]**

**Subpart D—Procurement of Prison-Made Supplies**

**§ 1205.406 Procurement procedure.**

**§ 1205.406-50 Pricing policies for awards to Federal Prison Industries, Inc.**

(a) (1) Prices in awards to FPI for the partial or entire quantity of a procurement shall not exceed current market prices.

(2) On procurements involving multiple awards to both commercial contractors and to FPI of a mandatory item, the current market price will be a price considered by the contracting officer to reflect current market levels but in no event a unit price higher than the highest award price made on the unrestricted portion adjusted for the applicable cost factors designated herein, unless it is determined that the price was the result of a distressed bid, bidder's mistake, or inflated because of Department of Defense requirements. In awards involving multiple destination, each destination, for purposes of determining the price to be paid FPI, shall be considered a separate award. The term "unrestricted" as used in this part refers to the portion of the procurement not procured from Federal Prison Industries whether or not a small business or labor surplus area set-aside has been made thereon.

(3) When a procurement action involves allotment to FPI of the entire quantity of the required item and current market quotations are not available, prior procurement prices (adjusted to reflect changes in market prices of components since the last procurement and differences in any other cost factors, e.g., labor, operating supplies, employee fringe benefits) shall be used as the basis for determining the current market price.

(4) A quotation from FPI at or less than the determined current market price shall be accepted.

(5) Awards to FPI shall be on an f.o.b. origin basis unless otherwise specified.

(6) Prices for FPI contracts shall be rounded off to the nearest mill.

(b) The cost of transportation of Government-furnished property to both FPI and to commercial contractors shall be excluded. Differences in Government transportation costs of end items to the same destination point under FPI award and under awards to commercial contractors shall be included. Also, variation in the cost of Government-furnished property, based on stated percentages of usage of Government-furnished property allowances shall be included.

(c) Firm delivery orders shall be given to FPI promptly upon determination of the quantity to be awarded FPI. The following procedures are to be utilized in determining prices to be included on these delivery orders:

(1) When a concurrent commercial procurement is being made, the price quoted by FPI shall be cited on the delivery and the statement set forth below shall be included on the order. In the event the current market price determined by the contracting officer under the "unrestricted" procurement is lower than the quoted FPI price, adjustment shall be made to the lower price: *Provided, however*, That in the time elapsed between the delivery order to FPI and the opening date on the "unrestricted" portion, there has been no significant change in market conditions. Should there have been a significant change in market conditions, the current market price for FPI order will be determined under the provisions of (a) (3) above.

(2) When the circumstances described in (a) (3) above exist, immediate action shall be taken to determine the current market price. Should that price be lower than the quoted price, prompt contact shall be made by the most expeditious means with the FPI and the circumstances and factors used in the determination explained. Should an agreement not be reached as to the current market price within 5 consecutive days from the date of contract, the order shall be promptly issued on the basis of the current market price determined by the contracting officer, and the statement provided below shall be included on the delivery order.

(3) After issuance of a delivery order containing the statement set forth below, every effort will be made by the purchasing office to reach an agreement as to the current market price applicable to the order. Agreements reached shall be confirmed by a revision to the delivery order stating the price applicable to the order and deleting the below statement.

(4) Efforts to obtain agreement, to include exchange of data on which the current market price was based may continue up to the time of inspection and acceptance of the first delivery for payment. If agreement should not be reached by that time, the case shall be submitted to HQ DSA, Attention: DSAH-P as unresolvable and shall contain a detailed explanation of the factors determining the current market price which was not acceptable to the FPI.

The statement to be included on the delivery order to FPI pending determination of current market price is as follows:

The price in this contract is subject to later adjustment between the Commissioner of the Federal Prison Industries, Inc., and the Executive Director, Procurement and Production, Defense Supply Agency, and the arbitration provisions of section 4124 of title 18, United States Code shall not be invoked except in the case of a disagreement on the part of the Commissioner of the Federal Prison Industries, Inc., and the Executive Director, Procurement and Production, Defense Supply Agency. (July 1962)



**Subpart E [Reserved]****Subpart F—Procurement of Printing and Related Supplies****§ 1205.601 Printing and related supplies.**

Policy and procedures for the procurement or production of printing are contained in DSA Regulation No. 5330.1—Procurement or Production of Printing.

**Subpart G—Procurement Under the Economy Act From or Through Another Federal Agency****§ 1205.750 Procurement of items from Commodity Stabilization Service (CSS), Department of Agriculture.**

(a) The CSS shall be queried relative to supplying at least carlot item listed in Commodity Credit Corporation (CCC) monthly inventories or an f.o.b. destination offer from CCC. Written requests shall be forwarded to:

Office, Deputy Administrator, Price Support, Commodity Stabilization Service, Room 350W—Administration Building, Department of Agriculture, Washington, D.C. 20025.

- (b) Requests for offers shall state:
- (1) Commodity and quantity desired;
- (2) Applicable specification;
- (3) Packaging and packing requirements;
- (4) Required delivery dates;
- (5) Grade and crop year; and
- (6) Destination.

In all communications with CSS/CCC relative to proposed procurements, advice shall be furnished that the procurement information is not to be disclosed to unauthorized sources.

(c) If the Department of Agriculture advises that no quotation will be submitted or that they are unable to meet specifications requirements, the procurement will be placed with commercial sources in the usual manner.

(d) If a quotation is received from the Department of Agriculture, and the commodity meets the specifications and requirements, a comparative price analysis shall be made to determine whether the price quoted exceeds current market prices from commercial sources. The comparative analysis shall take into consideration applicable adjustments for crop or pack year; packing, shipping, and handling charges.

(e) If the analysis indicates that the price quoted exceeds current market price, CCC shall be advised with a view to obtaining a price not in excess of current market price.

(f) If the CCC price is equal to or lower than the current market price the order shall be placed with CCC.

(g) If it is determined that procurement will be made commercially because of price or specification consideration, the CCC shall be so advised.

(h) If it is found that offers from commercial sources will result in a higher cost than acceptance of the CCC offer, negotiations shall be reopened with CCC.

(i) Inspection of items procured from CSS shall be made in conformance with established inspection procedures.

(j) The following shall apply to all procurements of bagged commodities from CSS:

An official weighmaster's certificate based on origin weights shall accompany each shipment and a copy shall be attached to the CCC invoice. CCC invoice shall be for the number of pounds shown on the official weighmaster's certificate. Quantity received for by receiving officer at destination shall be the same quantity less damage in transit, except where a different quantity is actually received. In either event receiving officer will prepare DOD 808 report and attach to receiving report submitted to paying office. Over or short shipment adjustment to be requested in instances where number of bags unloaded differs from number shown on documents accompanying shipment in which case receiving officer shall accompany report with bag tally, or with an official weighmaster's certificate in instances where origin and destination bag counts are identical but quantity received for is different from quantity shipped. Paying office upon receipt will forward OS&D report, accompanied with bag tally or weighmaster's certificate, if applicable, to CC commodity office and request invoice adjustment.

**Subparts H-K [Reserved]****Subpart L—Commodity Assignments****§ 1205.1201 Assignment Authority.**  
**§ 1205.1201-2 Exclusions—Defense Supply Agency assignments.**

(c) *Exclusions to Defense Supply Agency assignments by agreement.* All proposed agreements in accordance with paragraph VII A5 of DOD Instruction 4115.1, DOD Coordinated Procurement Program—Purchase Assignments, October 14, 1968, to permit a Military Service to procure Military Service managed items which do not meet the exception criteria set forth in paragraph VII A 2 of DOD Instruction 4115.1 for which the estimated total value will exceed \$100,000 shall be submitted for review and approval by HQ DSA, Attention: DSAH-PPC prior to consummation of the agreement. Requests will be submitted in triplicate (letter form) in sufficient detail to support the proposed agreement and will be signed at a level no lower than the Director, Procurement and Production or his Deputy.

**PART 1206—FOREIGN PURCHASES****Subpart A—Buy American Act—Supply and Service Contracts**

- |             |  |
|-------------|--|
| Sec.        |  |
| 1206.103    | Exceptions.  |
| 1206.103-2  | Nonavailability in the United States.  |
| 1206.103-5  | Canadian supplies.   |
| 1206.104    | Procedures.  |
| 1206.104-50 | Procedure for submission to Executive Director, Procurement and Production, DSA. |

**Subpart B [Reserved]****Subpart C—Appropriation Act Restrictions on Procurement of Foreign Supplies**

- |            |  |
|------------|--|
| 1206.304   | Procedures.  |
| 1206.304-1 | Procurement of food, clothing, woven silk and woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric, or coated synthetic fabric, or items containing mohair or cotton. |

**Subpart D—Purchases From Communist Areas**

- |          |             |
|----------|-------------|
| Sec.     |             |
| 1206.402 | Exceptions. |

**Subpart E [Reserved]****Subpart F—Duty and Customs**

- |            |  |
|------------|--|
| 1206.603   | Emergency purchases of war materials abroad. |
| 1206.603-4 | Customs entries and duty-free certificates.  |
| 1206.603-5 | Immediate release permits.                   |

**Subpart G [Reserved]****Subpart H—Balance of Payments Program—Procurement of Supplies and Services for Use Outside the United States and Procurement of Scientific and Technical Knowledge Involving Foreign Expenditures**

- |            |                               |
|------------|-------------------------------|
| 1206.805   | Supply and service contracts. |
| 1206.805-2 | Procurement limitation.       |

**AUTHORITY:** The provisions of this Part 1206 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A—Buy American Act—Supply and Service Contracts**

- |              |                                       |
|--------------|---------------------------------------|
| § 1206.103   | Exceptions.                           |
| § 1206.103-2 | Nonavailability in the United States. |

(a) The required determination shall be prepared in substantially the following form:

**DETERMINATION**

Date: \_\_\_\_\_

Pursuant to the authority contained in section 2, title III of the Act of March 3, 1933, commonly called the Buy American Act (41 U.S.C. 10a-4), and authority delegated to me by paragraph 6-103.2 of the Armed Services Procurement Regulation, I hereby find:

a. (Description of the item or items to be procured, including, unit, quantity and estimated cost inclusive of duty and transportation costs to destination.)

b. (Brief statement of the necessity for the procurement.)

c. (Statement of facts establishing the nonavailability of a similar item or items of domestic origin.)

Based upon the above showing of fact, it is determined that the above described item(s) is (are) not mined, produced, or manufactured, or the articles, materials, or supplies from which it (they) is (are) manufactured, are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

Accordingly, the requirement of the Buy American Act that procurement be made from domestic sources and that it be of domestic origin is not applicable to the above described procurement, since said procurement is within the nonavailability exception stated in the Act. Authority is granted to procure the above item(s) of foreign origin (Country of origin) at an estimated total cost of \$\_\_\_\_\_, including duty and transportation costs to destination.

(Signature)

(b) A copy of the validation of the procurement requirement in accordance with DSAM 4140.3 shall be made a part of the contract file.

(c) Where approval of the determination of nonavailability is required at a



level above the head of a procuring activity, a copy of the validation of the procurement requirement shall be included with the request for approval.

(d) When the restrictions of the Buy American Act are determined to be inapplicable to the end products, the contractor shall be notified of that determination by such means as an appropriate notation in the body of contract.

(e) The term "principal assistant" as used in § 6.103-2 of this title is construed to mean the Executive Director, Procurement and Production (DSAH-P) or his Deputy.

(f) For purposes of determining the approval level necessary in § 6.103-2(b) of this title option totals shall not be added to basic award amounts. Prior to exercising the option, however, a new determination of nonavailability (for the option total only shall be made).

#### § 1206.103-5 Canadian supplies.

The Director, Defense Supply Agency has determined that the following supplies are of a military character or are involved in programs of mutual interest to the United States and Canada.

FSC Group	Description	FSC Classes
22	Railway equipment.	2230.
24	Tractors.	2410, 2420.
25	Vehicular equipment components.	2510, 2520, 2530, 2540, 2590.
26	Tires and tubes.	2610, 2630.
28	Engines, turbines, and components.	2805, 2815, 2895.
29	Engine accessories.	2910, 2920, 2930, 2940.
30	Mechanical power transmission equipment.	3020, 3030, 3040.
31	Bearings.	3110, 3120, 3130.
34	Metalworking machinery.	3431.
36	Special industry machinery.	3605.
38	Construction, mining, excavating.	3805, 3810, 3815, 3820, 3825, 3830, 3835, 3895.
40	Chain and wire rope.	4010.
41	Refrigeration and air conditioning equipment.	4110, 4120, 4130.
42	Fire fighting, rescue, and safety equipment.	4210.
43	Pumps and compressors.	4310, 4320, 4330.
45	Plumbing, heating, and sanitation equipment.	4520.
46	Water purification and sewage treatment equipment.	4610, 4620, 4630.
47	Pipe, tubing, hose, and fittings.	4710, 4720, 4730.
48	Valves.	4810, 4820.
49	Maintenance and repair shop equipment.	4930.
53	Hardware and abrasives.	All classes, except 5345 and 5390.
54	Prefabricated structures and scaffolding.	5410, 5420, 5430, 5450.
56	Construction and building materials.	5630, 5690.
59	Electrical and electronic equipment.	All classes.
61	Electric wire and power distribution equipment.	6105, 6110, 6115, 6120, 6145, 6150.
65	Dental burs.	6520.
66	Instruments and laboratory equipment.	6635, 6653, 6670, 6673, 6680.
68	Chemicals and chemical products.	6810, 6850.
70	Books, maps, and other publications.	7010.
80	Paints, sealers, and adhesives.	8010, 8030.
83	Textiles, leather, and furs.	8340 (to the extent restrictions of DoD Appropriation Act are not applicable).

FSC Group	Description	FSC Classes
84	Clothing and individual equipment.	8465 (snow-shoes, trail, metal, and canteen, water, plastic only) (cup, water, canteen, steel).
93	Nonmetallic fabricated materials.	9320, 9330, 9350.
95	Metal bars, sheets, and shapes.	All classes.

Parts for the above listed supplies are considered to be included in the list, even though not separately listed, when they are produced under a contract that also calls for listed supplies.

#### § 1206.104 Procedures.

§ 1206.104-50 Procedure for submission to Executive Director, Procurement and Production, DSA.

Proposed awards not within the approval authority of the head of the procuring activity shall be submitted to HQ DSA, Attention: DSAH-P, for approval, with (a) a recommendation supported by relevant facts, including the amount of applicable duty as verified by the Bureau of Customs, (b) one copy of each of the bids or offers to be considered, and (c) an abstract of bids. The requirement shall be carefully screened against Department of Defense excess and surplus materials before submission. The results of this screening shall be reported in the statement of facts. Appropriate provision should be made for extending the date of acceptance of bids, offers, or proposals to permit sufficient time for orderly transmission and consideration.

#### Subpart B [Reserved]

#### Subpart C—Appropriation Act Restrictions on Procurement of Foreign Supplies

##### § 1206.304 Procedures.

§ 1206.304-1 Procurement of food, clothing, woven silk and woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric, or coated synthetic fabric, or items containing mohair or cotton.

Where prices for domestic supplies are considered unreasonable within the purview of § 6.304-1 the contracting officer shall forward a request for determination, through channels, to HQ DSA, Attention: DSAH-P. Each such request, in addition to complete information on all factors pertinent to the requested action, shall contain a proposed determination. The format of the determination in § 1206.103-2(a) may be used as a guide.

#### Subpart D—Purchases From Communist Areas

##### § 1206.402 Exceptions.

(a) Determinations may be made by contracting officers under § 6.402(b) (1)

of this title for purchases not exceeding \$2,500; and such determination shall be reduced to writing and made a part of the appropriate contract file.

(b) Requests for the approval required by § 6.402(b) (1) of this title for purchases exceeding \$2,500, shall be forwarded to HQ DSA, Attention: DSAH-P, and shall contain full justification, with all pertinent details, for effecting the proposed procurement from a source within a communist-controlled area.

#### Subpart E [Reserved]

#### Subpart F—Duty and Customs

§ 1206.603 Emergency purchases of war materials abroad.

§ 1206.603-4 Customs entries and duty-free certificates.

The head of a procuring activity is hereby delegated, with the power to redelegate, the authority to execute duty-free entry certificate in the form set forth in § 6.603-4 for emergency purchases of war materials, as defined in § 6.603-1, of this title.

§ 1206.603-5 Immediate release permits.

The head of a procuring activity is hereby delegated, with the power to redelegate, the authority to issue "Immediate Release Permits" as prescribed in § 6.603-5 of this title.

#### Subpart G [Reserved]

#### Subpart H—Balance of Payments Program—Procurement of Supplies and Services for Use Outside the United States and Procurement of Scientific and Technical Knowledge Involving Foreign Expenditures

§ 1206.805 Supply and service contracts.

§ 1206.805-2 Procurement limitations.

(e) The documentation referred to in § 6.805-2(e) of this title shall be prepared in the form of a Determination and Findings and shall be forwarded to the Executive Director, Procurement and Production, Defense Supply Agency, Cameron Station, Alexandria, Va. 22314, Attention: DSAH-PPR. The Determination and Findings shall include a statement of facts establishing nonavailability and an indication of the consideration given to foregoing the requirement or providing a U.S. substitute. The following specific information shall be furnished in the letter transmitting the Determination and Findings:

- (1) Stock number;
- (2) Item nomenclature;
- (3) Description (to include pertinent specification citations);
- (4) Backorder situations;
- (5) AMD;
- (6) Due-in quantities by date;
- (7) Average price paid during the previous year;
- (8) Latest procured quantity and price;
- (9) Quantity and delivery schedule recommended for purchase offshore (OSP);



- (10) Fund availability;  
 (11) Offshore source, if known; and  
 (12) Any other pertinent data for justifying the proposed procurement.

## PART 1207—CONTRACT CLAUSES

### Subpart A—Clauses for Fixed-Price Supply Contracts

- Sec.  
 1207.103 Required clauses.  
 1207.103-8 Assignment of claims.  
 1207.103-12 Disputes.

### Subparts B-G [Reserved]

### Subpart H—Clauses for Letter Contracts

- 1207.850 Letter contract for DSA industrial readiness planning program.  
 1207.850-1 Format.

**AUTHORITY:** The provisions of this Part 1207 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subpart A—Clauses for Fixed-Price Supply Contracts

- § 1207.103 Required Clauses.  
 § 1207.103-8 Assignment of claims.

In cases where special circumstances make it advisable in the best interest of the Government, heads of procuring activities may authorize deletion of the last sentence of paragraph (a) of the Assignment of Claims clause set forth in § 7.103-8 of this title.

### § 1207.103-12 Disputes.

(c) The Disputes clauses contained in § 7-103.12 of this title shall not be modified to provide for an intermediate appeal board.

### Subparts B-G [Reserved]

### Subpart H—Clauses for Letter Contracts

- § 1207.850 Letter contract for DSA industrial readiness planning program.  
 § 1207.850-1 Format.

Letter Contract No. \_\_\_\_\_  
 Date \_\_\_\_\_

#### GENTLEMEN:

This Letter Contract, upon acceptance by your firm, will constitute a contract on the terms and conditions stated herein and signifies the intention of the Defense Supply Agency to enter into a firm fixed-price contract with you for the deliveries of the supplies and performance of the services listed on DD Form 1519, which was executed on \_\_\_\_\_ in furtherance of the Industrial Mobilization Program.

#### Schedule of Supplies or Services.

The supplies and services to be furnished and the time and place of delivery are as follows:

#### Appropriation and Other Administrative Data.

The supplies and services to be obtained under this Letter Contract are chargeable to the following allotments, the available balances of which are sufficient to cover the cost of same: \_\_\_\_\_

#### F.O.B. Points:

Execution, Commencement of Work, and Priority Rating: (Insert the clause set forth in ASPR 7-802.2).

#### Priority Rating.

DO or DX \_\_\_\_\_ (appropriate program code symbol) Certified for National defense use under Defense Materials Systems Regulation 1.

**Definition:** (Insert the clause set forth in ASPR 7-802.5).

**Limitation of Government Liability:** (Insert the clause set forth in ASPR 7-802.3).

The enclosed forms, with the exception of Enclosure(s) \_\_\_\_\_ and clause(s) \_\_\_\_\_, are hereby incorporated into this Letter Contract which is entered into pursuant to 10 U.S.C. 2304(a) (1) and any required determination and findings.

Enclosures: \_\_\_\_\_

Sincerely yours,

\_\_\_\_\_  
 (Contracting Officer)

Accepted \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
 (Contractor)

By \_\_\_\_\_  
 (Name-Official Title)

## PART 1208—TERMINATION OF CONTRACTS

### Subpart A [Reserved]

### Subpart B—General Principles Applicable to the Settlement

- Sec.  
 1208.201 Authority of contracting officers.

### Subparts C-E [Reserved]

### Subpart F—Termination for Default

- 1208.601 General.  
 1208.602 Termination of fixed-price supply contracts for default.  
 1208.602-3 Procedure for default.

**AUTHORITY:** The provisions of this Part 1208 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subpart A [Reserved]

### Subpart B—General Principles Applicable to the Settlement of Fixed-Price Type Contracts Terminated for Convenience and to the Settlement of All Terminated Cost-Reimbursement Type Contracts

- § 1208.201 Authority of contracting officers.

(a) The head of the procuring activity shall prescribe procedures under which contracting officers may terminate contracts for the convenience of the Government and in the case of cost-reimbursement type contracts for the default of the contractor. Notwithstanding a change in requirements a contract is not to be terminated for convenience (except at no cost to the Government as provided in § 8.602-4(iii)) of this title if the contractor is in unexcusable default and the Government has a legal right to terminate such contract for default.

(b) The settlement of contracts terminated for the convenience of the Government is the responsibility of the cognizant Contract Administration Office (CAS). A contract may be terminated for the convenience of the Government

<sup>1</sup> Enclose appropriate "boiler plate" forms and applicable instructions or provisions.

by the procuring contracting officer (PCO) at no cost to the Government and without referral to CAS or the issuance of a notice of termination if the PCO has ascertained that (1) the contractor will accept a no-cost settlement, (2) Government property was not furnished, and (3) there are no outstanding payments, claims or other contractor obligations. In all other cases a notice of termination for the convenience of the Government shall be issued and a copy forwarded to CAS for action as specified in § 8.203(b) of this title.

### Subparts C-E [Reserved]

### Subpart F—Termination for Default

#### § 1208.601 General.

The decision as to the type of termination action to be taken (i.e., for default, for convenience, or a no-cost settlement) shall be made only after a review of cognizant experienced procurement and technical personnel, and by counsel assigned or available to the particular procuring activity or purchasing office. Under no circumstances should any notice of termination be furnished to the contractor until this review has been made. Careful consideration should be given to the Government's interests whenever small business guaranteed loans (see § 1-705.6(c)) of this title, progress payments, or advance payments are involved.

#### § 1208.602 Termination of fixed-price supply contracts for default.

#### § 1208.602-3 Procedure for default.

The following procedures, prescribed by the General Services Administration, shall be followed in terminating for default delivery orders placed against Federal Supply Schedule contracts.

(a) **Ordering office.** Before declaring a contractor in default, ordering offices should ordinarily notify the contractor in writing that unless satisfactory performance occurs by a specified date, which should allow a reasonable time for performance, his right to proceed further under the delivery order will be considered terminated and he will be held liable for any excess costs resulting from purchasing the supplies or services elsewhere. This step will not be taken when the default involves an attempted fraud on the United States, or when it obviously would be futile, as for example, when the contractor has already declined to perform. Where excess costs are anticipated, the ordering office may withhold sufficient funds due to contractor as offset security. Ordering offices will endeavor to minimize excess costs to be charged against the contractor and to collect, by check or setoff, excess cost owed.

(b) **Federal Supply Service.** Where ordering offices are notified by the Federal Supply Service that it has declared the contractor in default, ordering offices will thereafter refuse to accept further performance by the contractor or place further delivery orders with it. Ordering offices will thereafter purchase against the account of the contractor from replacing contractors designated by the



Federal Supply Service or in such other manner as directed by the Federal Supply Service.

(c) **Notification.** Ordering offices shall furnish to the Purchase Branch, Federal Supply Service, Washington, D.C. 20025, the details concerning all material instances of unsatisfactory performance by the contractor, whether or not properly adjusted and settled. Ordering offices also shall report, as may be directed by the Federal Supply Service, all purchases made against the account of a contractor placed in default by the Federal Supply Service.

## PART 1209—PATENTS, DATA, AND COPYRIGHTS

Sec.  
1209.000 Scope of Section.  
1209.000-50 Authority.  
1209.000-51 Supply of patented components as GFP.

### Subpart A—Patents

1209.103 Patent indemnification of Government by contractor.  
1209.103-4 Waiver of indemnity by the Government.  
1209.110 Reporting of royalties.  
1209.112 Adjustment of royalties.

### Subpart B—Rights in Technical and Other Data and Copyrights

1209.202-50 Reporting of improper use of data or technical data.

### Subpart C—Foreign License and Technical Assistance Agreements

1209.304 Foreign license and technical assistance agreements between domestic concern and foreign government or concern.  
1209.304-2 Review of agreements.

### Subpart D—Processing of Licenses, Assignments, and Infringement Claims

1209.401-50 Processing of infringement claims.

**AUTHORITY:** The provisions of this part 1209 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

§ 1209.000 Scope of section.

§ 1209.000-50 Authority.

The Counsel, DSA, is authorized to act for the Director, DSA, on all patent, copyright, proprietary data and trademark matters arising in the DSA. Any question on such matters shall be referred to the Counsel, DSA.

§ 1209.000-51 Supply of patented components as GFP.

Where patented or proprietary components are required in end items purchased by DSA activities, particularly military type items, consideration may be given to furnishing such components as Government-furnished property.

### Subpart A—Patents

§ 1209.103 Patent indemnification of Government by contractor.

§ 1209.103-4 Waiver of indemnity by the Government.

Specific patents may be excluded in accordance with § 9-103.4 of this title

only with the prior approval of the Counsel, DSA, or the Patent Counsel, DSA.

### § 1209.110 Reporting of royalties.

**Furnishing Copy of Reports.** Counsel for the procuring activity concerned will forward to the Counsel, DSA, a copy of each royalty report received in accordance with § 9-110 of this title which indicates that royalties in excess of \$250 have been paid or are to be paid to any person or firm.

### § 1209.112 Adjustment of royalties.

The report required by § 9-112 of this title shall be made to counsel for the procuring activity concerned who shall forward the report to the Counsel, DSA, for appropriate action.

### Subpart B—Rights in Technical and Other Data and Copyrights

#### § 1209.202-50 Reporting of improper use of data or technical data.

Any direct or indirect charge of improper use of data or technical data received by any procuring activity, shall be referred to Counsel for the activity who will notify and coordinate all actions on such cases with the Counsel, DSA.

### Subpart C—Foreign License and Technical Assistance Agreements

#### § 1209.304 Foreign license and technical assistance agreements between a domestic concern and a foreign government or concern.

##### § 1209.304-2 Review of agreements.

Proposed foreign license and technical assistance agreements between domestic concerns and foreign governments or concerns forwarded to the DSA under the provisions of § 9.304-1 of this title, shall be referred to the Counsel, DSA, for action in accordance with § 9.304-2 of this title.

### Subpart D—Processing of Licenses, Assignments, and Infringement Claims

#### § 1209.401-50 Processing of infringement claims.

(a) Any direct or indirect charge or threat of patent, trademark or copyright infringement received by any procuring activity, shall be referred to Counsel for the activity who will notify and coordinate all actions on such cases with the Counsel, DSA.

(b) The Counsel, or the Patent Counsel, HQ DSA, are hereby authorized to make acquisitions in accordance with 10 U.S.C. 2336 and to enter into agreements in settlement of claims under the Foreign Assistance Act of 1961 (22 U.S.C. 2356) and 35 U.S.C. 181-188, Coordination with the Departments of the Army, Navy, and Air Force in the processing and final disposition of each claim shall be effected by the Counsel or the Patent Counsel, HQ DSA.

## PART 1210—BONDS, INSURANCE, AND INDEMNIFICATION

### § 1210.112 Execution and administration of bonds and consents of surety.

All bonds and all consents of surety will be reviewed by counsel of the activ-

ity for legal sufficiency. The original signed bond shall subsequently be forwarded, with the original copy of the contract where practical, to the appropriate Finance Center designated to review and file the activity's contracts. Annual bonds will be retained by the Finance Center to which furnished.

(R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961)

## PART 1212—LABOR

### Subpart A—Basic Labor Policies

Sec.  
1212.101 Labor relations.  
1212.101-1 General.  
1212.101-3 Reporting of labor disputes.  
1212.101-4 Impact of labor disputes on defense programs.

### Subparts B-E [Reserved]

### Subpart F—Walsh Healey Public Contracts Act

1212.650 Exception not stated in the publications furnished contracting officers.

### Subpart G—Fair Labor Standards Act of 1938

1212.702 Suits against Government contractors.

**AUTHORITY:** The provisions of this Part 1212 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subpart A—Basic Labor Policies

#### § 1212.101 Labor relations.

##### § 1212.101-1 General.

Whenever labor representatives request permission to enter a DSA installation on which private contract employees are engaged in contract work to conduct union business during working hours, the commanding officer may admit such representatives, provided (a) the presence and activities of the labor representatives will not interfere with the progress of the contract work involved, and (b) the entry of such representatives to the installation shall not violate pertinent safety or security regulations. Commanding officers shall take all necessary action to enforce the above policy and facilitate ready access to worksites within military installations. One method which has met with success in appropriate situations is the maintenance by commanding officers of a list of labor representatives, who have been cleared with regard to safety and security considerations and who may be admitted into respective installation to conduct union business. The determination as to who are appropriate labor representatives should be made by the commanding officer on recommendation of the contracting officer after consultation with local union officials. Business offices or desk space for labor organizations for solicitation of membership, collection of dues, or other business of the labor organization, not directly connected with the contract work, shall not be permitted on the installation except for the routine functions of the working steward whose



union duties are incidental to his assigned job. In the event that a commanding officer of an installation, or the contracting officer or his representative denies entry to a labor representative for any reason such officer shall notify, through channels, the Labor Advisor, DSA. Such notification shall include the reasons for denial, including names, addresses of representatives denied entry, and union affiliation, if known, of such representatives.

#### § 1212.101-3 Reporting of labor disputes.

The report of labor disputes on DD Form 1507, Work Stoppage Report, in accordance with § 12.101-3(b) (4) of this title, is assigned Reports Control Symbol DD-DSA(AR) 111(P).

#### § 1212.101-4 Impact of labor disputes on defense programs.

In addition to the information required by § 12.101-4(b) of this title, the head of the procuring activity shall include in each impact report the following:

(a) *Description of military program, project or service.* Identify item, project, or service which will be or is being affected by the work stoppage, describing its normal use and current functions in combat, support, or deterrent operation. For components or raw materials identify the end item(s) for which used.

(b) *Requirements and assets.* State requirements and assets in appropriate detail in terms commonly used by the DOD component.

(1) For production programs include requirements for each using Military Service. Where applicable, state in detail production schedules, inventory objectives, assets against these objectives, and critical shortages. For spare and highly expendable items show average quarterly demands and assets. For components, include requirements for spares.

(2) For projects describe the potential adverse effects of a delay in meeting schedules and explain how a security disadvantage would result from such a delay.

(3) For services, describe how a loss or interruption affects ability to support defense operations in terms of traffic requirements, assets, testing programs, etc.

(c) *Possible measures to minimize strike impact.* Describe:

(1) Capabilities, if any, to substitute items. (Note how many other facilities are available and the relative capabilities of such facilities in meeting total requirements.)

(2) How much time would be required to replace the loss of the facility or service affected by a work stoppage.

(d) *Conclusion: impact on operations of a 15-30, of a 30-60, 60-90 day work stoppage.* Degree of criticality of a program, project or service resulting from a work stoppage will be projected on a calendar basis, indicating the increased impact, if any, as the stoppage lengthens. Criticality is measured by the time required for the work stoppage to have an effect on operational capability. This time must be stated in terms of days.

Reports Control Symbol DD-DSA(AR) (111)(P) applies to this reporting requirement.

### Subparts B-E [Reserved]

#### Subpart F—Walsh Healey Public Contracts Act

#### § 1212.650 Exception not stated in the publications furnished contracting officers.

Certain of the exceptions stated in the publications furnished contracting officers which contain no specific expiration date may have been rescinded by the Secretary of Labor since date of publication. In case of doubt, inquiry may be directed to the appropriate Regional Director, Wage and Hour and Public Contracts Divisions, Department of Labor indicated in § 12.607 of this title.

#### Subpart G—Fair Labor Standards Act of 1938

#### § 1212.702 Suits against Government contractors.

Cost-plus-a-fixed-fee contractors and subcontractors should be advised that immediately upon receipt of process in any legal action filed against them they must furnish a copy of all papers to the contracting officer. An immediate report of the legal action shall be made direct to the Counsel, DSA.

## PART 1213—GOVERNMENT PROPERTY

### Subparts A-B [Reserved]

#### Subpart C—Providing Government Production and Research Property to Contractors

#### Sec. 1213.301 Providing facilities.

#### Subpart D [Reserved]

#### Subpart E—Competitive Advantage

#### 1213.501 Policy.

**AUTHORITY:** The provisions of this Part 1213 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subparts A-B [Reserved]

#### Subpart C—Providing Government Production and Research Property to Contractors

#### § 1213.301 Providing facilities.

(a) (1) Requests for new facilities will be forwarded to HQ DSA, Attention: DSAH-P for approval. Sufficient documentation will be provided with the request to show that the need for supplies or services cannot be met by any other practical means or that the furnishing of facilities will be in the public interest. Commanders of Defense Supply Centers, DIPEC, DDMT, DDOU and DDTC are authorized to provide existing facilities under the conditions set forth in § 13.301 of this title.

(2) A copy of the contractor's written statement, expressing his unwillingness or financial inability to acquire the

necessary facilities with his resources, will be included as a part of requests for new facilities. A copy of the written statement obtained in connection with provision of existing facilities will be furnished DSAH-P within 15 days after receipt from contractor.

(b) When determination is made that solicitations should include an offer to furnish existing Government facilities because adequate price competition cannot be otherwise obtained, the case will be fully documented to indicate the basis for such determination. Referral to DSAH-P is not required prior to inclusion of an offer to provide existing facilities except for ASOD Approved Packages. Requests for use of equipment included in such packages will be processed in accordance with procedures set forth in paragraph 10-703, DSAM 4005.1.

### Subpart D [Reserved]

#### Subpart E—Competitive Advantage

#### § 1213.501 Policy.

It is DOD policy to eliminate the competitive advantage that might otherwise arise from acquisition or use of Government production and research property. This is accomplished by charging rental or by use of rental equivalents in evaluating bids and proposals. Within the Defense Supply Agency, the more desirable procedure is to develop an evaluation factor equal to the rent (§ 13.502-2 of this title), obtain the necessary approvals to authorize rent-free use of the Government property and award less the evaluation factor. A lower unit cost is thereby achieved and procurement funds are conserved. Rental monies eventually flow back into the U.S. Treasury but at the expense of the DSA budget. Accordingly, the rental procedure will be utilized only when absolutely necessary.

## PART 1214—PROCUREMENT QUALITY ASSURANCE

### Subparts A-B [Reserved]

#### Subpart C—Contract Provisions for Government Procurement Quality Assurance and Acceptance

#### Sec.

1214.305-2 Government procurement quality assurance at source.

1214.305-3 Government procurement quality assurance at destination.

**AUTHORITY:** The provisions of this Part 1214 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subparts A-B [Reserved]

#### Subpart C—Contract Provisions for Government Procurement Quality Assurance and Acceptance

#### § 1214.305-2 Government procurement quality assurance at source.

In addition to the provisions of § 14.305-2 of this title, Government procurement quality assurance actions will



be performed at source for supplies having a critical application.

**§ 1214.305-3 Government procurement quality assurance at destination.**

Prior to designating that Government procurement quality assurance actions will be performed at destination the contracting officer shall determine that the:

(a) Depot or receiving activity has the technical ability to perform the inspections;

(b) Necessary technical data, specifications, blue prints, etc., are available at the receiving point or will be furnished the receiving activity prior to receipt of the supplies; and

(c) Equipment required to perform the inspection is available at the receiving point.

**PART 1216—PROCUREMENT FORMS [RESERVED]**

**PART 1217—EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE**

**Subpart A [Reserved]**

**Subpart B—Requests for Contractual Adjustment**

Sec.	
1217.201	Authority of the Director.
1217.203	Authority of other officers and officials.
1217.207	Submission of requests by contractors.
1217.207-3	Records.
1217.208	Processing cases.
1217.208-2	Disposition of cases.
1217.208-3	Submission of cases to the contract adjustment board.
1217.208-5	Maintenance of records.
1217.208-6	Interdepartmental coordination.

**Subpart C—Residual Powers**

1217.301	Delegation of authority.
1217.304	Maintenance of records.

**Subpart D—Records of Requests and Dispositions**

1217.403	Sample format for preliminary and final records.
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**AUTHORITY:** The provisions of this Part 1217 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A [Reserved]**

**Subpart B—Requests for Contractual Adjustment**

**§ 1217.201 Authority of the director.**

Authority vested in the Director under § 17.201(b) of this title has been delegated to Counsel and Assistant Counsel (Contract Adjustment), DSA.

**§ 1217.203 Authority of other officers and officials.**

The authority in § 17.203(a) (1) and (2) of this title has been delegated to heads of procuring activities. This authority may be redelegated only to a staff official reporting directly to the head of the procuring activity. Two copies of any redelegation shall be furnished the Counsel, DSA, one copy of which will be trans-

mitted to the Assistant Secretary of Defense (I&L).

**§ 1217.207-3 Records.**

Records required by § 17.207-3 of this title shall be forwarded to the Counsel, DSA.

**§ 1217.208-2 Disposition of cases.**

The documents required by § 17.208-2 (b) of this title shall be forwarded to the Counsel, DSA. When a procuring activity denies a request, a copy of the letter of explanation to the contractor shall be included.

**§ 1217.208-3 Submission of cases to the contract adjustment board.**

Cases not within the approval authority of heads of procuring activities and any doubtful or unusual cases shall be forwarded to Counsel, HQ DSA, for further processing. The forwarding letter shall contain the information and evidentiary materials outlined in § 17.208-3 of this title.

**§ 1217.208-5 Maintenance of records.**

The records required by §§ 17.207-3, 17.208-2(b), and 17.208-4 (a) and (b) of this title shall be maintained by the Counsel, DSA.

**§ 1217.208-6 Interdepartmental coordination.**

The procuring activity responsible for processing a contractor's request for contractual adjustment shall be responsible for establishing liaison and joint action with other Military Departments and other departments and agencies of the Government, except that the Counsel, DSA, shall have such responsibility after any case is forwarded for further processing.

**Subpart C—Residual Powers**

**§ 1217.301 Delegation of authority.**

Authority vested in the Director under § 17.201 of this title has been delegated to Counsel and Assistant Counsel (Contract Adjustment), HQ DSA.

**§ 1217.304 Maintenance of records.**

Counsel, DSA, shall be responsible for maintaining the records required by § 17.303(b) of this title.

**Subpart D—Records of Requests and Dispositions**

**§ 1217.403 Sample format for preliminary and final records.**

Record of Request for Adjustment (Public Law 85-804) (DSA Form 239) shall be used by the field activity responsible for the case when submitting preliminary and final records described in §§ 17.401 and 17.402 of this title.

**PART 1219—TRANSPORTATION**

**Subpart A [Reserved]**

**Subpart B—Planning and Solicitation**

Sec.	
1219.213	Shipments to ports.
1219.213-1	Solicitation provisions.
1219.213-50	Designation of ports for bid evaluation.

**Subpart C—Evaluation of Bids and Proposals**

Sec.	
1219.301	Transportation rates and related costs to be used.
1219.301-1	General.
1219.301-50	Port handling and ocean costs in paid evaluation.

**AUTHORITY:** The provisions of this Part 1219 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A [Reserved]**

**Subpart B—Planning and Solicitation**

**§ 1219.213 Shipments to ports.**

**§ 1219.213-1 Solicitation provisions.**

**§ 1219.213-50 Designation of ports for bid evaluation.**

When a contract will not generate any shipments destined overseas for which an Export Release is required (less than 10,000 pounds, etc.), Military Traffic Management Regulation paragraph 2-2024, offers shall be solicited only f.o.b. appropriate ports published in Appendix G of DOD Regulation 4500.32-R (MILSTAMP). The supporting provision in § 2.201(b) (29) of this title shall be included in the solicitation and be modified to:

(a) Delete paragraph B pertaining to f.o.b. origin basis;

(b) Delete the following from paragraph C(2) "Unless bids (or offers) are applicable only to f.o.b. origin delivery under Government bills of lading (see B above)";

(c) Include the applicable port handling and ocean charges adjacent to the port(s) listed in paragraph D; and

(d) Delete paragraph E pertaining to ports nominated by bidder (offeror).

**Subpart C—Evaluation of Bids and Proposals**

**§ 1219.301 Transportation rates and related costs to be used.**

**§ 1219.301-1 General.**

**§ 1219.301-50 Port handling and ocean costs in paid evaluation.**

Those port handling and ocean charges available at time of issuance of a solicitation shall be published in those solicitations for the procurement of supplies for overseas shipment. The provision set forth below, advising that these charges are tentative and not necessarily those that will be used in the evaluation, shall also be included in the solicitation, just below any charges published. This provision will preclude the need for extension of opening dates or cancellation of solicitations and will still permit award to that bidder who is, in fact, low at time of bid opening as a result of any change in charges after issuance of the solicitation.

The above port handling and ocean freight charges are the best current costs available and known to be effective at the time of issuance of this solicitation. Such costs are subject to change, and are not necessarily those which will be used in the evaluation of offers. In the event the foregoing charges



have changed subsequent to the issuance of this solicitation, the Government will substitute those which are on file as of the date of bid opening (or closing time specified for receipt of proposals) and effective for the date of expected initial shipment. A list of port handling and ocean freight charges actually used in evaluation, if substituted for any listed above, will be furnished interested offerors upon request.

## PART 1220—ADMINISTRATIVE MATTERS

### Subparts A-F [Reserved]

#### Subpart G—Assignment of Contract Administration

Sec.  
1220.701 Policy.  
1220.706 Designation of the disbursing office.

**AUTHORITY:** The provisions of this Part 1220 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subparts A-F [Reserved]

#### Subpart G—Assignment of Contract Administration

##### § 1220.701 Policy.

(a) Except for the categories of contracts authorized for retention by ASPR 20-703, all contracts, including purchase orders, shall be assigned to the cognizant Contract Administration Services (CAS) component when any of the functions listed in § 1.406 of this title are required to be performed in or near a contractor's plant. The contracts shall be assigned regardless of dollar value, method of procurement (e.g., IFB or RFP), or source of purchase request (e.g., MIPR). Request for deviations must be forwarded in advance on a case-by-case basis in accordance with the procedure set forth in § 1201.109 of this subchapter.

(b) When a contract does not require any of the listed functions to be performed, the contract may be retained by the purchasing office.

(c) All contracts including purchase orders awarded to facilities in which DCAS maintains a resident staff will be assigned to DCAS for administration.

(d) When a contract has been retained and CAS assistance is subsequently required, the contract may be assigned to the cognizant CAS component.

##### § 1220.706 Designation of the disbursing office.

(a) When any of the CAS functions are performed by the cognizant CAS component the disbursing office servicing the contract administration office (CAO) shall be designated as the disbursing office.

(b) Contracts being retained by the purchasing office that are subsequently assigned to a CAS component shall designate the appropriate CAO as the disbursing office.

## PART 1221—PROCUREMENT MANAGEMENT REPORTING SYSTEM

### Subpart A—DD Form 350, Individual Procurement Action Report (RCS DD-DSA(D)109(P))

Sec.  
1221.102 Applicability and coverage.  
1221.103 Due date and distribution.  
1221.106 Item 1B. (No title).  
1221.108 Item 2. Contract no.  
1221.117 Item 10B. System or equipment code.  
1221.119 Item 11. Description of commodity or service.  
1221.120 Item 12. Coordinated procurement.  
1221.123 Item 15. Contract placement.  
1221.125 Item 17. Negotiated under 10 U.S.C. 2304(a) exception.  
1221.127 Item 19. Profit negotiation.  
1221.130 Item 22. Date of this action.  
1221.131 Item 23. Estimated completion date.

### Subpart B—Monthly Procurement Summary of Actions Under \$10,000 by Purchasing Office (DD Form 1057) RCS DD-DSA(M)110(P)

1221.250 General.

**AUTHORITY:** The provisions of this Part 1221 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

### Subpart A—DD Form 350, Individual Procurement Action Report (RCS DD-DSA(D)109(P))

##### § 1221.102 Applicability and coverage.

(a) To assure that the procurement statistics prepared at HQ DSA, and furnished to the Office of the Secretary of Defense, correspond with the data of the reporting activities, each purchasing office shall furnish HQ DSA, Attention: DSAH-PAD, within 1 day following the close of each month, with the first and last report number of the DD Forms 350 that were issued in the preceding months report period, listing any exceptions to the consecutive numbering pattern. In addition, furnish the total dollar value involved in these DD Forms 350.

(b) Each item on the DD Form 350 shall contain only one entry.

##### § 1221.103 Due date and distribution.

The DSA Form 556 must be submitted so as to reach this Headquarters within 3 workdays following the end of each month. To meet this due date, the cutoff for the DSA Form 556 shall be the 25th calendar day of the month being reported on. RCS DD-DSA(M)109(P) should be used for this summary report only.

##### § 1221.106 Item 1B (No title).

Leave blank.

##### § 1221.108 Item 2. Contract number.

(a) *Subitem A. Department.* Enter the alphabetic characters in the contract number which denote the Department or Agency executing the contract as follows:

(1) For departments within DOD, enter—

DSA(S) for Defense Supply Agency.  
DA(A) for Army and Defense Atomic Supply Agency.

(N) for Navy.  
AF(F) or (F) for Air Force (see § 21.108(a) (1) of this title).  
DCA(H) for Defense Communications Agency.

(2) For orders under contracts awarded by General Services Administration (Federal Supply Schedule contracts) enter GS(G), and for orders under contracts awarded by the Government Printing Office enter GP(P). Enter five zeros in Subitem B.

(3) For orders covering purchases from other Federal agencies (see § 21.108(a) (3) of this title), enter X in parentheses. Enter five zeros in Subitem B.

##### § 1221.117 Item 10B. System or equipment code.

Not applicable to DSA. Leave blank.

##### § 1221.119 Item 11. Description of commodity or service.

In addition to or as a part of the regular item description, place in parentheses an abbreviated description which must not exceed 10 typewritten characters, including spaces but omitting punctuation marks, e.g.,

Pallet, Aircraft, Cargo HCU-6/E (Pallet).  
Coal, Bituminous (Coal Bitum).  
Yellow Fever Vaccine (Yl Fev Vac).  
Tetanus and Diphtheria Toxoids (Toxoid TD).  
Handbag, Womens', Brown, Calfskin (Handbg Wmn) (Fuel Oil).

If action involves more than one item, enter in Item 11 the one having the greatest dollar value. Additional items may be entered on the reverse side of the form; abbreviated descriptions are not required for these additional items.

##### § 1221.120 Item 12. Coordinated procurement.

Codes 3 and 6 are the only codes applicable to DSA.

##### § 1221.123 Item 15. Contract placement.

(f) *Code J. Military Assistance Sales.* The ASPR instruction for separate reporting where a single action is partly for Military Assistance Sales applies only when each of the individual parts exceeds \$10,000. If one or both of the parts are less than \$10,000 but the sum of both parts is more than \$10,000, the total shall be reported as one action on a single DD Form 350, and reporting based on the part of the action that involves the greatest dollar value.

##### § 1221.125 Item 17. Negotiated under 10 U.S.C. 2304(a) exception.

Enter code as follows:

For codes 1A through 1E, enter as 01A0 through 01E0.

For codes 2 through 9, enter as 0200 through 0900.

For codes 10-1 through 10-9, enter as 1001 through 1009.

For codes 11 through 16 and 17A and 17B, enter as 1100 through 1600; 17A0 and 17B0.

##### § 1221.127 Item 19. Profit negotiation.

Codes 2 and 3 are the only codes applicable to DSA.



**§ 1221.130 Item 22. Date of this action.**

Enter this following alphabetical code for the month:

A-Jan	G-Jul
B-Feb	H-Aug
C-Mar	I-Sep
D-Apr	J-Oct
E-May	K-Nov
F-Jun	L-Dec

For example: Date of This Action: 69/G/5 for July 5, 1969.

**§ 1221.131 Item 23. Estimated completion date.**

Same as 21-130 above. For example: Estimated Completion Date: 69B for February 1969.

**Subpart B—Monthly Procurement Summary of Actions Under \$10,000 by Purchasing Office (DD Form 1057) RCS DD-DSA(M)110(P)**

**§ 1221.250 General.**

Enter the number of actions and dollar value of awards of \$250 or less that were negotiated under 10 U.S.C. 2304(a) (3) or 10 U.S.C. 2304(a) (6) utilizing small purchase procedures pursuant to Part 3, Subchapter F of this title.

**PART 1225—PRODUCTION MANAGEMENT**

**Subpart A—Production Surveillance**

- Sec.  
1225.103 Assignment of surveillance criticality designator by purchasing office.  
1225.103-50 Surveillance criticality designator "A" for contracts/purchase orders in support of a Department of Defense (DOD) or military service directed critical program.

**Subpart B—Production Reporting**

- 1225.202 Recurring production progress reports by contractors.

**AUTHORITY:** The provisions of this Part 1225 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 528; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301-2314; DOD Directive 5105.22, Nov. 6, 1961.

**Subpart A—Production Surveillance**

- § 1225.103 Assignment of surveillance criticality designator by purchasing office.**

General criteria for designator assignments are included in § 25.103 of this title. The lowest Surveillance Criticality Designator consistent with Government requirements shall be assigned. The increased flexibility provided to the Defense Supply Centers (DSCs) in the assignment of Surveillance Criticality Designators is not to be misused. Misuse will create an overall degradation of the production support provided, rather than an improvement.

- § 1225.103-50 Surveillance criticality designator "A" for criteria for contracts/purchase orders in support of a Department of Defense (DOD) or military service directed critical program.**

(a) Items in direct support of the DOD Master Urgency List (MUL), DX rated contracts (BRICK-BAT 01).

(b) Items or programs designated critical by Departmental Headquarters or HQ DSA.

(c) Items reported to HQ DSA under the DOD Instruction 4200.14, Production Acceptance, covering selected major items of munitions and equipment.

(d) Items in support of programs designated in writing as critical by DSC Commander.

**§ 1225.103-51 Surveillance criticality designator B.**

Provided they do not qualify for Surveillance Criticality Designator A, Purchase Orders issued to satisfy requisitions bearing UMMIPS priority 01 through 06 shall be assigned Surveillance Criticality Designator B.

**Subpart B—Production Reporting**

- § 1225.202 Recurring production progress reports by contractors.**

The requirement for Production Progress Reports (DD Form 375) will be limited to the following and then only when circumstances make such reporting appropriate:

(a) Items required to satisfy requisitions bearing UMMIPS priority 01 through 06.

(b) Items that have been designated by the DSC Commanders as being in a critical supply position.

(c) Items on the DOD, Military Service, or DSA critical list.

(d) Items in direct support of the DOD MUL categories.

(e) Items reported to HQ DSA under DOD Instruction 4200.14, Production Acceptances covering selected major items of munitions and equipment.

(f) Items which require Material Readiness Studies under DSAR 4140.3.

(g) Contractors on the Military Services or DSA Contractor Experience List.

**PART 1230—APPENDICES**

Appendix E—DSA Contract Financing Regulations.

Appendix S—The DSA Small Business Program.

**Appendix E—DSA Contract Financing Regulations**

**E-001 Purpose.** This appendix outlines the methods by which the provisions of ASPR Appendix E will be applied in DSA (other than DCASRS).

**E-003 Implementation.** Changes and additions to, as well as interpretations of, this appendix will be developed within the Accounting and Finance Division, Office of the Comptroller, HQ DSA.

**PART 2—BASIC POLICIES**

**E-200 Scope of part.**

**E-200.50 Submission of contractual instruments for audit by the U.S. General Accounting Office.** DSA contractual instruments required by the U.S. General Accounting Office for audit purposes must be submitted to one of the Military Service finance centers. The appropriate center for a specific DSA contractual instrument can be determined by reference to the accounting and finance (disbursing) office designated to make payment under the basic contractual instrument, e.g., if the disbursing office operates under an Army disbursing station number, the contractual instruments should

be transmitted to Indianapolis. The addresses of these centers are as follows:

**Army:**

Processing and Disposal Branch, Retained Accounts Division, Settlement Operations, Finance Center, U.S. Army, Indianapolis, Ind. 46249.

**Air Force:**

Air Force Accounting and Finance Center, Attention: SAA, 3800 York Street, Denver, Colo. 80205.

**Navy:**

Navy Finance Center, Administrative Services Department, Code S, Cleveland, Ohio.

**Marine Corps:**

Commandant, Marine Corps, Headquarters, Washington, D.C. 20380.

**E-218 Deviations—Amendments.**

**E-218.50 Submission of request for deviations.** Request for authority to deviate from the provisions of ASPR Appendix E will be submitted (in an original and four copies) to HQ DSA, Attention: DSAH-CF.

**E-219 Interpretations.** Problems of interpretations and applications of the type indicated in ASPR E-219 should be transmitted to HQ DSA, Attention: DSAH-PP. This office will effect any necessary coordination with the DSA Contract Financing Office and determine whether dissemination to the other procuring activities is appropriate.

**E-220 Foreign procurement.**

**E-220.50 Use of foreign currencies.** Foreign currencies owned by the U.S. Government shall be used, when feasible, to make payments under contracts in foreign countries. The provisions of DSAR 7000.2, Use of U.S.-owned Foreign Currencies for Payment of Contracts in Foreign Countries, will govern.

**PART 3—GUARANTEED LOANS**

**E-303 Procedure on application of a private financing institution.**

**E-303.50 Submission of applications and supporting documents.** Any application based on a contract which cites or will cite DSA funds will be transmitted to HQ DSA, Attention: DSAH-CF. This address will be used regardless of the office responsible for administration of or payment under the contract.

**E-306 Guaranteeing agency.**

**E-306.50 Account, accounting office, disbursing office.**

(a) The following revolving fund account has been established on the books of the Treasury for receipts and expenditures under the DSA guaranteed loan program:

Symbol ----- 97X4080.  
Title ----- Defense Production Guarantees, DSA.

To assure proper processing through accounting and finance reporting channels of the Military Departments, the subhead 5149 will be added to the symbol.

(b) The single central accounting office responsible for maintaining the accounting records of the DSA's guaranteed loan program is the Office of the Comptroller (Contract Financing Office), HQ DSA.

(c) The single disbursing office which shall be responsible for taking up all collections and making all disbursements incident to DSA's guaranteed loan program is the Accounting and Finance Office, Disbursing Symbol 5016, DSASC, Cameron Station, Alexandria, Va. 22314.

**PART 4—ADVANCE PAYMENTS**

**E-412 Action by contracting officer—approval.**

**E-412.50 Transmittal of documents.** The contracting officer's report should be forwarded in original and two copies in the format and outline indicated by ASPR E-412. Unless otherwise requested, the contracting officer should furnish the items indicated by



ASPR E-412 (v) and (vi); this action will normally obviate the need for the separate comments required by ASPR E-412(vii). If the contracting officer recommends disapproval (ASPR E-412.1) he should include suggestions as to alternate financing methods. The documents should be transmitted to HQ DSA, Attention: DSAH-CF, if the contract cites DSA funds; the office administering or making payments under the contracts or maintaining the allotments records to which the payment will finally be charged are not pertinent.

E-412.51 Accounting and disbursing procedures. Each of the three Military Departments employ different accounting and disbursing procedures for making and recouping advance payments. The prescribed procedures of each Department meet the requirements for advance payments and recoupments made under contracts citing DSA funds; therefore, the paying office designated in the contract and/or the allottee or suballottee, depending upon the local arrangement, should utilize the procedures outlined by the Military Department under which paying office operates.

#### PART 5—PROGRESS PAYMENTS BASED ON COSTS

##### E-505 Unusual progress payments—standards—procedures.

E-505.50 Submission of requests. The documents indicated in the third subparagraph ASPR E-505, if the request concerns a contract which cites DSA funds, will be submitted for coordination and approval to HQ DSA, Attention: DSAH-CF. The command jurisdiction of the office administering the contract, making payments on the contract or maintaining accounting records of the allotment or suballotment which will be charged for the payment is not pertinent.

##### E-506 Accounting system and controls.

E-506.50 Accounting and disbursing procedures. Each of the three Military Departments employs different accounting and disbursing procedures for making progress payments. The prescribed procedures of each Department meet the requirements for progress payments made under contracts citing DSA funds; therefore, the paying office designated in the contract and/or the allottee or suballottee should utilize the procedures outlined by the Military Department under which the paying office operates. Allottees and suballottees of DSA funds, whose allotments or suballotments are charged with progress payments, will render the same type of report to the allottee or suballottee as are required by the Military Department procedures under which the disbursing office, which services the allottee or suballottee, operates. The "same type report" means the same format, form, content and due dates prescribed by the appropriate Military Department directive. Allottees may consolidate the reports of suballottees or transmit them as received. Reports on progress payments should be submitted to the HQ DSA, Attention: DSAH-CF.

#### PART 6—CONTRACT DEBTS—INTEREST—DEFERRED PAYMENTS

Follow directions contained in DSAM 7000.1, chapter 12, sections I and II, and figures 12-1, 12-2, 12-3, 12-4, and 12-11.

### Appendix S—The DSA Small Business Program

#### PART I—INTRODUCTION

S-101 Scope of program. The DSA Small Business Program set forth in this Appendix is in addition to the provisions of ASPR I, Part 7; and to those of DSRP I, Part 7.

S-102 Applicability of program. This Program is applicable to all elements of DSA, both headquarters and field activities.

S-103 Revision. Changes and additions to this Appendix will be the responsibility of and will be promulgated by the DSA Small Business Advisor.

##### S-104 Definitions.

S-104.1 Commodity is the item represented in a single FSC Class, or individual items within that class as may be governed by supplier groups in accordance with industry practice. For the purpose of this program "Commodity" includes "service."

S-104.2 Principal Commodities in any supply center, are those commodities (not to exceed 20) with the largest dollar value procurement programs for a specific fiscal year.

S-104.3 Secondary Commodities in any supply center, shall be all commodities other than principal commodities.

S-104.4 National Percentage is the percentage contributed by small business firms to the total dollar value of the national output of all firms in a given industry. (See S-304.)

S-104.5 Reasonable expectation or reasonably expect is a term used to describe, with respect to any commodity, the maximum percentage of a supply center's purchases awardable to small business. This percentage is computed by adjusting the national percentage to reflect differences between military and civilian markets, traffic patterns, standards, characteristics and requirements.

S-104.6 "Pay Dirt" Commodity is a principal commodity for which the percentage of dollars awarded by DSA to small firms is substantially below the percentage which DSA might reasonably expect to award to such firms.

S-104.7 Improvable Commodities are principal commodities (other than "pay dirt") and those secondary commodities for which there is a reasonable expectation of improvement in the percentage of awards to small business.

S-104.8 Terminal Commodities are those commodities for which there is no reasonable expectation that the percentage of awards to small firms can be increased.

#### PART II—BASIC POLICIES

S-201 Scope. This part sets forth basic policies governing the DSA Small Business Program.

S-202 Relation of small business program to the DSA mission. The Small Business Program shall be conducted as an integral element in the DSA mission to achieve effective and efficient military supply.

S-203 Increasing small business competition. A continuing effort must be made to stimulate the maximum qualified competition for DSA contracts, with special emphasis directed toward promoting that of small business firms. Contracting personnel should prepare IFB's, RFP's, RFQ's, or NIP's so as to preclude insertion of provisions that may limit competition from small business firms.

S-204 Impediments to increased competition by small firms. All cognizant personnel shall take all practicable actions to reduce the impediments to increase small business participation in DSA procurement programs. Among such impediments are:

- (i) The complexity of bid and contract forms, and of specifications;
- (ii) Sole source and proprietary items;
- (iii) Restrictive specifications;
- (iv) Unnecessary Qualified Products Lists;
- (v) Failure of the purchasing office to synopsize; and
- (vi) Procedural obstacles, such as unnecessary short advertising time, unnecessary "all or none" procurement, etc.

S-205 Information on subcontracting opportunities. Procurement officials and Small Business Specialists shall take all possible and reasonable actions to inform small busi-

ness firms of subcontracting opportunities being offered by prime contractors.

S-206 Cooperation with other federal, state and local agencies, and private organizations. In conjunction with efforts to seek qualified new sources of supply in order to increase small business competition for DSA contracts, cooperation and assistance may be enlisted from field offices of U.S. Government agencies listed and other local organizations including, but not limited to:

Small Business Administration,  
General Services Administration,  
Department of Commerce,  
Area Redevelopment Administration,  
Bureau of the Census,  
Business and Defense Service Administration,  
Department of Labor,  
Veterans Administration,  
Public Health Service,  
Governors' and Mayors' Advisory Councils,  
State Development Commissions,  
Chambers of Commerce,  
Trade Associations,  
Trade and Local Press,  
Service Clubs,  
Other Businessmen's Groups.

All contacts at Departmental level with the above Federal agencies will be made through the DSA Small Business Advisor. Any agreements or arrangements with agencies and organizations shall be subject to all applicable laws and regulations.

S-207 Participation in procurement clinics, fairs, etc.

(a) To the maximum extent practicable supply centers shall participate in industrial assistance events. These include procurement clinics, small business opportunity fairs and workshops, expositions, and similar activities designed to increase the competition of qualified small business firms for Government contracts.

(b) Participation in these events should be primarily directed toward attendance by Small Business Specialists and procurement personnel for the purpose of counseling and advising businessmen on how they may do business with DSA. Exhibits of DSA items, talks by DSA officials, and the showing of relevant DSA films may be included when appropriate.

(c) The type of participation by each center should reflect the extent to which the businessmen attending the event may be potential supply sources for DSA. Efforts should be made to announce procurements of items of interest to these businessmen in time to permit appropriate counseling at the event.

(d) An individual supply center may also develop and sponsor industrial assistance events oriented exclusively to its own procurement programs. Planning for such events should be effected in close coordination with the DSA Small Business Advisor.

(e) Participation in industrial assistance events shall be conducted in accordance with the DOD Industrial Assistance Events Program.

#### PART III—COMMODITY CLASSIFICATION

S-301 Scope. This part covers the procedures for the classification of commodities.

S-302 Identification of principal commodities.

(a) Each center shall provide the DSA Small Business Advisor with a list of current fiscal year principal commodities as soon as they can be identified. Each center shall indicate, where possible, the approximate dollar value of the proposed fiscal year procurement program for each principal commodity and the approximate percentage generally awarded to small business.

(b) Each center will inform the DSA Small Business Advisor immediately whenever



changes are made in the procurement program which modify the Principal Commodity List.

**S-303 Identification of secondary commodities.** A list of secondary commodities is not required to be provided to the DSA Small Business Advisor. However, the centers will note those secondary items with the largest proposed annual procurement programs, and add them to the Principal Commodity List whenever the expected dollar volumes so warrant.

**S-304 Determination and use of national percentages.**

(a) The DSA Small Business Advisor using Department of Commerce information shall:

(i) Determine the "national percentage" for industries of interest to DSA; and

(ii) Convert these industry data to the commodity data upon which DSA procurement programs are based.

(b) Centers using the converted national percentages as a guide, will determine the percentage of total anticipated dollar volume for the fiscal year that could reasonably be expected to be awarded to small business firms for each principal commodity.

**S-305 Identification of "Pay Dirt" commodities.**

(a) The Small Business Specialist will compare the percentage as determined in S-304(b) above, for each principal commodity with the actual percentage which was awarded to small firms in the most recent fiscal year.

(b) After review of these comparisons for each principal commodity, the DSA Small Business Advisor, the cognizant Small Business Specialist, and center procurement personnel will determine which of the principal commodities should be classed as "pay dirt" commodities. (See S-104.6.)

**S-306 Identification of improvable commodities.** No identification need be made of "improvable commodities" (see S-104.7) until requested by the DSA Small Business Advisor.

**S-307 Identification of terminal commodities.** (See S-104.8.) Identification will be made automatically as a by-product to the identification of "pay dirt" and "improvable commodities."

#### PART IV—IDENTIFICATION OF NEW SMALL BUSINESS SOURCES

**S-401 Scope.** This part covers:

(i) The sources of information available for identifying new small business sources;

(ii) The media available for contacting such new small business sources; and

(iii) The priorities governing the efforts of the supply centers and of HQ DSA, for increasing the number of small business firms submitting bids for DSA contracts.

**S-402 Sources of Information.** (See S-206.)

**S-402.1 Federal Government agencies.** The DSA Small Business Advisor will initiate and develop with other Federal and State agencies all necessary arrangements to enlist their assistance in the identification of new small business sources. The DSA Small Business Advisor will decentralize to the centers, as soon as possible, the further development and implementation of such arrangements at the field level.

**S-402.2 Local Government organizations.** Initiation and development of all arrangements and agreements with local government organizations (with the exception of those organizations with representatives in Washington, D.C.) shall be the responsibility of the centers.

**S-402.3 Non-Governmental organizations.** In general, arrangements and agreements with non-Governmental organizations, national in scope, will be initiated and developed by the DSA Small Business Advisor in coordination with the DSA Special Assistant

for Public Affairs. Similar contacts with local organizations shall be effected at the centers.

**S-402.4 Industrial assistance events.** All DSA personnel participating in "Industrial Assistance Events", shall make every effort to identify attending representatives of small business firms not currently competing for DSA contracts. Representatives of those firms should be introduced to the attending DSA Supply Center Small Business Specialists for discussion and possible assistance.

**S-402.5 Inactive names on bidders lists.** Contracting officers will provide to Small Business Specialists the names of small firms which respond to DSA Invitations for Bids or Requests for Proposals, but do not submit bids. These firms should be designated for future approach and counseling service. (See Part V.)

**S-403 Contacting new small business sources.**

**S-403.1 Methods and media.** Centers are encouraged to develop the use of all appropriate methods for attracting new small business sources. The following techniques are included among those available:

(i) Releases, interviews, and special stories in trade papers and local press; and

(ii) The delivery of appropriate speeches, informal talks and film showings at:

(A) Trade association meetings and conferences;

(B) Industrial assistance events;

(C) Special industry meetings of particular interest to DSA; and

(D) Chambers of commerce, service clubs and similar organizations of local businessmen.

**S-403.2 Coordination of contracts.** The DSA Small Business Advisor shall exercise approval authority for proposed plans to interest new qualified small business firms in Government procurement. This will be done in coordination with the DSA Special Assistant for Public Affairs. This fully coordinated staffing procedure will afford maximum use of the numerous Government-industry activities being conducted by Headquarters, DSA. The approved plans will be implemented to the centers as expeditiously as possible.

**S-403.3 Geographical responsibilities.** Each center shall assist in the development and implementation of campaigns to attract new small business sources in its geographical area for particular commodities (e.g., "pay dirt" commodities), irrespective of the commodity responsibilities assigned to the center.

**S-404 Priorities.** The first priority of effort will be given to the increasing of competition for "pay dirt" commodities; then for improvable commodities; and lastly for terminal commodities.

**S-404.1 Within each center.** Maximum efforts shall be made to increase qualified small business competition for specific items in accordance with the priorities set forth above. This effort must be part of a coordinated procurement plan in order to assure that related invitations for bids or requests for proposals will be publicly announced coincidentally with such effort.

**S-404.2 Within HQ DSA.** The DSA Small Business Advisor will determine, in coordination with the Special Assistant for Public Affairs, priorities for DSA-wide efforts to increase qualified small business competition for DSA contracts.

**S-405 Continuing actions.** DSA-wide efforts to increase qualified small business competition will be conducted on a commodity basis. All centers will participate to the optimum extent. In those centers where geographical considerations do not require major efforts to support a DSA-wide special program to increase competition for a specific commodity, actions taken to develop new small business sources will be conducted in

accordance with the priorities set forth in paragraph S-404 above.

#### Part V—Counseling Assistance

**S-501 Scope.** This part covers the general objectives of counseling, and provides guidance to the Small Business Specialist in the conduct of his counseling activities. It also covers the materials that may be used in counseling practice.

**S-502 Objectives.** Each Small Business Specialist shall develop a personalized approach to, and pattern for, his counseling activities, to include the following concepts:

(i) The basic attitude toward counseling must be that of "service" to the businessman. Each DSA Small Business Specialist is a counselor for all DSA centers. Under no circumstances is an inquiry to be handled casually in an endeavor to dispose of the problem with the least amount of effort, nor should an inquirer be told to get in touch with another DSA center. When a Small Business Specialist determines that an inquirer's problem can best be handled in another DSA center, he should make the necessary contact, introduction, and appointment. To the maximum extent possible, the same approach should be taken when the inquirer's problem must be handled by another element of the Department of Defense or by another Government agency.

(ii) The major objective of counseling is to attract the maximum number of qualified competitors for DSA contracts.

(iii) A supporting objective of counseling is to provide as complete as possible service to all inquirers. Whether or not a businessman is found to be a potential bidder for DSA contracts, efforts shall be made to identify for him other Government agencies which might be interested in what he has to offer.

**S-503 Limits of counseling.** The primary role of the Small Business Specialist is to assist a businessman in his attempt to do business with DSA and, secondarily, with other element of the U.S. Government. The Small Business Specialist, however, must not attempt to interpret invitations for bid, specifications, or related documents. In the event that the need for such interpretation becomes evident, the Small Business Specialist shall arrange for the businessman an interview with the appropriate contracting officer or his designee.

**S-504 Publications.**

(a) Small Business Specialist shall maintain adequate stocks of all Government publications designed to assist the operator of a small business in his approach to selling to DSA and to other elements of the U.S. Government. The Specialists must have available for reference the cataloging handbooks, Federal Supply Classifications, regulations, and directories necessary to provide adequate information to inquiring businessmen.

(b) The DSA Small Business Advisor will serve as a focal point for arranging for the initial distribution and replenishment stockage of those publications made available by Government agencies; and will assist, if requested, in arranging for replenishment of these documents.

(c) Centers are urged to develop pamphlets and brochures describing the opportunities for businessmen which they provide. When these documents are published, provisions shall be made to supply the DSA Small Business Specialists in the other supply centers and the DSA Small Business Advisor with an initial stock of 50 copies. The initial distribution shall be accompanied by instructions for replenishment. The provision of copies for the Special Assistant for Public Affairs should be coordinated with the local Public Affairs Office.

**S-505 Display rooms.** Each center except DPSC shall provide as soon as possible, an



adequate display room in which the following shall be displayed:

- (i) Samples of representative items purchased by the Center;
- (ii) Current DSA invitations for bid and requests for proposals, arranged by two-digit FSC groups;
- (iii) The "Commerce Business Daily";
- (iv) Brochures and pamphlets related to doing business with DSA, and other Government agencies; and
- (v) Other pertinent material of assistance to an inquiring businessman.

By order of the Director, Defense Supply Agency.

S. A. MacKENZIE,  
Colonel, U.S. Army,  
Staff Director, Administration.

[P.R. Doc. 69-12627; Filed, Oct. 23, 1969;  
8:45 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[FCC 69-1113]

#### PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

##### Precedence System for Public Correspondence Services Provided by Communications Common Carriers

In Chapter I of Title 47 of the Code of Federal Regulations, Part 64 is amended as follows:

1. Section 64.402 is added to read as follows:

§ 64.402 Procedures for using a precedence system for public correspondence services provided by the communication common carriers.

The precedence system and procedures set forth in Appendix B to this part are applicable to the communications common carriers and all users of public correspondence service facilities of the communications common carriers, and to the extent possible through agreements between the latter and their foreign correspondents, for handling abroad.

2. Appendix B is added to Part 64 to read as follows:

##### APPENDIX B—PRECEDENCE SYSTEM FOR PUBLIC CORRESPONDENCE SERVICES PROVIDED BY THE COMMUNICATIONS COMMON CARRIERS

1. The Federal Communications Commission and the Director of Telecommunications Management have agreed upon the provisions of a Precedence System for the expeditious handling of messages and calls transmitted over Public Correspondence Services facilities of the communications common carriers and are concurrently promulgating a Commission order applicable to communications common carriers and a Director of Telecommunications Management Circular to all departments and agencies of the Federal Government establishing within the scope of their respective authority this Precedence System. The Precedence System and procedures contained in this order and the Director of Telecommunications Management Circular are intended to be identical, and any differences

in terminology arise from differences in the legal situation of the Commission and the Director. The provisions of this order and the Director of Telecommunications Management's Circular shall be read and construed to effectuate a single Precedence System concurrently promulgated under the respective authority of both the Commission and the Director. Accordingly, this order and the Director of Telecommunications Management's Circular establish a system whereby Government and certain private and public entities will have available procedures to insure that communications vital to the national interest will be afforded priority handling in all situations ranging from normal peacetime conditions to various stages of crisis, including all-out nuclear attack.

2. The Precedence System and procedures set forth in this order are applicable to all users of public correspondence service facilities of the communications common carriers, to U.S. domestic and international communications common carriers, and to the extent possible through agreements between the latter and their foreign correspondents, for handling abroad.

3. As used herein: "Public Correspondence Services" means those services offered to the general public for communication between all points served by a carrier or by interconnected carriers on a nonexclusive message by message or call by call basis as differentiated from leased private line services.

"Precedence" means the order in which messages and calls are processed. Transmission of information and call completion is therefore to be accomplished in the order required by the precedence indicator. Any such properly categorized communications precede noncategorized communications.

"Government" means Federal, foreign, State, county, or municipal government agencies. Specific reference will be made whenever the term is intended to apply to less than the whole, e.g., "State Government," "Federal Government," etc.

"Foreign Government" includes those foreign diplomatic and consular establishments and those coalitions or associations of governments such as NATO, SEATO, OAS, U.N., and associations of governments or governmental agencies such as Pan American Union, International Postal Union, International Monetary Fund, and similar organizations.

"Message" means a written or other form of record communication prepared for transmission to and delivery at the destination.

"Call" means a request from a user for a connection to another station, whether for telephone or record communication.

4. The precedence system set forth in this Order and the companion Director of Telecommunications Management Circular is based upon use of the following indicators:

For Domestic Messages and Domestic and International Calls—

##### FLASH EMERGENCY IMMEDIATE EMERGENCY PRIORITY EMERGENCY

For International Messages—Users will, when using public correspondence services, handle their international messages in accordance with current International Telecommunications Union (ITU) Telegraph Regulations. It should be noted that generally, the only priority afforded Government messages under the ITU Telegraph Regulations is ETAT PRIORITE, and for other users the only priority afforded is URGENT.

The URGENT indicator is limited for use only during wartime conditions, as declared pursuant to section 606 of the Communica-

tions Act.<sup>1</sup> Domestic and International United States Common Carriers, insofar as practicable by agreement with their foreign correspondents, shall endeavor to arrange the proper levels of precedence handling of international messages and calls originating in, terminating in, or transiting the United States: *Provided, however,* That insofar as international messages are concerned, the level of precedence shall be consistent with the International Telecommunication Convention and regulations thereunder.

On International telephone calls the carrier's operator will convert to the appropriate International Indicator.

Domestic messages and calls which must be handled, all or in part, over the carriers' Public Correspondence Service facilities must use the above indicators to insure proper handling. However, in accordance with the terms of the Director of Telecommunications Management Circular, Federal Government departments and agencies are not bound by these indicators when communicating over facilities which are owned or leased, over the entire route, by the Federal Government.

5. Calls and messages in each precedence classification above shall have no precedence over other calls within the same classification, except where, within the same classification they cannot be handled simultaneously, then they shall be handled in the order of their receipt by the common carrier (filing time).

6. Individuals whose requirements qualify them to use the precedence system share the responsibility for insuring its effectiveness. Users must familiarize themselves with the purposes to be served by the use of each precedence group and the types of messages or calls which may be assigned the respective precedences. It must always be remembered that the entire system will operate successfully only if the use of the precedence indicators is limited strictly to the intended purposes as outlined below. Each user, therefore, must consider whether each message or call requires any special precedence and exercise care not to specify a higher precedence than circumstances require.

7.a. FLASH EMERGENCY (Domestic Calls and Messages and International Calls) or ETAT PRIORITE (International Messages).

This is the highest order of precedence and shall be STRICTLY LIMITED TO FEDERAL AND FOREIGN GOVERNMENTAL AGENCIES for messages and calls essential to national survival, and for the following purposes:

- (1) Command and control of military forces essential to defense and retaliation.
- (2) Critical intelligence essential to national survival.

<sup>1</sup> To assure the worldwide movement of an URGENT class of telegrams to and from the United States during wartime conditions, the Commission's order of May 27, 1941, in Docket 2639 (8 FCC 515), limiting the charges for an urgent class in international service, shall not restrict a carrier in filing tariffs, offering an urgent telegraph message only during wartime conditions, limited to such activities as are contemplated by paragraphs 7(b) and 7(c) of the proposed amendment to Part 61 of the Commission's rules, at rate levels, where arrangements consistent with May 27, 1941, order cannot be reached, not in excess of the ratio set forth in the Telegraph Regulations annexed to the International Telecommunication Convention or in Recommendations of the International Telephone and Telegraph Consultative Committee of the International Telecommunication Union in effect at such time.



(3) Conduct of diplomatic negotiations critical to the arresting or limiting of hostilities.

(4) Dissemination of critical civil alert information essential to national survival.

(5) Continuity of Federal governmental functions essential to national survival.

(6) Fulfillment of critical U.S. internal security functions essential to national survival.

(7) Catastrophic events of national or international significance, such as Presidential Action Notices essential to national survival during attack or preattack conditions.

Messages in the FLASH EMERGENCY or ETAT PRIORITE category shall, subject to requirements of the International Telecommunication Convention and regulations thereunder, be transmitted ahead of all other public correspondence messages. Any message of a lower precedence in the process of transmission will be halted, if feasible, to clear the channel for the FLASH EMERGENCY or ETAT PRIORITE transmission.

Calls in the FLASH EMERGENCY category shall be completed ahead of all other public correspondence calls. When necessary to obtain a circuit for the FLASH EMERGENCY call, any call in progress of a lower precedence will be interrupted, if feasible.

b. IMMEDIATE EMERGENCY (Domestic Calls and Messages and International Calls) OR ETAT PRIORITE AND URGENT (International Messages)

This is the second order of precedence and shall be strictly limited to messages and calls pertaining to:

(1) Situations which gravely affect the security of national and allied forces.

(2) Reconstitution of forces in a post-attack period.

(3) Intelligence essential to national security.

(4) Conduct of diplomatic negotiations to reduce or limit the threat of war.

(5) Implementation of Federal governmental actions essential to national survival.

(6) Situations which gravely affect the internal security of the United States.

(7) Civil defense actions concerning direction of our population and their survival.

(8) Disasters or events of extensive seriousness having an immediate and detrimental effect on the welfare of the population.

(9) Vital information having an immediate effect on aircraft, spacecraft or missile operations.

Messages in the IMMEDIATE EMERGENCY, ETAT PRIORITE, or URGENT category shall be transmitted ahead of all other public correspondence messages except those having a higher precedence. Any message of a lower precedence in the process of transmission will be halted, if feasible, to clear the channel for this transmission.

Calls in the IMMEDIATE EMERGENCY category shall be completed ahead of all other public correspondence calls except those having a higher precedence. When necessary to obtain a circuit for the IMMEDIATE EMERGENCY call, any call in progress of a lower precedence will be interrupted, if feasible.

c. PRIORITY EMERGENCY (Domestic Calls and Messages and International Calls), ETAT PRIORITE or URGENT (International Messages).

This is the third order of precedence and shall be strictly limited to messages and calls requiring prompt completion and involving such activities as:

(1) Information on locations where attack is impending or where fire or air support will soon be placed.

(2) Air-ground integrated operations.

(3) Important intelligence.

(4) Important diplomatic information.

(5) Important information concerning the launch, operation or recovery of spacecraft or missiles.

(6) Movement of naval, air, and ground forces.

(7) Coordination between governmental agencies concerning the performance of emergency preparedness functions.

(8) Major civil aircraft accidents.

(9) Maintaining the public health, safety, and welfare of our population.

(10) Critical logistic functions, provision of critical public utility services, and administrative military support functions.

(11) Distributing essential food and supplies critical to health.

(12) Accomplishing tasks necessary to insure critical damage control functions.

(13) Preparations for adequate hospitalization.

(14) Continuity of critical governmental functions.

(15) Arranging minimum transportation for accomplishing the aforesaid functions.

(16) Continuing or reestablishing our more important financial, economic, health and safety activities, and producing, procuring, and distributing food materials and supplies which are considered necessary to the immediate support of a war effort, the national defense, or for expediting the means of meeting the effects of natural disasters.

(17) Prompt delivery of information by press representatives to news media organizations and newspapers covering news of national or widespread disasters.

Messages and calls in the PRIORITY EMERGENCY, ETAT PRIORITE, or URGENT category shall be given precedence of transmission or call completion over all other public correspondence communications, except those having a higher precedence.

8.a. Any apparent misuse of precedence indicators by non-Federal Government activities which are brought to the attention of the communications common carriers shall be referred to the Federal Communications Commission on an after-the-fact basis.

b. Any apparent misuse by Federal Government activities which are brought to the attention of the Communications common carriers shall be referred to the Executive Agent, NCS on an after-the-fact basis. The Executive Agent will refer any matter which cannot be resolved with the cognizant Government activity to the Director of Telecommunications Management for decision.

9. For Public Correspondence messages, the domestic precedence indicators "Flash Emergency," "Immediate Emergency," and "Priority Emergency," or the international indicators, "Etat Priorite," and "Urgent" shall be written in full in capital letters by the sender as the first word preceding the name of the addressee on messages at the time of filing with the communications common carrier for transmission to and delivery at the destination. Such indicators shall be transmitted without abbreviation.

10. For Public Correspondence calls, the user should first attempt to complete the call in the normal manner. In the event the user is unable to complete the call, and the type of communication falls within one of the precedence categories listed herein, the call should be filed with an operator for completion and the user must specify the required precedence handling by stating that "This is a FLASH EMERGENCY (or IMMEDIATE EMERGENCY, or PRIORITY EMERGENCY) call," whichever the case may be.

11. It is essential to provide public message and call capability for the transmission of military, governmental, and essential non-governmental precedence messages and calls. Private line services for military, governmental, and other essential users are pro-

vided under a Priority System for Intercity Private Line Services promulgated under FCC Order 67-51 and DTM 32 P.R. 791. However, during national emergencies, military, governmental, and other essential users will have additional requirements for prompt completion of precedence traffic over public correspondence communications common carrier facilities. Therefore, notwithstanding the provisions of FCC Order 67-51 and DTM 32 P.R. 791, the communications common carriers shall have available a minimum number of public correspondence circuits at all times so as to provide for the transmission of precedence type messages and calls. Normally, the communications common carriers will use their judgment in determining this minimum number of circuits required for public correspondence precedence traffic. However, the authority is reserved to the Director of Telecommunications Management or the Federal Communications Commission, as appropriate to the time and situation, to revise the decisions of the carriers respecting the allocation of circuits, and to resolve any questions which are referred to them by the carriers or the users. (See 32 P.R. 788 for FCC Order 67-51.)

12. It is recognized that in accordance with time-honored normal practices, the communications common carriers accept and provide special handling for emergency-type telegraph messages and telephone calls relating to such matters as serious accident, illness, or death, or to incidents requiring the aid of life or property-saving services of the Police and Fire Departments, doctors, hospitals, etc. Such emergency messages or calls are given expeditious handling over others, but will not, except as required by the Telegraph Regulations, ITU Convention or other applicable provisions of law and treaty, precede the handling of FLASH EMERGENCY, IMMEDIATE EMERGENCY, PRIORITY EMERGENCY, ETAT PRIORITE, and URGENT categorized communications.

13. This order is issued pursuant to section 1, 4(i), and 201 through 205 of the Communications Act of 1934, as amended, and Executive Order 11092. Pursuant to title 5, United States Code, section 1003(a) the Federal Communications Commission finds and hereby states that the notice and public procedure provisions of the Administrative Procedure Act are impracticable and unnecessary with respect to the promulgation of this order for the reason that the subject matter of this order involves the military and defense function of the United States, that representatives of the communications common carriers to which this order applies have been informally consulted prior to promulgation of this order, that this order requires coordination with the Director of Telecommunications Management, and that certain data upon which this order is based are classified in the interest of the national security.

In accordance with the foregoing: It is ordered, Effective November 1, 1969, that Part 64 of the Commission's rules and regulations is amended as set forth above, and our order in Telegraph Division Order No. 12, 8 F.C.C. 515 (1941) is amended to the extent indicated herein.

It is further ordered, That tariff amendments necessary to implement this precedence system shall be filed on less than statutory notice within a reasonable time after the release of this order.

(Secs. 1, 4, 201, 202, 203, 204, 205, 48 Stat. as amended, 1064, 1066, 1070, 1071, 1072; 47 U.S.C. 151, 154, 201, 202, 203, 204, 205, and E.O. 11092 of Feb. 26, 1963)



Adopted: October 15, 1969.

Released: October 21, 1969.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>\*</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 69-12748; Filed, Oct. 23, 1969;  
8:48 a.m.]

Chapter II—Director of Telecommu-  
nications Management

[Telecom Circular 3300.3]

PART 203—GOVERNMENT AND  
PUBLIC CORRESPONDENCE TELE-  
COMMUNICATIONS PRECEDENCE  
SYSTEM

Part 203 is added to Title 47, Chapter II, reading as follows. This Part 203 replaces attachments A and B to Annex 3 of DMO 3000.1, dated November 8, 1963 (28 F.R. 12273), which is being canceled by the Director of the Office of Emergency Preparedness.

- Sec.  
203.0 Authority.  
203.1 Background and purpose.  
203.2 Scope.  
203.3 Cancellation.  
203.4 Definitions.  
203.5 Precedence designators.  
203.6 Criteria.  
203.7 Policies.  
203.8 Implementation.

**AUTHORITY:** The provisions of this Part 203 issued under Executive Order No. 10995 (27 F.R. 1519; 3 CFR, 1959-63 Comp., as amended, 28 F.R. 1531; 3 CFR, 1959-63 Comp.); President's Memorandum of Aug. 21, 1963 (28 F.R. 9413; 3 CFR, 1959-63 Comp.); sec. 606(a), Communications Act of 1934, as amended; Executive Order No. 10705 (3 CFR, 1954-58 Comp.).

§ 203.0 Authority.

(a) The voice and message precedence procedures for departments and agencies of the Federal Government prescribed by this circular are prescribed pursuant to Executive Order No. 10995 (27 F.R. 1519; 3 CFR, 1959-63 Comp., p. 535, as amended, 28 F.R. 1531; 3 CFR, 1959-63 Comp., p. 719), and the President's Memorandum of August 21, 1963, which established the National Communications System (28 F.R. 9413; 3 CFR, 1959-63 Comp., p. 858).

(b) The procedures applicable to communication common carriers and non-Federal Government users prescribed by this circular are prescribed pursuant to authority conferred upon the President by section 606(a) of the Communications Act of 1934, as amended, and delegated by Executive Order No. 10705 to the Director of the Office of Emergency Preparedness, who redelegated it to the Director of Telecommunications Management. That authority under section 606(a) may be exercised only during the continuance of a war in which the United States is engaged.

\* Commissioner Cox absent.

§ 203.1 Background and purpose.

(a) The Director of Telecommunications Management and the Federal Communications Commission have agreed upon a precedence system for the expeditious handling of messages and calls transmitted over Government and public correspondence facilities in all types of situations from peacetime to massive nuclear attack. Effectuation of that system requires that the Director issue a circular and that the Commission concurrently issue an order prescribing the standards, procedures, policies, and regulations that together, constitute this single integrated precedence system.

(b) In conformity with that agreement the Director of Telecommunications Management is issuing this circular the purpose of which is to prescribe, on behalf of the President, that part of those standards, procedures, policies, and regulations which are within the cognizance of the Director. No significance should be attached to the fact that slightly different terms are used in this circular from those used in the companion order of the FCC. Those differences result from differences in terms in the basic legal authorities of the Director and the Commission rather than from an intent to denote a distinction in purpose or effect.

§ 203.2 Scope.

The precedence system contained herein is applicable to:

(a) Users of Government service facilities, whether owned or leased.

(b) Users of public correspondence service facilities of the communication common carriers, to U.S. domestic and international communication common carriers, and to the extent possible by agreement between the latter and their foreign correspondents.

§ 203.3 Cancellation.

This circular cancels:

(a) Attachments A and B to Annex 3 of DMO 3000.1, dated November 8, 1963 (28 F.R. 12273).

(b) That portion of the memorandum of the Special Assistant to the President for Telecommunications, dated August 27, 1964, pertaining to message precedences.

§ 203.4 Definitions.

As used herein:

(a) Public correspondence services means those services offered to the general public for communications between all points served by a carrier or by interconnected carriers on a nonexclusive message by message or call by call basis, as differentiated from leased private line services.

(b) The term "precedence" means the order in which messages and calls are processed. Transmission of information and call completion is therefore to be accomplished in the order required by the precedence designator. Any such properly categorized communications precede noncategorized communications.

(c) The term "Government" where used alone means Federal, foreign, State,

county, or municipal government agencies. Specific reference will be made whenever it is intended to apply to less than the whole, e.g., "State Government," "Federal Government," etc.

(d) The term "Foreign Government" includes those foreign diplomatic and consular establishments and those coalitions or associations of governments such as NATO, SEATO, OAS, UN, and associations of governments or governmental agencies such as Pan American Union, International Postal Union, International Monetary Fund, and similar organizations.

(e) The term "message" means a written or other form of record communication prepared for transmission and delivery at the destination.

(f) The term "call" means a request from a user for a connection to another station whether for telephone or record communication.

§ 203.5 Precedence designators.

(a) The following precedence designators are available for Government and public correspondence users:

Federal Government	Domestic public correspondence and international telephone calls
Flash.....	Flash Emergency.
Immediate.....	Immediate Emergency.
Priority.....	Priority Emergency.
Routine.....	(No domestic equivalent.)

(b) Government and non-Government users of public correspondence services will handle their international messages in accordance with current ITU Telegraph Regulations. Government users should note that, generally, the only precedence designator available for their use for international messages sent over public correspondence circuits is Etat Priorite. The ITU Regulations do not contain precedence designators which equate to Flash, Immediate, or Priority. Accordingly, Government messages whether Flash, Immediate, or Priority precedence when sent over international public correspondence circuits will be handled as Etat Priorite messages. Thus, Priority messages will receive the same treatment in transmission and processing as Immediate, or Flash messages. Conversely, Etat Priorite messages received in the United States shall be transmitted and processed in the order of receipt, to the extent possible. The precedence designator available for non-Government users of public correspondence services is Urgent. The Urgent designator is limited for use only during wartime conditions, as declared pursuant to section 606 of the Communications Act of 1934.

(c) Domestic and International U.S. common carriers, insofar as practicable by agreement with their foreign correspondents, shall endeavor to arrange the proper level of precedence handling of international messages and calls originating, terminating in, or transiting the United States: *Provided, however*, That insofar as international messages are concerned the level of precedence shall be consistent with the International



Telecommunication Conventions and regulations thereunder.

(d) The Government designators shall be used throughout the Federal Government. All messages and telephone calls sent via public correspondence services shall use domestic or international public correspondence designators as appropriate. Thus, the responsibility is on Government and public correspondence users to recognize and use the appropriate designators when using public correspondence services.

(e) On international telephone calls the carrier's operator will convert to the appropriate international designator.

#### § 203.6 Criteria.

(a) *Flash, Flash Emergency.* (1) This is the highest order of precedence and shall be strictly limited to Federal, and Foreign Government agencies.

(2) *Flash, or Flash Emergency* telephone calls or messages shall be handled in the order received and ahead of all calls or messages except as indicated for international messages in ITU Regulations. When necessary to obtain a circuit for a Flash, or Flash Emergency call any call in progress of a lesser precedence will be interrupted, if feasible. Any message of a lesser precedence in the process of transmission will be halted, if feasible, to clear the channel for the Flash, or Flash Emergency transmission. Flash, or Flash Emergency precedence shall be reserved for calls and messages having an immediate bearing on:

(i) Command and control of military forces essential to defense and retaliation.

(ii) Critical intelligence essential to national survival.

(iii) Conduct of diplomatic negotiations critical to the arresting or limiting of hostilities.

(iv) Dissemination of critical civil alert information essential to national survival.

(v) Continuity of Federal governmental functions essential to national survival.

(vi) Fulfillment of critical U.S. internal security functions essential to national survival.

(vii) Catastrophic events of national or international significance, such as Presidential Action Notices essential to national survival during attack or pre-attack conditions.

(b) *Immediate, Immediate Emergency, Urgent, Immediate, Immediate Emergency, or Urgent* telephone calls or messages except those having a higher precedence and ahead of all other calls or messages shall be handled as fast as precedence. Any message or call of a lower precedence in the process of transmission will be halted, if feasible, to clear the channel for this transmission. It will be reserved generally for calls or messages pertaining to:

(1) Situations which gravely affect the security of national and allied forces.

(2) Reconstitution of forces in a post-attack period.

(3) Intelligence essential to national security.

(4) Conduct of diplomatic negotiations to reduce or limit the threat of war.

(5) Implementation of Federal Government actions essential to national survival.

(6) Situations which gravely affect the internal security of the United States.

(7) Civil defense actions concerning direction of our population and its survival.

(8) Disasters or events of extensive seriousness having an immediate and detrimental effect on the welfare of the population.

(9) Vital information having an immediate effect on aircraft, spacecraft, or missile operations.

(c) *Priority, Priority Emergency, Urgent, Priority, Priority Emergency, or Urgent* messages and calls shall take precedence over messages or calls designated "Routine," or in the case of common carriers, over all nonprecedence traffic. Priority, Priority Emergency, or Urgent precedence is generally reserved for calls or messages which require expeditious action. Examples are calls or messages pertaining to:

(1) Information on locations where attack is impending or where fire or air support will soon be placed.

(2) Air-ground integrated operations.

(3) Important intelligence.

(4) Important diplomatic information.

(5) Important information concerning the launch, operation, or recovery of spacecraft or missiles.

(6) Movement of naval, air, and ground forces.

(7) Coordination between governmental agencies concerning the performance of emergency preparedness functions.

(8) Major civil aircraft accidents.

(9) Maintaining the public health, safety, and the welfare of our population.

(10) Critical logistic functions, provisions of critical public utility services, and administrative military support functions.

(11) Distributing essential food and supplies critical to health.

(12) Accomplishing tasks necessary to insure critical damage control functions.

(13) Preparations for adequate hospitalization.

(14) Continuity of critical Government functions.

(15) Arranging minimum transportation for accomplishing the aforesaid functions.

(16) Continuing or reestablishing our more important financial, economic, health, and safety activities. Producing, procuring, and distributing food materials and supplies, which are considered necessary to the immediate support of a war effort, the national defense, or for expediting the means of meeting the effects of natural disasters.

(17) Prompt delivery of information by press representatives to news media organizations and newspapers covering news of national or widespread disasters.

(d) *Routine; no domestic equivalent.* Routine precedence designation applies

to those normal day-to-day communications which require rapid transmission by telephone or message, but do not require urgent or preferential handling.

#### § 203.7 Policies.

(a) Calls and messages in each precedence classification above shall have no precedence over others within the same classification, except where, within the same classification, they cannot be handled simultaneously. Then, they shall be handled in the order of their receipt.

(b) Individuals whose requirements qualify them to use the precedence system share the responsibility for insuring its effectiveness. Users must familiarize themselves with the purposes to be served by the use of each precedence designator. It must be remembered that the entire system will operate successfully only if the use of the precedence designator is limited strictly to the intended purposes. Each user must consider whether each message or call requires any special precedence and exercise care not to specify a higher precedence than circumstances require.

(c) For public correspondence message services, the domestic or international precedence designators shall be shown in full by the sender as the first word preceding the name of the addressee.

(d) For public correspondence call services, the user should first attempt to complete the call in the normal manner. In the event the user is unable to complete the call and the type of communication falls within one of the precedence categories listed herein, the call should be filed with an operator for completion and the user must specify the required precedence handling by stating that this is a Flash Emergency, Immediate Emergency, or Priority Emergency call, whichever the case may be.

(e) Any apparent misuse of precedence indicators by non-Federal Government activities brought to the attention of the communication common carriers shall be referred to the FCC on an after-the-fact basis.

(f) Any apparent misuse by Federal Government activities brought to the attention of the communication common carriers shall be referred to the Executive Agent, National Communications System. The Executive Agent will refer any matter which cannot be resolved with the cognizant Government activity to the Director of Telecommunications Management for decision.

(g) It is essential to provide public message and call capability for the transmission of military, governmental, and essential non-Government precedence messages and calls. Private line services for military, governmental, and other essential users are protected under a Priority System for Intercity Private Line Services promulgated by the FCC (FCC Order 67-51) and the Director of Telecommunications Management (32 F.R. 791). However, during national emergencies, military, governmental, and other essential users will have additional



requirements for prompt completion of precedence traffic over public correspondence communication common carrier facilities. Therefore, notwithstanding the provisions of the above-described Priority System for Intercity Private Line Services, communication common carriers shall have available a minimum number of public correspondence circuits at all times so as to provide for the transmission of precedence type messages and calls. Normally, the communication common carriers shall use their judgment in determining this

minimum number of circuits required for public correspondence precedence traffic. However, the authority is reserved to the Director of Telecommunications Management or the Federal Communications Commission, as appropriate to the time and situation, to revise the decisions of the carriers respecting the allocation of circuits, and to resolve any questions which are referred to them by the carriers or the users.

#### § 203.8 Implementation.

Federal departments and agencies are authorized to issue such additional orders as are necessary to effect implementation of this circular.

*Effective date.* This circular is effective November 1, 1969.

Dated: October 15, 1969.

WILLIAM E. PLUMMER,  
*Acting Director of*

*Telecommunications Management.*

[F.R. Doc. 69-12735; Filed, Oct. 23, 1969;  
8:47 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 959 ]

### ONIONS GROWN IN SOUTH TEXAS

#### Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the South Texas Onion Committee, established pursuant to Marketing Agreement No. 143 and Order No. 959, both as amended (7 CFR Part 959), regulating the handling of onions grown in designated counties in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal shall file the same with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The recommendations of the committee reflect its appraisal of the expected volume and composition of the 1970 crop of South Texas onions and of the marketing prospects for the shipping season which is expected to begin on or about March 15.

The grade and size requirements proposed herein are recommended to prevent culls and poor quality onions, as well as undesirable sizes, from being distributed in fresh market channels. This should provide consumers with desirable onions, at reasonable prices and at the same time result in higher returns to producers for the better grades and preferred sizes and enhance the reputation of South Texas onions.

The proposed container requirement should prevent the use of off-size or deceptive containers which could adversely affect the reputation and returns of South Texas onions. However, it would not preclude the use of containers customarily packed for the retail trade and other designated special purpose containers which have been the subject of experimental shipments for the past four seasons, provided they comply with the special purpose shipments requirements.

The proposed prohibition on packaging and loading onions on Sunday is recommended to provide more orderly marketing by tailoring shipments from the production area more closely to the ability of receiving markets to accept marketings at reasonable prices. This proposal eliminates the preparation and

loading of onions when receivers and other buyers in the terminal market are not open for business.

The proposal is as follows:

#### § 959.310 Limitation of shipments.

During the period beginning March 15, 1970, through May 31, 1970, no handler may package or load onions on Sundays, or handle any lot of onions grown in the production area, except red onions, unless such onions meet the grade requirements of paragraph (a) of this section, one of the applicable size requirements of paragraph (b) of this section, the container requirements of paragraph (c) of this section, and the inspection requirements of paragraph (f) of this section, or unless such onions are handled in accordance with the provisions of paragraph (d) or (e) of this section.

(a) *Minimum grade.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Application of tolerances in U.S. Grade Standards shall apply to in-grade lots.

(b) *Size requirements.* (1) "Small": 1 to 2 1/4 inches in diameter, and limited to whites only;

(2) "Repacker": 1 3/4 to 3 inches in diameter, with 60 percent or more 2 inches in diameter or larger;

(3) 2 to 3 1/2 inches in diameter; or

(4) "Jumbo": 3 inches or larger in diameter.

(c) *Container requirements.* (1) 25-pound bags, with not to exceed in any lot an average net weight of 27 1/2 pounds per bag, and with outside dimensions not larger than 29 inches by 31 inches; or

(2) 50-pound bags, with not to exceed in any lot an average net weight of 55 pounds per bag, and with outside dimensions not larger than 33 inches by 38 1/2 inches.

(3) These container requirements shall not be applicable to onions sold to Federal agencies.

(d) *Minimum quantity exemption.* Any handler may handle, only as individual shipments and other than for resale, not more than 100 pounds of onions per day, in the aggregate, without regard to the requirements of this section or to the inspection and assessment requirements of this part.

(e) *Special purpose shipments and culls.* (1) Onions may be handled in containers customarily packed for the retail trade and other designated special purpose containers as follows:

(i) Each handler desiring to make such shipments shall first apply to the committee for and obtain a Certificate of Privilege to make such shipments.

(ii) After obtaining an approved Certificate of Privilege, each handler may

handle onions packed in 2-, 3-, or 5-pound containers customarily packed for the retail trade, or 50-pound cartons, if they meet the grade and size requirements of paragraphs (a) and (b) of this section and if they are handled in accordance with the reporting requirements established in subparagraph (2) of this paragraph on such shipments: *Provided*, That shipments of 2-, 3-, and 5-pound containers shall not exceed 10 percent of a handler's total weekly onion shipments, and provided further that shipments of 50-pound cartons shall not exceed 10 percent of a handler's total weekly onion shipments of all onions allowed to be marketed under this section.

(iii) The average gross weight of master containers per lot, as computed by multiplying the number of packages therein by their weight classification, plus the weight of the master container, may not exceed 15 percent over the designated net contents.

(iv) The average net weight per lot of 50-pound cartons shall not exceed 55 pounds.

(2) Reporting requirements for shipments in designated special purpose containers:

(i) Each handler who handles such shipments of onions in containers customarily packed for the retail trade and other designated special purpose containers, shall report thereon to the committee, the inspection certificate numbers, the grade and size of onions packed and the size of the containers in which such onions were handled.

(ii) Such reports, in accordance with § 959.80, shall be furnished to the committee in such manner, on such forms and at such times as it may prescribe. Also, each handler of such shipments of onions shall maintain records of such marketings, pursuant to § 959.80(c). Such records shall be subject to review and audit by the committee to verify reports thereon.

(3) Onions failing to meet requirements: Onions failing to meet the grade, size, and container requirements of this section, and are not exempted under paragraph (d) of this section, may be handled only pursuant to § 959.126. Culls may be handled pursuant to § 959.126 (a) (1). Shipments for relief or charity may be handled without regard to inspection and assessment requirements.

(f) *Inspection.* (1) No handler may handle any onions regulated hereunder (except pursuant to paragraph (d) or (e) (3) of this section) unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment.

(2) No handler may transport or cause the transportation of any shipment of onions by motor vehicle for which an inspection certificate is required unless each such shipment is accompanied by a



copy of the inspection certificate applicable thereto or by documentary evidence on forms furnished by the committee identifying truck lots to which a valid inspection certificate is applicable and a copy of such inspection certificate or committee document, upon request, is surrendered to authorities designated by the committee.

(3) For purpose of operation under this part each inspection certificate or committee form required as evidence of inspection is hereby determined to be valid for a period not to exceed 72 hours following completion of inspection as shown on the certificate.

(g) *Definitions.* The term "U.S. No. 1" shall have the same meaning as set forth in the United States Standards for Bermuda-Granex-Grano Type Onions (§§ 51.3195-51.3209 of this title), or in the U.S. Standards for Grades of Onions (§§ 51.2830-51.2854 of this title), whichever is applicable to the particular variety. All terms used in this section shall have the same meaning as when used in Marketing Agreement No. 143, as amended, and this part.

Dated: October 21, 1969.

PAUL A. NICHOLSON,  
Acting Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 69-12747; Filed, Oct. 23, 1969;  
8:48 a.m.]

#### [ 7 CFR Parts 1003, 1004, 1016 ]

[Docket Nos. AO-293-A23-R01, AO-180-A43-R01, AO-312-A20-R01]

#### MILK IN WASHINGTON, D.C., DELAWARE VALLEY, AND UPPER CHESAPEAKE BAY MARKETING AREAS

#### Supplemental Notice Reopening Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

This notice is supplemental to the notice of hearing which was published in the FEDERAL REGISTER on July 9, 1969 (34 F.R. 11364), with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Washington, D.C., Delaware Valley, and Upper Chesapeake Bay marketing areas.

Notice is hereby given pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), that the aforesaid hearing will be reopened in the Ballroom of the Friendship International Hotel, Friendship International Airport, Md., beginning at 9:30 a.m. on October 30, 1969.

A request for a further hearing was made on behalf of the Mid-Atlantic Federal Order Committee.

The reopened hearing is only for the limited purpose of receiving any addi-

tional pertinent evidence with respect to the economic and marketing conditions which relate to the subject matters set forth in this hearing notice and to the proposed amendments hereinafter set forth and any appropriate modification thereof.

This reopened hearing raises the issue of (1) whether any or all of the individual orders should be amended with respect to the matters here under consideration and whether a decision with respect to these matters should be made prior to a determination with respect to merger of any or all of the orders or only in conjunction with a decision with respect to merger; and (2) if a partial decision is appropriate with respect to amendment of the individual orders regarding the limited matters here under consideration, what brackets should apply subsequently in the event of merger of the orders.

The proposed amendments set forth below have not received the approval of the Secretary of Agriculture.

Proposed by the Mid-Atlantic Federal Order Committee:

*Proposal No. 1.* Amend the Class I pricing provisions of the Delaware Valley order to provide that, if the Minnesota-Wisconsin price series reaches \$4.48 per hundredweight, the Class I price should be increased to \$7.37. Thereafter, the Class I price should be changed to the below indicated price in accordance with the following schedule:

Minnesota-Wisconsin price	Class I price
\$4.28 to \$4.38	\$7.17
\$4.48 to \$4.58	\$7.37
\$4.68 to \$4.78	\$7.57

*Proposal No. 2.* Provide for the announcement of the Class I price under the Delaware Valley, Upper Chesapeake Bay, and Washington, D.C., orders on the 5th day of the preceding month to provide advance notice to handlers of the price for Class I milk.

Proposed by the Dairy Division, Consumer and Marketing Service:

*Proposal No. 3.* Make such changes as may be necessary to make the entire marketing agreements and the orders conform thereto with respect to any amendments thereto which may result from this hearing.

Copies of the notice and the orders may be procured from the market administrators of the respective orders at Post Office Box 306, Alexandria, Va. 22313; 1 Decker Square, Room 646, Bala Cynwyd, Pa. 19004; Post Office Box 6848, Towson Station, Baltimore, Md. 21204; or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on October 22, 1969.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 69-12750; Filed, Oct. 23, 1969;  
8:48 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Part 120 ]

### SULFURIC ACID

#### Proposed Establishment of Exemptions From Requirement of Pesticide Tolerances

Dr. C. C. Compton, Coordinator, Inter-regional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, N.J. 08903, has requested the Commissioner of Food and Drugs to establish exemptions from the requirement of tolerances for residues of the herbicide sulfuric acid in or on the raw agricultural commodities garlic and onions.

The Secretary of Agriculture has advised that this herbicide is useful for the purposes for which the exemptions are being proposed.

Based on consideration given the data submitted, and other relevant material, the Commissioner concludes that the exemptions proposed herein are safe and will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 120 be amended by adding to Subpart D the following new section:

§ 120.----- Sulfuric acid; exemption from the requirement of a tolerance.

Sulfuric acid is exempted from the requirement of a tolerance for residues when used in accordance with good agricultural practice as a herbicide in the production of garlic and onions.

Any person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing the subject pesticide chemical may request, within 30 days after publication hereof in the FEDERAL REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: October 17, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-12724; Filed, Oct. 23, 1969;  
8:46 a.m.]



**DEPARTMENT OF  
TRANSPORTATION****Federal Aviation Administration****[ 14 CFR Part 71 ]**

[Airspace Docket No. 69-SO-120]

**TRANSITION AREA****Proposed Alteration**

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Sanford, N.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Regional Headquarters, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered

before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Regional Headquarters, Room 724, 3400 Whipple Street, East Point, Ga.

The Sanford transition area described in § 71.181 (34 F.R. 4637) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Sanford Municipal Airport (lat. 35° 25' 55" N., long. 79° 11' 10" W.); within 2.5 miles each side of Pinehurst VORTAC 057° radial, extending from the 5.5-mile radius area to 21 miles northeast of the VORTAC.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to Sanford terminal area requires the following actions:

1. Increase the transition area basic radius circle from 5 to 5.5 miles.
2. Designate a transition area extension predicated on the Pinehurst VORTAC 057° radial.

The proposed alteration is required to provide controlled airspace protection for IFR operations in climb from 700 to 1,200 feet above the surface and in descent from 1,500 to 1,000 feet above the surface.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on October 15, 1969.

**JAMES G. ROGERS,**  
*Director, Southern Region.*

[P.R. Doc. 69-12728; Filed, Oct. 23, 1969;  
8:46 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

[T.D. 69-234]

[412.3]

### SYNTHETICALLY PRODUCED THYMOL

#### Tariff Classification

A notice was published in the *FEDERAL REGISTER* for August 28, 1969 (34 F.R. 13763), that the Bureau of Customs was reviewing the existing practice of classifying thymol in which the benzenoid structure is artificially produced by synthesis under item 437.72, Tariff Schedules of the United States (TSUS).

On review of the data, after considering the views submitted, and in the light of Headnote 1, Part IC, TSUS, defining benzenoid chemical products, the Bureau is of the opinion that synthetically produced thymol is not classifiable under item 437.72, TSUS, but is classifiable as a benzenoid drug in item 407.85, TSUS.

Since this ruling will result in the assessment of duties at a rate higher than that previously assessed on such thymol, the higher rate will be applied only to such merchandise as may be entered, or withdrawn from warehouse, for consumption after the expiration of 90 days after the date of the publication of this notice in the weekly Customs Bulletin.

[SEAL]

EDWIN F. RAINS,

Acting Commissioner of Customs.

[F.R. Doc. 69-12737; Filed, Oct. 23, 1969; 8:47 a.m.]

### Internal Revenue Service

#### DALE DEAN WILLARD

#### Notice of Granting of Relief

Notice is hereby given that Dale Dean Willard, 6149 Rosemead Boulevard, Temple City, Calif. 91780, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on December 20, 1947, by the County Court of Glendive, Mont., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Dale Dean Willard, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Willard to receive, possess, or trans-

port in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Dale Dean Willard's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Dale Dean Willard be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 17th day of October 1969.

[SEAL] RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

[F.R. Doc. 69-12738; Filed, Oct. 23, 1969; 8:47 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### IDAHO

#### Notice of Filing of Plat of Survey

OCTOBER 17, 1969.

1. A plat of survey of the land described below will be officially filed in the Land Office, Boise, Idaho, effective at 10 a.m. on November 24, 1969.

BOISE MERIDIAN

T. 7 N., R. 25 E.,  
Sec. 2, Tract 37.

The tract described aggregates 44.65 acres.

2. The land is embraced in the Challis National Forest and will, therefore, be open to such forms of disposition as may by law be made of national forest lands.

3. Inquiries concerning the lands should be addressed to the Manager, Idaho Land Office, 550 West Fort Street, Boise, Idaho 83702.

EUGENE E. BABIN,  
Acting Manager, Land Office.

[F.R. Doc. 69-12727; Filed, Oct. 23, 1969; 8:46 a.m.]

### Office of the Secretary

### ROGUE NATIONAL WILD AND SCENIC RIVER, OREG.

#### Notice of Boundaries, Classification and Development Plans

OCTOBER 1, 1969.

The following is the plan for development, operation, and management of that portion of the Rogue River to be administered by the Bureau of Land Management in accordance with Public Law 90-542. It includes that portion of the segment from the mouth of the Applegate River downstream approximately 47 miles to the east boundary of the Siskiyou National Forest, near Marial. The plan, as required by section 3(b), Public Law 90-542, includes, for the Applegate-Marial portion of the river, detailed boundaries; classification by classes; and plans for development and management. The remaining portion of the river segment from the Siskiyou National Forest boundary downstream approximately 37 miles to the Lobster Creek Bridge, is under the administration of the Forest Service.

The plan is based on a 5-month study by the Bureau of Land Management. Information and assistance was obtained from the Bureau of Outdoor Recreation, U.S. Forest Service, State of Oregon, Josephine County, and other interested groups.

Public participation and comment was obtained during the planning efforts through joint Bureau of Land Management and Forest Service public meetings and through a special Rogue River Advisory Committee established for this purpose.

This plan was closely coordinated with a similar one developed by the Forest Service for the adjoining portion of the Rogue River segment under its administration.

The plan and with supplemental information is available for public review in the following Bureau of Land Management offices:

Bureau of Land Management, Division of Recreation, Interior Building, Washington, D.C. 20240.

Bureau of Land Management, Oregon State Office, 729 Northeast Oregon Street, Portland, Oreg. 97208.

Bureau of Land Management, Medford District Office, Federal Building—U.S. Courthouse, 310 West Sixth Street, Medford, Oreg. 97501.

The boundaries, classifications and development plans here published shall take effect in accordance with section 3(b) of the Act of October 2, 1968.

HARRISON LOESCH,  
Assistant Secretary,  
Public Land Management.



## THE PLAN

## I. INTRODUCTION

A. *Purpose.* Public Law 90-542, October 2, 1968, the National Wild and Scenic Rivers Act, designates certain selected rivers of the Nation possessing outstanding scenic, recreational, natural and other similar values and characteristics to be preserved and protected for the benefit and enjoyment of present and future generations. Approximately 84 miles of Oregon's Rogue River, from the mouth of the Applegate River downstream to Lobster Creek bridge, are included in the Act.

Administration of this segment of the river is the joint responsibility of the Secretaries of Interior and Agriculture through the Bureau of Land Management and the Forest Service. The stretch of river from the mouth of the Applegate downstream to Marial, a distance of approximately 47 miles, will be administered by the Bureau of Land Management with the remaining 37 miles, flowing through the Siskiyou National Forest, to be administered by the Forest Service.

Each agency charged with the administration of a component of the national wild and scenic rivers system must, within 1 year of the date of the Act, establish detailed boundaries, classify the river or its various segments as wild, scenic, or recreational in nature, and prepare a development plan in accordance with that classification.

In compliance with that directive, this report delineates proposed boundaries, establishes river classifications, and presents a general plan of development for the segment of the Rogue River administered by the Bureau of Land Management.

B. *Objectives.* Development of a rationale for protecting and preserving the outstanding scenic, recreational, historic, cultural, and other values of the designated rivers and their immediate environments for the benefit of present and future generations is implicit within the Act.

It is the objective of this report to present such a rationale for the portion of the Rogue River included within the national wild and scenic rivers system under administration of the Bureau of Land Management.

Emphasis is on the development of sound management objectives for the river and adjacent lands together with the necessary criteria for reaching these objectives. In this sense, then, the report can be considered a policy plan which establishes the framework within which more explicit and detailed implementation plans will be developed. These detailed plans, i.e., Recreation Activity Plans, Wildlife and Fisheries Habitat Plans, Timber Management Plans, etc., will be prepared by the respective resource staff specialists as a part of the Bureau's regular planning system procedures. Each will be coordinated and developed within the framework of this policy plan.

Information concerning the development and implementation of these plans may be obtained by writing or visiting the Oregon State Office or the Medford District Office.

C. *Summary.* This report is an analysis of the 84 miles of lower Rogue River included in the national wild and scenic rivers system. The upper 47 miles are to be administered by the Bureau of Land Management.

Classification of this portion of river into two of the three classes presented in the Act is proposed together with supporting management objectives and criteria.

Boundaries for the two river classes are established as required by the Act. There is a total of 14,268 acres included within the boundaries, an average of 306 acres per river mile.

In addition, a scenic management zone to provide additional protection of scenic and recreation values on adjacent Bureau of Land Management administered lands is proposed.

The recreational river area will be managed to provide or restore a wide range of public outdoor recreation opportunities on the river in its free-flowing condition.

The wild river area will be managed to (1) provide river oriented recreation opportunities in a primitive setting and (2) preserve the river and its immediate environment in a natural, wild, and primitive condition essentially unaltered by the effects of man.

Criteria and constraints for management of the primary resources within the two river classes are also presented.

## II. GENERAL INFORMATION

A. *The Region.* From its source in the high Cascade Mountains in southwestern Oregon near Crater Lake National Park, the Rogue River tumbles and flows for over 200 miles before entering the Pacific Ocean. Throughout its length the Rogue remains within the State of Oregon and profoundly affects the life and economy of the region.

The Rogue River Basin contains approximately 5,060 square miles of which 97 percent is in Oregon and 3 percent in California. Included within the basin is nearly all of Jackson and Josephine Counties, a large part of Curry County, lesser portions of Klamath and Douglas Counties, and a very small portion of Coos County, all in Oregon. It also includes very small segments of Siskiyou and Del Norte Counties in northwestern California. Population centers include Medford, Ashland, Grants Pass, and Gold Beach.

The present economy of the Rogue River Basin is dependent upon the use of its abundant natural resources. Timber, minerals, land, and water are the principal resources.

Timber operations are the major industry in the basin, with recreation and agriculture competing for second place.

Approximately 2,500,000 acres of land within the basin is timbered, with about 95 percent of this area capable of producing marketable timber.

In 1953 total recreation visits within the basin were estimated to be 1,725,000 for a total value of \$14 million. This rose to an estimated total of 3,280,000 visits with an estimated value of \$27,800,000 in 1963. More recent figures have not been compiled but, because of the rapid growth of outdoor recreation, present expenditures undoubtedly exceed the above figures.

Agriculture was the primary industry prior to 1940, but now is behind timber, and may also be behind recreation in importance to the economy of the region.

The major agricultural enterprises are located on irrigated lands in Jackson and Josephine Counties. Livestock raising, dairying, poultry production, fruit, specialty crops, field crops, and vegetable truck gardening are the principal products.

The dominate Pacific frontal weather pattern controls climatic conditions within the planning region. Average annual precipitation in the area from Gold Beach to Agness is 90-100 inches. Moving upstream to Grave Creek Ridge, orographic effects created by the high mountains decrease precipitation to about 50 inches annually. Further upstream, precipitation at Grants Pass averages 30 inches per year, decreasing to 20 inches at Medford.

Within the western section of the planning region, average temperatures range from 32° to 75° Fahrenheit in the mountains and 40° to 67° along the coast. The range is broader within the central valley section where temperature averages range from winter lows of 32° to summer highs of 92° in the valleys, and 32° to 75° in the mountains.

The Rogue River area is rich in history, ranging from early exploration by fur trappers and gold seekers, Indian wars and settlement, to the agricultural and lumbering enterprises of the present.

Access to the region is available by automobile, train, bus, and air. Interstate Highway 5 parallels the river for many miles, crossing it at Grants Pass. The Redwood Highway, U.S. 199, provides the major link between Grants Pass and the coastal areas. Highway 101, paralleling the coastline, crosses the river at Gold Beach.

Vehicular access to the reach of river included within the wild and scenic rivers system is limited to a few miles of the upper and lower stretches. With the exception of a few primitive jeep trails descending into the canyon, and an occasional primitive airstrip, access to most of the middle segment is limited to hiking trails or river boats.

B. *The River.* As it crosses the central portion of the basin, the Rogue River is a placid stream meandering through agricultural and rural residential developments. In this stretch, the observable landscape extends for several miles on each side of the river. Gravel bars and islands occur here and there.

Below Robertson Bridge, some 15 miles downstream from Grants Pass, the waterfront lands take on a canyon-like characteristic. In this section, the passage through the Klamath Mountains,



gravel bars and other areas of gentle topography suitable for occupancy occur infrequently.

Stream gradients range from 3.1 feet per mile in the lower reaches to over 25 feet per mile in Mule Creek Canyon and in the Howard Creek Chute.

Rogue River stream flow patterns are typified by moderate to heavy runoff in late winter to spring months with low flows during the summer and fall. Many of the smaller tributary streams become completely dry during the latter period.

Streamflow records have been maintained at Gold Ray Dam near Medford since 1905. Over that period, the average annual runoff has been 2,113,000 acre feet. Maximum and minimum annual runoffs have been 3,570,000 and 839,000 acre feet, respectively.

Flooding has always been a problem within the Rogue River Basin. Observable channel change has been extensive over portions of the central valley section. Below Hellgate Canyon, channel change is minimal due to the gorge which cradles the stream. Narrow benches and occupied flats are, however, generally inundated by each flood.

The largest flood of historical record occurred in 1861 and the second largest in 1890. The most recent major flood occurred in 1964.

Water quality of the Rogue River has felt the pressure of man's neglect. Analysis of river waters near Grants Pass indicates that at certain periods during minimum flow, the bacteria count exceeds allowable maximums for domestic consumption by as much as three times. Unconfirmed reports indicate a detergent foam problem in some isolated stretches of the river during late summer. Flushing effects by controlled release from proposed upstream impoundments during these times would be of benefit in the future.

Concentrated along the riverfront and adjacent slopes is, perhaps the greatest cross section of the plant kingdom to be found on the Pacific coast. This region is the northern limit of the range of many species common to California and the southern limit of many northern species.

Douglas-fir is the predominate conifer species associated with ponderosa pine, sugar pine, white fir, and incense cedar. Moisture locations produce western red cedar, Port Orford cedar, and Pacific yew, while at higher elevations noble fir and Shasta red fir occur. Botanical rarities such as Brewer spruce and Lawson cypress are found in widely scattered, isolated locations.

Important hardwoods associated with these conifers include Oregon white oak, California black oak, Pacific madrone, Oregon ash, black cottonwood, red alder, golden chinquapin, tanoak, Oregon myrtle, and big leaf maple.

Understory shrubs include, rhododendron, azalea, blue blossom, salal, dogwood, vine maple, Oregon grape, various ferns, huckleberry, and salmon berry. Chaparral, including manzanita, ceonothus, poison oak, canyon live oak, and various grasses occurs on the hot, drier sites.

Vegetation along the river's edge ranges from moss, lichen, and grasses to wild flowers, shrubs, and trees.

**C. Primary considerations.** The Rogue River is nationally, and perhaps world renowned for its outstanding salmon and steelhead trout fisheries. It is a "big fish" river which produces salmon upwards of 40 pounds and steelhead exceeding 15 pounds. In excess of 100,000 salmon and steelhead spawn in the Rogue River Basin annually. The character of the Rogue River, its setting, and the characteristics of the anadromous salmon and steelhead provide the fisherman with a diverse fishing opportunity. Angling may be accomplished by wading, trolling, floating, or shore fishing with bait, hardware, or flies.

Wildlife resources contribute greatly to the recreational values of the Rogue River. In addition to their harvest value, these animals are easily observable in their natural habitat and have substantial aesthetic value.

Natural features, including towering cliffs and large moss-covered boulders, are spellbinding in some of the canyons and chutes. Outstanding, in an area where each succeeding vista is noteworthy, are sights in Hellgate Canyon, Howard Creek Chute, Kelsey Canyon, and Mule Creek Canyon. In the latter two instances the river winds its way through narrow canyons which rise abruptly from the water. Water boils, swirls, and churns as it gushes through these narrow passages, providing the boating enthusiast an unforgettable white-water experience.

The natural features of the Rogue and its surroundings are complimented by the historical significance of the area. Indian and white skirmishes, and Indian wars occurred throughout the area in the 1850's. Zane Grey patented a mining claim at Winkle Bar. One of his cabins still remains as a memento of his world, and the past glory of the West.

Black-tailed deer are commonly observed along the river with large herds in some localities. Bureau of Land Management and Forest Service administered lands are open to the public during hunting season. Deer harvest in the Rogue Basin averages 10,000 per year from approximately 100,000 hunter days use.

Large numbers of black bear, observable along the riverside during certain seasons, occupy lands bordering the river. Bears are now protected from hunting in the area between Grave Creek and Lobster Creek.

Upland game species which may be observed along the river include Chinese pheasants, California and mountain quail, blue and ruffed grouse, band-tailed pigeons, mourning doves, and grey squirrels. Hunting of these species within the study area is light.

Large numbers of American mergansers and lesser numbers of mallards and wood ducks nest along the river. Because the Rogue is not on a major migratory flyway, wintering use and harvest is light.

Some rare or endangered birds are found along the Rogue. These include the osprey and the bald eagle. The rugged canyons of the lower Rogue provide the isolated nesting sites required by these species.

White-water boating, the ultimate experience for many river users, is available in a 55-mile stretch from Finley Bend to Agness. Around every bend in this stretch a new challenge is encountered. Large rapids, submerged boulders, and shallow water tax the most skilled boatmen in this segment. Rainie Falls, with a vertical drop of some 10 feet, is the only spot where it is necessary to portage or rope the boat around the rapids.

Commercial jet boat operations are on a daily scheduled basis from the coast to Agness or Paradise Bar providing a taste of both white-water and natural grandeur for many people.

Private boating is enjoyed to some extent on all portions of the river. Although specially built Rogue River boats, kayaks, and rafts are the major types of craft employed, conventional outboards and jet boats can be safely used in some portions.

There are presently several boat launching sites, private as well as public on the BLM administered stretch of river between the mouth of the Applegate and Marial. These as well as proposed sites are included in facilities shown on Tables 1 and 3 in the appendix.

The Bureau of Land Management maintains 24 miles of foot trail extending from Grave Creek to Marial. Closed to motorized vehicles, horses, and pack animals, this trail is well constructed, safe, and has moderate grades, making hiking comparatively easy for all age groups.

The Forest Service maintains the Rogue River trail from Marial to Illahe. Between Illahe and the mouth of the river, hikers may follow roads and a section of the old trail not presently maintained. Thus, there presently exists a 68-mile reach of the river where it is possible to hike in conditions ranging from intensively developed to relatively primitive.

Camping and picnicking facilities are located at numerous sites along the river. Most occur on the upper end of the study area between Grants Pass and Marial. Of those on the upper reach, 14 are maintained and operated by the Josephine County Park Department and seven are operated by the BLM in conjunction with the hiking trail. These sites are also shown in the appendix.

The Forest Service maintains a campground on the lower stretch of the river. There are also several private lodges spaced between Grants Pass and Gold Beach. Most of these operate wholly to meet the necessities of downriver guided float trips originating in the Grants Pass area.

Although user origin data is sketchy, those surveys that have been made indicate that more than half of the recreationists visiting the study area come from out-of-State.



As might be expected, California contributes the majority of out-of-State visitors. With the direct high speed highways and freeways linking the major population centers with the Rogue River region, visitors 500 and more miles away can reach the area in a day.

An estimated 10 million people live within a 1-day driving radius of the Rogue River (1960 census). Such population centers as Portland, Seattle, Sacramento, and San Francisco are included.

From the mouth of the Applegate River downstream to Grave Creek Bridge, a distance of 26.4 river miles, approximately 41 percent of the shore area is administered by the Bureau of Land Management. Private ownership is 52 percent, State of Oregon 4 percent, and Josephine County 3 percent.

From Grave Creek Bridge to the Siskiyou National Forest boundary at Marial, 93 percent of 20.2 river miles is Bureau of Land Management administered. The remainder is in private ownership. No other governmental agencies administer land in this segment.

**D. Other considerations.** Many plans, recommendations, and policies have been developed regarding the Rogue River and its bordering lands. The following sections outline some of these as proposed or implemented by various entities.

1. *State of Oregon.* Legislative limitation has been placed on the construction of dams or other structures on the Rogue River which would interfere with the free passage of fish (O.R.S. 542.210).

Other legislation dealing with the Rogue River includes O.R.S. 536.300 which establishes a minimum flow of 735 c.f.s. at the mouth of the river. This was enacted for the express purpose of maintaining a minimum perennial stream flow to support aquatic life and minimize pollution.

To further protect the fisheries of the river, the State Legislature established the Rogue River Coordination Board to provide a medium through which the placer mining interest and fishing interests could cooperate for the mutual benefit of both. The Board is composed of a fishing representative, a mining representative, and a neutral party.

Maintenance of water quality and implementation of water quality standards on the Rogue River is under the jurisdiction of the Oregon Department of Environmental Quality. Water quality and waste treatment standards for the river were adopted by that group on July 24, 1969, and should be instrumental in restoring the river to an unpolluted condition.

The Oregon State Game Commission has developed a Master Plan for Angler Access and Associated Recreational Uses for the Rogue River Basin. Completed in 1967, it lists suggestions for future boat launching facilities, river access sites, and campgrounds. Twenty-three such sites are listed between Lobster Creek on the lower Rogue and the mouth of the Applegate River on the upper Rogue. Fifteen of these lie on the part of the Rogue administered by the Bureau of Land Management. Several coincide with

sites proposed for development in section V of this study.

Jurisdiction for boating and boat use rests with the State Marine Board. Recent action includes designation of the upper 2½ miles of river within the study area for the testing of motorboats.

The State Board of Forestry administers State lands suitable for timber production. This includes two parcels which are within the study area.

2. *Corps of Engineers.* The Corps of Engineers has investigated 36 reservoir sites in the Rogue River Basin. Of these, Lost Creek, Elk Creek, and Applegate, were determined feasible and economically justified.

The Lost Creek site received construction authorization from the 87th Congress. It is located on the upper Rogue at river mile 158 (outside the study area) and has a planned capacity of 465,000 acre feet.

Elk Creek and Applegate sites are on tributary streams of the Rogue River. Neither has received construction authorization, although planning is well underway. Designed storage capacity will be 101,000 acre feet and 72,000 acre feet, respectively.

The three part program of the Corps of Engineers is unique in that portions of the storage capacity were planned and justified on the basis of fishery protection and pollution abatement. Controlled release, from multilevel outlets, will assure minimum flows of 1,200 c.f.s. Gauging stations near Medford and Gold Beach will determine release requirements.

3. *Bureau of Reclamation.* Reclamation projects which have been authorized in the basin include Rogue River Basin Project-Talent Division and Agate Dam and Reservoir. The Talent Division has been constructed. Proposed projects include Merlin Division and Illinois Valley Division.

The Bureau of Reclamation would also operate the irrigation features of the Corps of Engineer's Elk, Lost, and Applegate reservoirs.

Construction of these projects would irrigate most of the economically irrigable lands in the basin.

4. *Forest Service.* The Siskiyou National Forest is responsible for administration of the Wild and Scenic Rivers Act on the Rogue River from Marial to Lobster Creek bridge. A plan of implementation similar to this plan has been developed by the Forest Service in compliance with section 3(b) of the Act.

From initial planning to the present, both the Forest Service and Bureau of Land Management have coordinated the development of plans for their respective river segments. Coordination will continue so administration of the two segments is consistent.

5. *County administration.* The Boards of County Commissioners and County Planning Commissions in Curry and Josephine Counties have made continuing contributions to development of this plan.

The largest part of the BLM administered section of the river lies within

Josephine County, with a small stretch at the lower end within Curry County.

The Josephine County Planning Commission is presently studying an area which includes the portion of the Rogue from the mouth of the Applegate downstream 11 miles to approximately Jump-off Joe Creek.

The Josephine County Parks Department has developed and operates a group of park facilities in the upper portion of the study area. Their 1967 park and recreation plan outlines proposed additions to these facilities. Proposals for development of the upper recreational river contained in this plan are those portrayed in Josephine County's plan.

### III. RIVER CLASSES

**A. Management objectives.** Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

The Act provides three classifications which may be applied to a river or portion thereof which has been selected for inclusion in the national wild and scenic rivers system. These are wild, scenic, and recreational. A particular river may have all or only one or two of these classes, depending upon its characteristics and existing degree of development. Only two classes, recreational and wild, apply to the BLM administered section of the Rogue River.

General management objectives for these two classes and the characteristics necessary for inclusion of a river segment in each of the classes are as follows:

1. *Wild river—Objectives.* Objectives for management of a river or segment thereof classified as wild are to (1) provide river oriented recreation opportunities in a primitive setting and (2) preserve the river and its immediate environment in a natural, wild, and primitive condition essentially unaltered by the effect of man.

**Characteristics.** To be included in the wild river classification a river, or river segment, and its immediate environment must exhibit several characteristics. These are (1) waters free of impoundments, (2) waters unpolluted, (3) watersheds or shorelines essentially primitive, (4) generally inaccessible except by trail, and (5) of sufficient length to protect and preserve primitive conditions.

2. *Recreational river—Objectives.* The objective for management of a river or segment classified as recreational is to provide or restore a wide range of public outdoor recreation opportunities on the river in its free-flowing condition.



**Characteristics.** Characteristics of a recreational river are (1) readily accessible to the public (road and/or railroad), (2) may have some development along the shorelines, (3) and may have undergone some impoundments or diversions in the past.

**B. Management criteria (Rogue River).** Management criteria are more specific definitions of management objectives and the necessary constraints for achieving the overall objectives for each of the river classes.

Because of the characteristics of the upper Rogue and its shorelands between the mouth of the Applegate and Marial, only two classifications—recreational and wild—are used.

Management criteria having general application to both classes are presented and discussed in the first part of this section. Following these, the characteristics of each of the two river segments and specific management criteria relating to each, are presented.

**1. General criteria—Soil and watershed.** Maintenance of stable soils and protection of the watershed adjacent to the river is essential. Because much of the recreation activity and development will take place near the river's edge, particularly in the recreational river area, special emphasis must be placed on preventing and controlling soil erosion. This is true for both natural and man-caused deterioration. Aesthetic pollution, as well as water pollution, will result if protective measures are not initiated.

Soil studies will be made and used as a guide in the location of future developments. Soil stabilization measures and revegetation will be undertaken where feasible on all exposed soil areas.

As needed, purchase of scenic easements on critical soil areas of privately owned lands will be sought.<sup>1</sup> This will only apply to those areas exhibiting clear and present potential for deterioration if disturbed, or where serious deterioration is presently occurring. Uses which do not adversely effect soil stability or water quality, and are otherwise compatible with recreation use and enjoyment of the river, will not be regulated.

The State of Oregon's Department of Environmental Quality has adopted water quality and waste treatment standards for the river. These will be used as a guide for all activities within the river boundaries. Cooperation with the Department of Environmental Quality and water pollution control agencies will be sought to help maintain or improve water quality in the Rogue.

State and county sanitation requirements will also guide future activities within the river boundaries.

Disturbance or alteration of the streambed or riverbanks for channel maintenance purposes will be limited to

that necessary to maintain current levels of navigability.

Removal of materials from sand and gravel bars along the river has become an established practice within the recreational river area. For the most part these have been intermittent operations that have created no permanent detrimental effects.

Periodic flooding has removed pits and scars caused by these operations while replenishing mined materials at the same time. Completion of approved flood control projects in the upper Rogue River Basin will, however, likely remove this vehicle for replenishment.

Processing facilities associated with these activities are usually located on or adjacent to the riverbank, as close as possible to the source of material. The noise, dust, and visual effect created by these operations is incompatible with the recreational use and enjoyment of the river and is inconsistent with management objectives.

Washing of mined materials in the river, as occurs with some of these operations, also contributes to pollution of the water.

Where existing material removal operations are adversely affecting recreational values on the river, purchase of the mining rights on these sites will be sought as rapidly as possible. Early acquisition of scenic easements on remaining undeveloped deposits will also be pursued.

**Timber.** The prime benefit of timber within the wild and recreational river boundaries is its contribution to the recreational experience. Maintenance or restoration of a natural appearing timber stand which is aesthetically pleasing is the primary timber management objective.

Removal of timber is not precluded within the boundaries. Some cutting will be necessary in construction of recreation facilities or to remove hazards. Selective cutting may be allowed in some instances if the operation, including roads, is not visible from the river. Areas within the boundaries on which this is feasible are limited.

In incidences of natural catastrophe such as fire, windthrow, or epidemic of disease or insect mortality, the nature and extent of treatment will be determined by thorough analysis of each situation. Salvage removal of affected trees may or may not be necessary. In each case judgment will consider the effect treatment would have on the overall objective of maintaining a natural appearing and aesthetically pleasing timber stand. Consideration of the impact on adjacent timber stands and other resources will also be a factor in the decision.

In all cases timber cutting within the boundaries will conform to approved logging plans. Postlogging activities will include prompt restocking of native forest vegetation.

**Fish and wildlife.** Fish and wildlife are important aspects of the recreational experience associated with the Rogue River. Use of other resources will be consistent

with maintaining or improving the fish and wildlife resource.

Habitat management plans will be prepared by BLM fish and wildlife biologists for the river area. These will provide management guidelines and will emphasize protection of rare and endangered species. The Bureau will cooperate with the State Game Commission in the preparation and implementation of these plans.

**Protection.** Protection of the timber resources within and near the river boundaries from fire, insect, and disease damage will receive special emphasis.

Prompt detection and suppression of wild fires will be a primary objective.

Early detection and treatment of disease and insect infestations within the timber stands will receive high priority.

The protection program will also include measures necessary to control vandalism and littering.

Where feasible, all protective measures will be planned and implemented to create the least impact on the environment. Upon completion of protective treatment, restorative measures to reduce the impact and return the damaged area to its original condition will be undertaken promptly.

Close coordination and cooperation with other governmental and private organizations will be undertaken in planning and implementing the protection program.

**Utilities.** With the exception of a few sites along the recreational river segment, existing utility development along the river has had little adverse effect on its recreational use and enjoyment.

Construction of additional developments and expansion of existing ones will increase the need for additional utilities.

New utility construction should not adversely effect scenic and recreational values of the river. New utilities will be located out of sight of the river or otherwise be screened from view. Where necessary for protection of the scenic quality of the riverfront, scenic easement purchase of the right to construct utilities visible from the river will be undertaken. This is also true for power generating equipment where its noise and visibility would have an adverse impact on the use and enjoyment of the river.

Generally, no new utility or transmission lines will cross the river. Where it is essential that they do so, they will be located as close to existing lines as feasible.

**Minerals.** With the exception of sand and gravel removal cited previously, there is presently no mining activity within the river boundaries. Several hydraulic mines operate intermittently during the winter months up tributary streams within the recreational segment.

Should turbidity from these operations adversely effect the water quality of the streams of the Rogue River, the cooperation of the Department of Environmental Quality will be sought in stopping these situations.

<sup>1</sup> As used herein, the term scenic easement means purchase of the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river. Such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement.



Several unpatented mining claims are located within the boundaries on both the recreational and wild river segments. The status of these is currently being investigated. Regulation, designed to protect the scenery and to safeguard against pollution, will govern the operation of any unperfected claim.

All Federal lands which are a part of the bed or bank, or are within one-quarter mile of the bank of the river within the wild river area, are closed to mineral leasing and appropriation under the mining laws of the United States.

**Information.** Interpretation of the rich historical and natural features of the Rogue River for the educational and recreational benefit of its users is an important management objective.

To accomplish this, a study will be undertaken to identify and interpret significant features along the river. This study will form the basis of an effective program of information and interpretation for recreation users of the river.

2. *Recreational river.* From the mouth of the Applegate River downstream to Grave Creek Bridge, some 26 river miles, there are several sites where the shoreline is highly developed. Most of this segment is also closely paralleled by well traveled roads on either the north or south shore of the river.

Josephine County has developed several parks along the upper part of this stretch and propose several additional ones as well.

For these reasons it is felt that this segment of river properly fits the recreational river classification.

The uppermost section, from the mouth of the Applegate to Hellgate Canyon (14.2 river miles), is largely privately owned. For most of this distance the river flows through a broad valley bearing evidence of the meandering course taken by the river over the years. This section has experienced and is continuing to experience the greatest development impact. A number of subdivisions occupy the riverbank and adjacent highlands.

Between Hellgate Canyon and Grave Creek Bridge (approximately 12 river miles) the river flows through narrow steep-sided canyons interspersed with small alluvial flats and bars. These areas of gentle topography have long been used and occupied. A few are undergoing subdivision to vacation homesites. Access is easy and convenient via a modern rural highway along the south shore.

From the upper end of the recreational river segment downstream to its lower boundary at Grave Creek Bridge there is a gradual transition from a rural residential-farming character to a preview of the wild river as seen in the lower section.

The following sections discuss the primary resources and activities associated with the recreational river area. Necessary management criteria and constraints to meet objectives for management of the recreational river are presented.

These criteria apply only to those lands contained within the recreational river

boundary. To understand the total impact management constraints will have on the recreational river, the general management criteria presented in section IIIB must be considered with the following more specific criteria for the recreational river area.

**Recreation.** See section V and Appendix A, Tables 1 and 3 for existing and proposed recreation facilities within the recreational river area.

Management objectives for the recreational river area will be to provide opportunities for engaging in a wide range of recreation activities which are enhanced by its free-flowing nature. Other resource uses and activities will be permitted so long as they do not lower the quality of the recreation experience, degrade the setting, or damage the fishery and wildlife habitat.

Emphasis will be on the development of water-oriented recreation facilities that will provide a wide range of compatible recreation activities.

A recreation activity plan will be prepared for the recreational river area. The plan will make a detailed analysis of future recreation needs within the framework of the policies and objectives outlined in this plan. It will be closely coordinated with, and incorporate the plans and proposals of, other governmental agencies and private individuals insofar as they are compatible with the purposes of the Act. The plan will include recommendations concerning the relative roles each might play in meeting the needs of recreationists using the river. It will delineate activity management zones which will be managed under the constraints presented in this plan. As necessary, it will provide the basis for long range development proposals beyond those currently proposed by BLM and Josephine County.

Because less than 50 percent of the river frontage within the recreational river area is publicly owned, the private sector can be expected to meet a large part of future recreation demand. The development of tastefully designed privately operated recreation facilities and activities, coordinated with the development of public recreation facilities, will be encouraged.

Josephine County will continue to play a major role in the development of new recreation facilities within the recreational river area.

The Bureau of Land Management will work closely with all parties in the development of the long range recreation plan and will coordinate the development and management activities of these entities within the recreation area.

Generally, the use of motorboats will be permitted to continue, subject to normal State and local regulation. Where their unrestricted use would unduly conflict with the enjoyment of other recreation activities, or create a safety hazard, some regulation will be necessary. Such areas will be clearly marked. Areas for the operation of motorboats for water skiing and activities such as speed boat testing and

organized racing will also be identified and marked.

**Timber.** There is little timber within the upper reaches of the recreational river area. What there is occurs as intermittent stands along the shorelines and on the bluffs overlooking the river.

Further downstream, on the lower reaches of the recreational segment, the river takes on a more canyon-like characteristic, with a corresponding increase in the amount of adjacent timber.

Management objectives will be to maintain or restore a natural appearing healthy timber stand wherever it can be seen from the river, adjacent roads, or recreation facilities.

Some selective harvesting of timber stands within the boundaries may be permitted provided the effects are not apparent to users of the river, and it does not conflict with recreational values, including aesthetic qualities.

In the preparation of the recreation activity plan an intensive analysis of the timber along both shorelines will be made. The "primary zone", defined as the area within the boundaries which can be seen from the river, adjacent roads or trails, and existing or proposed recreation sites, will be delineated in the plan. Protection of the timber within this zone will be accomplished through scenic easement purchase of cutting rights on privately owned lands, or, on nonprivate lands, through cooperative agreements.

Such easements and agreements will not necessarily preclude all cutting of timber but will require prior approval of the BLM as stipulated in the easements and agreements. Each situation will require individual analysis and judgment.

**Structures and facilities.** Structures and facilities which will be permitted within the primary zone of the recreational river must be oriented to recreational use and be in keeping with the natural setting. Exceptions are existing developments on privately owned lands. Where such developments are incompatible with the recreational use and enjoyment of the river, or are likely to become so, scenic easement purchase of the foreground will be sought. Remedial treatment, such as screening with natural vegetation or other treatment to reduce the impact on the landscape, will be accomplished.

Examples of developments that would be acceptable, provided they are tastefully designed or are otherwise in harmony with their surroundings are: Single family dwellings, farmsteads and appurtenant facilities, lodges and guest ranches, and public and private recreation facilities based on the river or forest environment. Nonriver oriented recreation developments such as golf courses and driving ranges may be permitted provided they do not detract from the primary recreation use of the river.

There may be instances where it is necessary to locate commercial service facilities, such as gasoline stations, roadside restaurants, and motels within the recreational river boundaries. With the



exception of boat servicing marina-cafe operations, the location of such developments adjacent to the river will be discouraged. Where it is necessary to locate them within the boundaries, however, they will be designed and placed so as to be as unobtrusive as possible. Vegetative screening and topography will be used to screen them from direct view of the river.

All new structures and facilities within the river boundaries which can be seen from the river or adjacent roads and recreation facilities will be designed to harmonize with the setting in which they will be placed. Parking areas and access roads will be located out of sight of the river or otherwise be screened from view wherever possible.

The density and degree of development along a particular length of shoreline will depend upon the types of development contemplated and upon the topography and vegetative cover. Where they cannot be seen from the river, developments may be placed closer together on smaller lots than would be the case on more open sites. Where natural vegetative cover is sparse or lacking and the topography cannot be used to screen the development from view of the river, sufficient setbacks and vegetative screening will be employed to remove the structures from direct view and reduce their visibility to acceptable levels.

Scenic easement purchase of the rights to place incompatible structures within view of the river will be sought as necessary to preserve the recreational character of the river. Both shorelines will be examined on a tract-by-tract basis to determine where easements will be acquired, their width, and the degree of constraint necessary.

Construction and placement of salmon boards on private lands where they have not been used before will be regulated through scenic easement purchase also. Generally their use will not be precluded, so long as they are of attractive design, they do not obstruct navigation, and they do not become so numerous as to effect other recreational uses of the river. Their use on public lands may be allowed under permit from the administering agency.

**Transportation.** The existing road network is sufficient to provide access to the nonprivate lands within the recreational river area. Some additional spur roads into new recreation developments will be required. These will be constructed as needed. Where feasible, they will be placed out of sight of the river.

Parking areas will be located where vehicles will be out of sight of the river and developed recreation sites wherever possible. Where this is not feasible, adequate screening will be provided to make them as inconspicuous as possible.

**3. Wild river.** From the mouth of Grave Creek downstream to the Siskiyou National Forest boundary, a distance of 20.2 river miles, the river takes on an increasingly primitive character. Roads that followed the river above the mouth of Grave Creek leave it at that point. Except for four primitive jeep roads and

an unimproved road leading into Marial from the north, there is no vehicular access to this reach of the river.

The Rogue River Trail, limited to foot traffic, begins at Grave Creek bridge and winds through the canyon on the north side of the river. Below Marial the trail is administered by the Forest Service.

With the exception of six tracts of privately owned land, all of the area within the boundaries of this segment is public land administered by the Bureau of Land Management. Five of the six private tracts have river frontage. The sixth is adjacent to, and visible from, the river.

One private parcel is occupied by a public lodge catering primarily to guided fishing and sight-seeing parties traveling the river. A second lodge is located just within the Siskiyou National Forest at Marial to serve similar parties.

Two parcels of private land contain private lodges. One of these also has the only airstrip within this segment. The remaining private land is undeveloped.

Because of the essentially primitive character of this segment of river, its inaccessibility by road, and its lack of development for the most part, it is classified as a wild river area. This corresponds with the Forest Service classification for the adjoining stretch of river beginning near Marial.

The following sections discuss the primary resources and activities associated with the wild river area. Necessary management criteria and constraints to meet objectives for management are presented.

The criteria apply only to those lands contained within the wild river boundary. To understand the total impact management constraints will have on the wild river, the general management criteria presented in section IIIB must be considered with the following more specific criteria for the wild river area.

**Recreation.** See section V and appendix, Tables 1 and 3 for existing and proposed recreation facilities within the wild river area.

Objectives for management of the wild river area will be to provide river oriented recreation opportunities in a primitive setting while preserving the river and its environment in a natural, wild, and primitive condition. Other resource uses and activities will be permitted only upon a clear showing that they will not adversely effect the primitive nature of the river or its environment.

Recreation developments on the wild river will be limited to those needed to serve boaters and hikers. These will be of a primitive nature and will include those facilities necessary for sanitation, safety, and administrative purposes. Simple convenience installations such as fireplaces and shelters will also be provided in appropriate places.

No new lodges or residences will be permitted within the wild river area. Should boat and hiking use increase to the point where existing facilities are inadequate to meet the demand, the existing lodge will be permitted to ex-

pand. Review and approval of construction and site plans by BLM will be required. Expansion will not be noticeable from the river and will harmonize with the setting.

Recreation use of the area will be closely monitored to assure that the primitive character which caused it to be placed in the wild river classification is not threatened. The number of recreationists using the area at any given time will be limited to levels consistent with the wild river management objectives.

The presently established level of motorboat use will be permitted to continue. The use of nonmotorized "drift" boats will be encouraged over motorboats within the wild river area, however. Should the use of either type of boat increase to the point where the primitive nature of the area is threatened, they become a hazard, or other recreational values are impaired, their use will be regulated to acceptable levels.

A recreation activity plan will be prepared for the wild river area. It will include a detailed analysis of the lands within the wild river boundaries and will delineate activity management zones which will be managed under the constraints presented in this plan.

The activity plan will incorporate existing and proposed recreation facilities as indicated in section V and Tables 1 and 3 of the appendix. It will be closely coordinated with the Forest Service plan for the adjoining wild river segment.

**Timber.** The objective for timber management within the wild river area is to maintain or restore a natural appearing stand of timber.

There will be no cutting of timber within the boundaries, except where absolutely necessary to eliminate hazards or prevent epidemics. Most of the lands within the boundaries are too steep or are otherwise unsuitable for timber harvest in any case.

Where feasible, treatment of insect or disease mortality will be by some method which does not require removal of the trees from the site.

**Structures and facilities.** In order to preserve the river and adjacent lands in an essentially primitive condition, no new structures, except those needed in public recreation developments or for resource protection purposes, will be permitted.

New structures or facilities which are needed for resource management practices such as stabilization, rehabilitation, protection, etc., will be located out of sight of the river or trails where feasible. In any case they will harmonize with their surroundings and be as inconspicuous as possible.

Structures and facilities needed for public recreation purposes will also be designed and located so they will be inconspicuous and in harmony with the environment.

Permitted expansion of the existing privately owned lodges will require approval of design and site plans. Any expansion must be located where it will be inconspicuous and the design must be in keeping with the surroundings.



Owners of private dwellings will be encouraged to maintain them in a condition that is compatible with the primitive character of the area.

New structures such as salmon boards and boat moorings or docks will not be permitted within the wild river area.

No new signs, trail markers, or other informational aids will be visible from the river. Trail signs will be of rustic design and will be kept to a minimum in size and number.

**Transportation.** No new roads into the area will be constructed, unless necessary in the event of a wild fire or other similar catastrophe. Should such roads be necessary, they will be closed and the area rehabilitated as soon as they are no longer needed.

The existing trail system will be expanded to include an additional segment on the south side of the river near the lower end of the wild river segment. The existing Rogue River Trail will be maintained in its present location. Both trails will be restricted to hiker use only. No motorized or horseback use will be permitted.

No new airstrips will be permitted. Acquisition of the existing airstrip will be sought. Should helicopter landing sites become necessary for administrative purposes they will be located where they cannot be seen from the river or trails.

**Utilities.** No additional above ground power transmission or telephone lines will be permitted within the wild river area boundaries.

No additional power generating systems will be permitted where they can be seen or heard from the river or trail system.

Where necessary, scenic easement purchase of these rights on the privately owned lands within the wild river area will be sought.

#### IV. RIVER BOUNDARIES

**A. Primary zone.** Several factors influenced the location of the river boundaries. The limitation of an average of 320 acres per mile stipulated in the Wild and Scenic Rivers Act was considered first. With a length of 46.6 river miles to be included within the boundaries, a maximum area of 14,912 acres was available.

Of primary importance was the nature and condition of the land area which could be seen from the river. Protection of this primary view area is the principal management objective.

For the most part, the primary view area lies within one-fourth mile on either side of the river. However, where canyon walls recede, or the river takes a sharp bend, this distance extends much further.

The presence of incompatible activities just outside the boundary might have an adverse effect on use and enjoyment of the river through such things as noise, smoke, dust, or other undesirable features. To minimize the effects of such occurrences, particularly within the recreational river area, location of the boundary close to the river was avoided.

It was deemed desirable to locate the

boundaries on legal subdivision and property lines where possible.

On the basis of the above considerations the river boundaries were located as shown by legal description contained in Appendix B. A total area of 14,268 acres, or an average of 306 acres per river mile, is included within the boundaries.

**B. Scenic management zone.** From Hellgate Canyon downstream there are several places where the view area extends for a considerable distance beyond the river boundaries.

Most of the land in this area is administered by the Bureau of Land Management. Preservation of the scenery within view of the river on these lands has long been an established management practice. With the passage of the Wild and Scenic Rivers Act, continuation of this policy is desirable.

Establishment of the scenic management zone does not generally preclude timber harvest or other recognized uses of the lands adjacent to the river boundaries. Utilization of these resources will, however, favor those practices that will not adversely affect the scenery within the view area, or contribute to pollution of the Rogue River or its tributary streams.

#### V. DEVELOPMENT AND ADMINISTRATION

**A. Development.** Development proposals presented in this plan are a composite of recreation development proposed by the Bureau of Land Management, the State of Oregon, and Josephine County. They are the result of planning to date and, as such, should not be considered all inclusive or final. Additional sites may be identified when the detailed recreation activity plan for the Wild and Scenic Rivers area is completed. For more complete information on development proposals reference is made to the published Master Plan available for public review at the Washington, D.C. Office, Oregon State Office, and the Medford District Office.

**1. Recreational river.** Fourteen public recreation facilities have been developed along the upper half of the recreational river segment. All of these have been developed by the Josephine County Park Department, some in cooperation with BLM, and are listed in Table 1 of the appendix.

Several additional sites have been proposed for development within the recreational river area. Most of them have been proposed by Josephine County. The Bureau of Land Management will cooperate as necessary in these developments. These are listed in Table 3 of the appendix.

**2. Wild river.** The objective for recreation facility development within the wild river area will be to provide recreation opportunities in a primitive setting. Existing facilities are of a primitive nature and those proposed in this section will maintain this character. In addition to proposed primitive campsites along the existing Rogue River Trail shown on Table 3 of the appendix, it is proposed to replace footbridges crossing five trib-

utary streams that were washed out during the 1964 flood. An additional 10 miles of hiking trail, located within the boundaries of the wild river and the scenic management zone on the south shore, is also proposed.

**B. Costs.** Acquisition of scenic easements will undoubtedly contribute most to the cost of implementing the plan on the Rogue River. Determination of the nature and extent of scenic easements needed, and their value, must await an intensive analysis of the riverfront, however. For this reason no estimate of scenic easement acquisition costs can be made at this time.

Development cost estimates for proposed BLM recreation sites presented in the previous section must necessarily be of a general nature. More precise estimates of costs must await completion of the detailed recreation activity plans for the river. However, on the basis of development costs for similar facilities recently constructed in other areas, the following general estimates are given:

**Recreational River Area:** Three sites, Stratton Creek, Lewis Flat, and Ash Gulch, are proposed for development by BLM on the recreational river segment. These will be moderate to intensively developed facilities. Estimated development costs for these sites are \$750,000.

**Wild River:** Five primitive camp sites along the present Rogue River Trail, five trail bridges, and 10 miles of new hiking trail are proposed for development by the BLM within the Wild River segment. Estimated development costs for these facilities are \$200,000.

**C. Administration.** This plan is a guide which establishes a framework for the development of more specific and detailed implementation plans. These plans, designed for each resource activity, will be prepared within the Bureau's Planning System, as modified to incorporate the special management constraints presented in this framework plan.

As in the development of this plan, the implementation plans will be coordinated with those of the Forest Service as well as State and local agencies. The assistance and cooperation of private land owners will also be sought.

Completion of an intensive landscape analysis to determine the nature and extent of scenic easement requirements will receive first priority. Unless otherwise stated, the management constraints presented in this plan apply to private as well as federally administered lands. Implementation of these constraints on the private lands will be through acquisition of scenic easements on the affected land. Where scenic easement purchase is necessary, property owners will receive an amount equal to the value of the rights acquired. Scenic easements will clearly state what rights are being purchased.

Before undertaking the acquisition of needed easements, meetings will be held with the affected property owners, either individually or in groups, to fully explain the acquisition program and how it may affect their properties.



In order to properly administer the river area, additional jobs will have to be accomplished. In addition to necessary surveying and monumenting the boundaries and developing and implementing the activity plans, there will be the continual need for several tasks. Protection, operation, and maintenance of facilities, compliance checking on the various regulations and scenic easements, and review of plans for proposed developments will be required. To accomplish these and other administra-

tive tasks increased financing and staffing will be necessary.

## APPENDIX

## Appendix A—

Table 1—Existing Recreational Facilities—Recreational Segment.

Table 2—Existing BLM Facilities on the Rogue River Trail.

Table 3—Proposed Facilities and Acquisitions.

Appendix B—Lands Included Within Wild and Scenic River Boundaries.

APPENDIX A—TABLE 1

EXISTING RECREATIONAL FACILITIES—RECREATIONAL SEGMENT

Name	Agency	Equipped for					
		Fishing	Camping	Timber	Picnic	Boat launch	Expansion potential
Whitehorse Park	Josephine County	X	X	X	X		Provide river access.
Matson Park	do	X			X	X	Minor.
Upper Ferry Park	do	X			X	X	No.
Griffin Park	do	X	X		X	X	Excellent.
Robertson Bridge Access	do	X				X	No.
Hog Creek Landing	do	X				X	No.
Hellgate Park <sup>1</sup>	do	X			X		Minor.
Indian Mary Park	do	X	X	X	X	X	Good.
Ennis Riffle Access <sup>1</sup>	do	X				X	Minor.
Carpenter Island <sup>1</sup>	do	X					Not improved.
Rand Park <sup>1</sup>	do	X			X		Excellent.
Alameda Park	do	X	X		X	X	Yes.
Argo Recreation <sup>1</sup>	do	X				X	No.
Grave Creek Access <sup>1</sup>	do	X				X	No.

<sup>1</sup> Indicates recreation and public purposes Act lease from BLM.

APPENDIX A—TABLE 2

EXISTING BUREAU OF LAND MANAGEMENT FACILITIES ON THE ROGUE RIVER TRAIL

Trail miles	Name	Facilities	
		Existing	Needed to complete development
1.7	Rainie Falls Camp	2 Toilets, 2 tables, 1 trivet <sup>1</sup>	1 Shelter, garbage pit, water development, signs.
3.7	Big Slide Camp	1 Toilet, 2 tables, 2 trivets, garbage pit, good spring water.	1 Shelter, spring development, signs.
4.8	Russian Creek Camp	1 Toilet, 1 table, 1 trivet	This site will be abandoned in favor of the proposed Slate Slide Camp. Facilities from this site will be moved to site of Boyden SLUP cabin when that is cleared. Will add 1 shelter, toilets, garbage pit, a water supply, and signs.
12.4	Horseshoe Bend Camp	2 Tables, 2 trivets	Facilities from this site will be moved to site of Boyden SLUP cabin when that is cleared. Will add 1 shelter, toilets, garbage pit, a water supply, and signs.
13.6	Meadow Creek Camp	2 Tables, 1 trivet, creek water	1 Shelter, 1 trivet, toilets, garbage pit, water development, signs.
15.4	Kelsey Creek Camp	2 Toilets, 2 tables, 2 trivets, creek water	1 Shelter, water development, signs.
23.4	Tucker Flat Camp	2 Toilets, 10 tables, 10 trivets, developed spring water, 2 garbage pits, 2 trailer spaces.	2 Shelters.

<sup>1</sup> Trivets are cast iron cooking fires with three legs which hold utensils above the fire.

APPENDIX A—TABLE 3  
PROPOSED FACILITIES AND ACQUISITIONS

Proposed site	Developing agency
Recreational segment:	
Whitehorse Addition	Josephine County.
Madams Creek	To be determined.
Griffin Addition	Do.
Flanagan Slough	Do.
Everton Riffle	Do.
Jumpoff Joe Confluence	Do.
Indian Mary Addition	Josephine County.
Stratton Creek	BLM.
Lewis Flat	BLM.
Rand	To be determined.
Ash Gulch	BLM.
Wild segment:	
Gold Ring Mine	BLM.
Slate Slide Camp	BLM.
Evergreen Camp	BLM.

APPENDIX A—TABLE 3—Continued  
PROPOSED FACILITIES AND ACQUISITIONS

Proposed site	Developing agency
Battle Bar Boat Camp	BLM.
Quail Creek Camp	BLM.
Venner	BLM.
Anderson	BLM and Forest Service.

## APPENDIX B

LANDS INCLUDED WITHIN RECREATIONAL RIVER BOUNDARIES

## Willamette Meridian

T. 34 S., R. 7 W.

Sec. 6, lots 4, 5, 6, and 7;

Sec. 18, lot 4, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;Sec. 19, lots 1, 2, 3, and 4, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 30, lot 1 including a portion of M.S.

No. 734, Robert Dean Placer Claim;

Sec. 31, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 34 S., R. 8 W.

Sec. 1, lots 8, 9, 10, 11, 12, and 13, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 12, lots 1, 2, 3, 4, 5, 6, 7, and 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 13, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , M.S. No. 796 Grubstake, portions of M.S. No. 389 Holy Terror, M.S. No. 433 Goss, M.S. No. 511 Mattison Placer;Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 24, lots 1, 3, 4, 5, and 8, portions of M.S. No. 511 Mattison Placer, portion of M.S. No. 389 Holy Terror, portions of M.S. No. 433 Goss, M.S. No. 404 El Rio Ore and Magnolia;

Sec. 25, lots 1, 2, 3, 6, 8, and 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , portion of M.S. No. 734 Robert Dean Placer claim;Sec. 36, lots 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , portion of M.S. No. 865 Genevieve Placer.

T. 35 S., R. 7 W.

Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;Sec. 4, lots 5, 6, 7, 8, 9, 10, and 11, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 5, lots 5, 6, 7, 8, 9, 10, 11, 12, and 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;Sec. 6, lots 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, and 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;Sec. 7, that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  lying north and east of the Merlin-Gallice Road.Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;Sec. 9, lots 1 and 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;Sec. 10, lots 1, 4, 5, 6, 7, and 8, all those portions of land in lots 2, 3, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying south and west of the Merlin-Gallice Road, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 11, lots 2 and 3, that portion of lot 1 lying south and west of the Merlin-Gallice Road, that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  lying west of the Merlin-Gallice Road;Sec. 14, lots 1, 2, 3, 4, 5, 6, 7, and 8, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying south and west of the Merlin-Gallice Road;Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;Sec. 23, lots 1, 2, 3, 4, 6, and 7, that portion of lot 5 lying north and east of Paradise Gardens Road, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  lying north of Paradise Gardens Road and east of the Pickett Creek Road;Sec. 24, lots 1, 2, and 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;Sec. 25, lots 1, 2, 3, and 4, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , that portion of lot 5 and DLC No. 37 lying south of the Lower River Road;Sec. 26, lots 1, 2, 3, 5, and 6, that portion of lot 4 lying east of the Riverbank Market Road and the Pickett Creek Road, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;Sec. 35, lots 1, 2, 3, 4, 5, 9, those portions of lots 6, 7, 8, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , lying south and east of the Riverbank Market Road, an island lying in portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$  and the N $\frac{1}{2}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 36, lots 1 and 2, those portions of DLC No. 37 and DLC No. 38 lying west of the Lower River Road.

T. 35 S., R. 8 W.

Sec. 1, lots 1, 2, 3, 4, including M.S. No. 865 Genevieve Placer, 5, 6, 7, and 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .



T. 36 S., R. 6 W.,  
 Sec. 18, lots 5 and 6, DLC No. 40;  
 Sec. 19, lots 1, 2, and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , unnumbered lot NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 20, lots 4 and 5.  
 T. 36 S., R. 7 W.,  
 Sec. 1, lot 1;  
 Sec. 2, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , unnumbered lot NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 11, lots 1, 2, 3, 4, 5, 6, 7, and 8, S $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  lying east of Rogue River Loop highway;  
 Sec. 12, lots 1, 2, and 3, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 13, lots 1, 5, 6, 7, 8, and 9, N $\frac{1}{2}$ NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , that portion of DLC No. 37 lying south of a line beginning at the east quarter corner of sec. 13 and running northwesterly to the southeast corner of C.S. Survey 44-56 thence 856.5 feet west and thence 590 feet north and thence 620 feet west to the northwest corner of DLC No. 37;  
 Sec. 14, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ , that portion of DLC No. 38 lying north of the Rogue River Loop Highway also named Riverbank Road;  
 Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

## APPENDIX B

LANDS INCLUDED WITHIN WILD RIVER  
BOUNDARIES

## Willamette Meridian

T. 33 S., R. 7 W.,  
 Sec. 31, lot 4.  
 T. 33 S., R. 8 W.,  
 Sec. 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 32, lots 1, 2, 3, 4, 5, 6, and 7, S $\frac{1}{2}$ SE $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 33, lots 1, 2, 3, 4, 5, 6, 7, and 8, S $\frac{1}{2}$ SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 34, lots 1, 3, 4, 5, 6, 7, 8, 9, and 10, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , M.S. No. 553 Gold Ring;  
 Sec. 35, lots 9 and 10, M.S. No. 553 Gold Ring, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 36, lot 5 and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 33 S., R. 9 W.,  
 Sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 16, lots 1, 2, 3, 4, and 5, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, lots 1, 2, 3, 4, 5, 6, 7, and 8, N $\frac{1}{2}$  SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 18, lots 1, 2, 3 including Winkle Bar and Winkle Bar Extension M.S. No. 844, 4 including Winkle Bar and Winkle Bar Extension M.S. No. 844, 5 including Winkle Bar and Winkle Bar Extension M.S. No. 844, 6, 7, 8, 9, 11, 12, and 13, SE $\frac{1}{4}$  NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 21, lots 1, 2, and 3, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 22, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 23, lots 1, 2, and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 26, lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 35, lots 1, 2, 3, including St. Charles Placer M.S. No. 862, 4, 5, 6, including Boston Placer and St. Charles Placer M.S. No. 862, 7 including Boston Placer M.S. No. 862, 8, 9, and 10, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 36, lots 1, 2, and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 33 S., R. 10 W.,  
 Sec. 9, lots 1, 2, 3, and 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 10, lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, and 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 11, lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, SW $\frac{1}{4}$  NW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12, lots 1 and 2, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, lots 1, 2, 3, 4, 5, 6, 7, and 8, NE $\frac{1}{4}$  SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 14, lots 1, 2, and 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 34 S., R. 8 W.,  
 Sec. 1, lots 1, 2, 3, 4, 5, 6, 7, NW $\frac{1}{4}$ SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , an island in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  (lots 5 and 6);  
 Sec. 2, lots 1, 2, 3, 4, 5, 6, 7, and 8, NE $\frac{1}{4}$  SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$  SE $\frac{1}{4}$ , an island in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  (lots 7 and 8);  
 Sec. 3, lot 1;  
 Sec. 5, lots 3, 4, and 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 34 S., R. 9 W.,  
 Sec. 1, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 2, lots 1, 2, and 3.

[F.R. Doc. 69-12602; Filed, Oct. 23, 1969;  
 8:45 a.m.]

## DEPARTMENT OF COMMERCE

## Office of the Secretary

[Dept. Order 172-B]

## U.S. TRAVEL SERVICE

## Organization and Functions

The following order was issued by the Secretary of Commerce on October 13, 1969. This material supersedes the material appearing at 33 F.R. 12262 of August 30, 1968.

SECTION 1. *Purpose.* This order prescribes the organization and assignment of functions within the U.S. Travel Service.

Sec. 2. *Organization structure.* The principal organization structure and line of authority of the U.S. Travel Service shall be as depicted in the attached organization chart. (A copy of the organization chart is on file with original of this document with the Office of the Federal Register.)

Sec. 3. *Office of the Director.* .01 The Director determines policy, directs the programs and is responsible for all activities of the U.S. Travel Service.

.02 The Deputy Director shall be the principal assistant to the Director and shall perform the duties of the Director during the latter's absence.

Sec. 4. *Staff offices.* .01 The Office of Administration shall arrange for and facilitate the provision of administrative services from the Office of the Secretary as needed by the headquarters of the U.S. Travel Service, develop and maintain the internal administrative management system of the Service, perform evaluative, analytic, and developmental work to assist the Director in assuring that the best

management practices are utilized, both in the headquarters and in the field, and perform specific administrative tasks as directed by the Director.

.02 The Office of Research and Analysis shall assist in planning long-range travel promotion programs and servicing private business with travel data useful in marketing international travel by improved qualitative analysis of travel statistics and development of information on travel markets. Specifically, the Office shall study the patterns of international travel and the economic effects of tourism; develop statistical data on the travel account in the balance of payments; conduct and interpret market research to measure results of the promotional program; evaluate the effect of legislation and regulatory decisions on international travel; and prepare and coordinate position papers for intergovernmental and international travel meetings.

.03 The Office of Public Information shall plan and conduct an information program for the U.S. Travel Service which presents the organization's accomplishments and activities to the public; create an awareness of the U.S. Travel Service role and contributions to the travel industry and coordinate public information activities within the organization and maintain close contact with communications media. The Office shall advise the Director and other U.S. Travel Service officials on publications, motion pictures and information policies and shall provide information to insure public understanding of activities and objectives of the VISIT USA program. The Office shall develop articles, pictorial material and publications about travel in the United States for response to inquiries from the general public, visitors, editors and radio, television and film producers, to support the public information programs of the U.S. Travel Service offices abroad.

Sec. 5. *Marketing Division.* The Marketing Division shall develop and implement programs of travel advertising, and other travel promotion materials and projects, and coordinate all other promotional activities abroad. The Division shall maintain close professional contact with the travel industry in the United States, to provide current data for the use of U.S. Travel Service offices abroad, such as cost, price and travel information. The Division shall assist and advise the travel industry on the design and content of promotion materials for the world's principal travel markets; provide useful sales promotion tools and materials in foreign language to U.S. Travel Service Regional Offices and U.S. Government missions abroad in order to help the travel trade and the prospective traveler favorably compare the United States with other destinations; and develop and place advertising in trade and other communication media abroad to stimulate travel to the United States.

Sec. 6. *Visitor Services Division.* The Visitor Services Division shall develop programs to assure a friendly welcome in the United States for international visitors and to generally improve the



Nation's host services. The Division shall have primary responsibility for the U.S. Travel Service relationship with States and cities; carry campaigns in the United States to stimulate interest in the visitor from abroad; make Americans aware of the importance of visitors and of extending a friendly and cordial welcome to our guests; and assist communities in attracting more international visitors and in adapting their facilities to meet the needs of overseas visitors; cooperate with the travel industry—hotels, motels, restaurants, sightseeing, and transportation companies, and airports and terminals—in bolstering their services for visitors from other nations. The Division shall work to lessen travel barriers, including cooperation with Federal agencies at our ports of entry to expedite the entrance formalities for our overseas guests and help make the Nation's reception of our visitors more pleasant and gracious.

**Sec. 7. Convention and Business Travel Development Office.** The Convention and Business Travel Development Office shall develop and implement programs for attracting international congresses, organizations, and associations to hold meetings and conventions in the United States, for increasing attendance from abroad at U.S. conventions, trade fairs, and exhibitions, and for promoting other business travel to the United States. The Office shall directly solicit such attendance through various media, distribution of information, advertising and designing special services for the overseas businessman from trade and business associations abroad and in coordination with similar organizations in the United States. The Office shall assist and advise the travel trade industry abroad to promote the United States as a business travel destination by providing useful sales promotion materials in foreign languages for this purpose. The Office shall work closely with those centers in the United States which have facilities for hosting international meetings. The Office shall coordinate its full promotion efforts with the Marketing Division and the U.S. Travel Service Regional Offices abroad.

**Sec. 8. Regional Offices.** The Regional Offices, which shall be located in the strategic cities abroad as shown in the attached organization chart, shall serve as the point of contacts with the major potential markets for increased tourism to the United States. More particularly, the offices shall work directly with international carriers, travel agents and tour operators on all aspects of travel to the United States; carry the VISIT USA message to the general public through mass media advertising, travel exhibits, special promotional projects with the travel industry, and publicity in the local media; and distribute to foreign travel sales outlets materials in the language of the country supporting the United

States as a satisfying travel experience and a good travel value.

Effective date: October 13, 1969.

LARRY A. JOBE,  
Assistant Secretary  
for Administration.

[F.R. Doc. 69-12709; Filed Oct. 23, 1969;  
8:45 a.m.]

## CIVIL SERVICE COMMISSION

### DEPARTMENT OF JUSTICE

#### Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Program Evaluation and Development Officer, Community Relations Service.

UNITED STATES CIVIL SERVICE COMMISSION

[SEAL] DAVID F. WILLIAMS,  
Director, Bureau of  
Management Services.

[F.R. Doc. 69-12743; Filed, Oct. 23, 1969;  
8:48 a.m.]

### DEPARTMENT OF THE INTERIOR

#### Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Assistant Secretary for Mineral Resources, Office of the Assistant Secretary for Mineral Resources.

UNITED STATES CIVIL SERVICE COMMISSION

[SEAL] DAVID F. WILLIAMS,  
Director, Bureau of  
Management Services.

[F.R. Doc. 69-12730; Filed, Oct. 23, 1969;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration  
IMPERIAL CHEMICAL INDUSTRIES,  
LTD.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP OB2464) has been filed by Imperial

Chemical Industries, Ltd., Dyestuffs Division, Hexagon House, Blackley, Manchester 9, England, proposing that § 121.2566 *Antioxidants and/or stabilizers for polymers* (21 CFR 121.2566) be amended to provide for the safe use of dicetyl thiodipropionate as an antioxidant and/or stabilizer in polymers used in the manufacture of articles for food-contact use.

Dated: October 17, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-12725; Filed, Oct. 23, 1969;  
8:46 a.m.]

### MOTHER'S FOODS PRODUCTS, INC.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP OA2465) has been filed by Mother's Foods Products, Inc., 50 Wheeler Point Road, Newark, N.J. 07105, proposing that § 121.1056 *Disodium EDTA* (21 CFR 121.1056) be amended in paragraph (b)(1) to provide for the safe use of disodium EDTA as a chelating agent for metal ions in the processing of gefilte fish.

Dated: October 17, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-12726; Filed, Oct. 23, 1969;  
8:46 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### COMPREHENSIVE PLAN

#### Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on October 28, 1969. The hearing will take place in the West Lounge of The Inn, Buck Hill Falls, Pa., beginning at 2 p.m. The hearing will be on a proposal to amend the Comprehensive Plan so as to include therein the following projects.

1. *Wyoming-Camden Water Commission.* A well water supply project to augment public water supplies in the Wyoming-Camden service area, Kent County, Del. The new facility is expected to yield 720,000 gallons per day.

2. *Mount Penn Borough Municipal Authority.* A well water supply project to augment public water supplies in the Borough of Mount Penn and portions of adjacent townships in Berks County, Pa. Designated as Well No. 14, the new facility is expected to yield one million gallons per day.



3. *Mantua Water Company*. A well water supply project for public water supply purposes in Mantua Township, Gloucester County, N.J. The new well is a replacement facility and is expected to yield 200,000 gallons per day.

4. *Sussex County Board of Freeholders*. A new sewage treatment plant to provide service near Branchburg, Sussex County, N.J. The new facility would provide 90 percent removal of BOD and handle a capacity of 50,000 gallons per day. Treated effluent will be discharged to the Paulins Kill.

5. *U.S. Army Corps of Engineers*. A flood protection project at East Branch, Delaware County, N.Y. A 4,500-foot-long levee will protect the Village of East Branch from flooding at the confluence of the East Branch of the Delaware River and the Beaver Kill.

6. *Honey Hollow Watershed Association*. The 500-acre drainage area of Honey Hollow Creek in Solebury Township, Bucks County, Pa. Designated as a National Historic Landmark, the watershed project is for the conservation of soil, water, and wildlife resources; flood prevention; preservation of open space; and promotion of educational and recreational opportunities.

Documents relating to the projects listed for hearing may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission (Telephone: 609-883-9500).

W. BRINTON WHITALL,  
Secretary.

OCTOBER 17, 1969.

[F.R. Doc. 69-12739; Filed, Oct. 23, 1969;  
8:47 a.m.]

## FEDERAL HOME LOAN BANK BOARD

[H.C. No. 47]

### GREAT WESTERN FINANCIAL CORP.

#### Notice of Receipt of Application for Permission To Acquire Control of Citizens Savings and Loan Association

OCTOBER 21, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Great Western Financial Corp., Beverly Hills, Calif., for approval of acquisition of control of the Citizens Savings and Loan Association, Santa Barbara, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the Regulations for Savings and Loan Holding Companies, said acquisition to be effected by the exchange of at least 90 percent of the guarantee stock of Citizens Savings and Loan Association for common stock of Great Western Financial Corp. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington,

D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,  
Secretary.

Federal Home Loan Bank Board.

[F.R. Doc. 69-12732; Filed, Oct. 23, 1969;  
8:47 a.m.]

## FEDERAL MARITIME COMMISSION

### ARABIAN/PERSIAN GULF-U.S. ATLANTIC & GULF RATE AGREEMENT

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

#### Notice of agreement filed by:

Mr. A. J. Wassler, Secretary Arabian/Persian Gulf-U.S. Atlantic & Gulf Rate Agreement, Room 1539, 26 Broadway, New York, N.Y. 10004.

Agreement No. 9778-1, among the parties to the Arabian/Persian Gulf-U.S. Atlantic & Gulf Rate Agreement amends the first paragraph (preamble) of the basic agreement to provide that the trade area covered by the agreement shall be served by direct call or transshipment.

Dated: October 21, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-12744; Filed, Oct. 23, 1969;  
8:48 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI70-307]

### AMERICAN PETROFINA COMPANY OF TEXAS ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate

OCTOBER 17, 1969.

On September 19, 1969, American Petrofina Company of Texas (Operator)

et al. (Petrofina),<sup>1</sup> tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

Description. Notice of change, dated August 16, 1969.

Purchaser and Producing Area. Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Southeast Tomball Field, Harris County, Tex.) (Railroad District No. 3).

Rate Schedule Designation. Supplement No. 3 to Petrofina's FPC gas rate schedule No. 76.

Effective Date. October 20, 1969.<sup>2</sup>

Amount of Annual Increase. \$5,311.

Effective Rate. 15.5 cents per Mcf.<sup>3</sup>

Proposed Rate. 16.5 cents per Mcf.<sup>4</sup>

Pressure Base. 14.65 p.s.i.a.

Petrofina's proposed 16.5 cents per Mcf periodic rate increase exceeds the area increased rate ceiling of 14 cents per Mcf for Texas Railroad District No. 3 as announced in the Commission's statement of general policy No. 61-1, as amended, and should be suspended for 5 months from October 20, 1969, the expiration date of the statutory notice.

The proposed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 3 to Petrofina's FPC gas rate schedule No. 76 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Petrofina's FPC gas rate schedule No. 76.

(B) Pending such hearing and decision thereon, Supplement No. 3 to Petrofina's FPC gas rate schedule No. 76 is hereby suspended and the use thereof deferred until March 20, 1970, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

<sup>1</sup> Address is: Post Office Box 2159, Dallas, Tex. 75221.

<sup>2</sup> The stated effective date is the first day after expiration of the statutory notice.

<sup>3</sup> Present rate is in effect subject to refund in Docket No. RI64-426.

<sup>4</sup> Periodic rate increase.



(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 3, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-12710; Filed, Oct. 23, 1969;  
8:45 a.m.]

[Docket No. CI65-974 etc.]

### GEORGE DESPOT ET AL.

#### Order Issuing Conditioned Certificate of Public Convenience and Necessity on Settlement, Accepting Related Rate Schedule and Supplement Thereto for Filing, and Severing and Terminating Proceedings

OCTOBER 16, 1969.

Roosth & Genecov Production Co. (Operator) et al. (Roosth & Genecov), on July 11, 1969, filed with the Commission a motion for approval of settlement proposal. Roosth & Genecov is a respondent in the consolidated Despot proceedings and has been engaged in the sale of natural gas to Lone Star Gas Co., in Texas Railroad District No. 6. This sale commenced in August 1963, pursuant to contractual provisions as an alleged intrastate sale, even though the gas was commingled with other gas which was sold in interstate commerce. The gas which is here under consideration is produced from the North Henderson field, Rusk County, Tex., in Railroad District No. 6. The contract, which is dated January 11, 1960, is the basic contract between Phillips Petroleum Co. and the Lone Star Gas Co., as ratified by Roosth & Genecov et al. This sale commenced at an initial price of 16.56 cents per Mcf, inclusive of tax reimbursement. The contract between Roosth & Genecov and Lone Star contained restrictions similar to those before the Commission in *Lo-Vaca Gathering Company*, 26 FPC 606 (1961), affirmed, 379 U.S. 366 (1965). Because of the restrictions on the use of gas by Lone Star, Roosth & Genecov treated its sales as not subject to Commission jurisdiction. On June 5, 1969, the Commission issued an order to show cause as to why Roosth & Genecov and other respondents should not be required to apply for, and obtain certificates of public convenience and necessity authorizing the sales specified in its respective applications, which it had previously made without authorization and whether initial prices for such sales should not be fixed at the appropriate area guideline price prevailing at the date deliveries commenced. Subsequent thereto, Roosth & Genecov filed the instant motion for approval of settlement proposal and for severance of this proceeding. No party to this proceeding objects to the proposed settlement. With exception relating to the method of computing interest on refunds due as spec-

ified hereinafter, the Commission conditionally approves Roosth & Genecov's motion for settlement in the proceedings in Docket No. CI67-1632.

In orders approving settlement proposals of other producers in the consolidated Despot proceeding, the Commission has approved the use of the Mobil refund formula for settling these proceedings (see *Humble settlement order* issued November 22, 1967, Docket No. CI66-591, 38 FPC 1041). The instant motion of Roosth & Genecov for settlement conforms to the formula requiring refunds of 62½ percent of any charges in excess of the guideline price between October 23, 1961, and January 18, 1965, and 100 percent of all excess charges collected after January 18, 1965. No refunds are required on volumes sold prior to October 23, 1961. The Mobil formula requires that interest be paid on refunds, less royalties and overriding royalty interest, at 7 percent per year from the date of collection until the date of the order approving settlement. As to sums refundable, which are to be retained by respondents pending Commission determination of final disposition thereof and which respondents choose to commingle with other corporate funds, the Commission required that interest be paid at the rate of 5½ percent per year from the date of the order issuing certificate to the date of disbursement. Accordingly, Roosth & Genecov proposes to settle the proceedings as to its sale to Lone Star on the basis of the above Mobil formula. Roosth & Genecov has agreed to refund amounts due to Lone Star or as the Commission may otherwise order. Roosth & Genecov requests that a certificate be issued at the applicable initial service guideline rate of 15 cents per Mcf at 14.65 p.s.i.a. (15.08 cents per Mcf at 14.73 p.s.i.a.). Roosth & Genecov estimates that the refund amount due will aggregate \$2,962.48. At the present time Lone Star is under no flow through obligation as to any Despot proceeding refunds which it may receive; therefore Roosth & Genecov will be required to retain the refunds, inclusive of interest, subject to further Commission order directing final disposition thereof and the Commission will tender Roosth & Genecov the option of depositing the retained refunds to a special escrow account or commingling such accounts with its general corporate assets. In the event that it is elected to commingle the retained refunds, interest thereon at the rate of 5½ percent per year will be required.

Issuance of the certificate to Roosth & Genecov will be conditioned upon the requirement that Roosth & Genecov pay 7 percent per year interest upon refunds due from the date of collection of the amount subject to refunding to the date of the issuance of this order.

#### The Commission finds:

(1) The settlement proposal filed by Roosth & Genecov on July 11, 1969, as hereinafter conditioned, is in the public interest, and it is appropriate in the administration of the provisions of the Natural Gas Act that it be approved and made effective as hereinafter ordered.

(2) The sale for which Roosth & Genecov seeks authorization together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Roosth & Genecov is able and willing to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales proposed by Roosth & Genecov together with the construction and the operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity, and as conditioned herein, are in the public interest.

#### The Commission orders:

(A) The settlement of this proceeding on the basis of the settlement proposal filed by Roosth & Genecov Production Co. (Operator) et al., on July 11, 1969, as herein conditioned, is approved and made subject to the terms and conditions herein.

(B) Roosth & Genecov shall refund 62½ percent of the excess amounts collected above 15 cents per Mcf (at 14.65 p.s.i.a.) during the period October 24, 1961, to January 18, 1965, and 100 percent of the sums collected in excess of 15 cents per Mcf for the period from January 19, 1965, to the effective date of this order.

(C) Roosth & Genecov shall compute interest due on the above paragraph (B) refundable amounts which it has collected at the rate of 7 percent per year from the date of collection to the date of issuance of this order, less royalty and overriding interest.

(D) Roosth & Genecov shall, over the signature of a responsible officer, file with the Commission, within 30 days of the date of this order, an original and one copy of its acceptance or rejection of this order and shall serve a copy of the same on all parties to Docket No. CI65-974 et al.

(E) Roosth & Genecov shall file with the Commission, within 60 days after the date of this order, a report setting out the principal amount of refunds, computed in accordance with the terms of this order, together with interest thereon, showing details of computations and shall serve a copy of the report on all parties to the proceedings in Docket No. CI65-974 et al. Roosth & Genecov's report shall state its election to commingle or escrow retained refunds, pursuant to paragraph (F) and shall contain a statement by the purchaser attesting to the correctness of the refund amounts.

(F) Roosth & Genecov shall retain the amounts shown in the report required under ordering paragraph (E), related to its sales to Lone Star Gas Co., subject to further orders of the Commission directing final disposition of those amounts. If Roosth & Genecov elects to



commingle these retained refunds, computed pursuant to ordering paragraphs (B) and (C), with its general assets and use them for its corporate purposes, it shall pay interest thereon at the rate of 5½ percent per year on all funds thus available from the date of this order to the date on which they are paid over to the person ultimately determined to be entitled thereto by a final order of the Commission. If respondent elects to deposit the retained refunds in a special escrow account, respondent shall tender for filing on or before the date of the filing of the refund report, an executed escrow agreement, conditioned as set out below accompanied by a certificate showing service of a copy thereof upon the parties to the proceedings in Docket No. CI65-974 et al. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof, the escrow agreement shall be entered into between respondent and any bank or trust company used as a depositor for funds of the U.S. Government and the agreement shall be conditioned as follows:

(1) Such respondent, the bank or trust company, and the successors and assigns of each shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or any agency thereof or in any form of obligation guaranteed by the United States which is respectively payable within 182 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable, and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out to the escrow account.

(5) Such bank or trust company shall report to the Secretary of this Commission quarterly, certifying the amount deposited in the trust account for the quarterly period.

(G) A permanent certificate of public convenience and necessity is issued to Roosth & Genecov upon the conditions

herein set forth, authorizing the sales and services proposed.

(H) The certificate issued to Roosth & Genecov by paragraph (G) is conditioned on Roosth & Genecov's accepting the certificate issued to it in writing and under oath within 30 days of the issuance of this order.

(I) The certificate issued to Roosth & Genecov by paragraph (G) is conditioned upon the acceptance by Roosth & Genecov of the modification of its settlement proposal as provided by the terms of this order.

(J) The certificate issued in paragraph (G) is conditioned so that on or after the date of this order, and until lawfully changed in the manner provided by the Natural Gas Act, the rate charged by Roosth & Genecov to Lone Star shall not exceed 15 cents per Mcf (at 14.65 p.s.i.a.) (15.08 cents per Mcf at 14.73 p.s.i.a.). Within 30 days of the date of this order, Roosth & Genecov shall file a supplement to its rate schedule reflecting the conditioned rate in lieu of the rate currently provided therein, and as to such filing, the requirements of § 154.94(f) of the regulations under the Natural Gas Act are waived and upon compliance, the proposed related rate schedule and supplements thereto shall be accepted for filing effective as of the date of this order: *Provided*, That this order is without prejudice to any action which the Commission may hereafter take pursuant to the provisions of sections 4 and 5 of the Natural Gas Act.

(K) Upon full compliance by Roosth & Genecov with this order, the proceedings in Docket No. CI67-1632 shall terminate, and such proceedings upon termination are hereby severed from the consolidated proceedings in Docket No. CI65-974 et al.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[P.R. Doc. 69-12711; Filed, Oct. 23, 1969;  
8:45 a.m.]

[Dockets Nos. CS70-22, CS70-23]

S. P. YATES AND ROBERT L. OWEN

#### Notice of Applications for "Small Producer" Certificates<sup>1</sup>

OCTOBER 16, 1969.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from areas for which just and reasonable rates have been established, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

<sup>1</sup>This notice does not provide for consolidation for hearing of the several matters covered herein.

Any person desiring to be heard or to make any protest with reference to said applications should on or before November 10, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). 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. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

Docket No.	Date filed	Name of applicant
CS70-22 <sup>1</sup> (CI70-261)	9-12-69	S. P. Yates, 307 South Fourth St., Artesia, N. Mex. 88210.
CS70-33	9-29-69	Robert L. Owen, 3200 First National Bank Bldg., Dallas, Tex. 75202.

<sup>1</sup>Application was erroneously assigned Docket No. CI70-261. Docket No. CI70-261 is canceled and application has been reassigned Docket No. CS70-22.

[P.R. Doc. 69-12712; Filed, Oct. 23, 1969;  
8:45 a.m.]

## FEDERAL RESERVE SYSTEM

### BANCORP CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by BancOhio Corp., which is a bank holding company located in Columbus, Ohio, for prior approval by the Board of Governors of the acquisition by Applicant of up to 100 percent of the voting shares of The Logan County Bank, Bellefontaine, Ohio.



Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Cleveland.

Dated at Washington, D.C., this 17th day of October 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-12717; Filed, Oct. 23, 1969;  
8:45 a.m.]

#### CONTINENTAL BANK AND TRUST CO.

##### Order Approving Merger of Banks

In the matter of the application of The Continental Bank and Trust Co. for approval of merger with Continental Bank of Midvale.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by The Continental Bank and Trust Co., Salt Lake City, Utah, a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Continental Bank of Midvale, Midvale, Utah, under the charter and name of Salt Lake Bank. As an incident to the merger, the office of Continental Bank of Midvale would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance

Corporation, and the Attorney General on the competitive factors involved in the proposed merger:

It is hereby ordered, For the reasons set forth in the Board's statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco pursuant to delegated authority.

Dated at Washington, D.C., this 17th day of October 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-12718; Filed, Oct. 23, 1969;  
8:45 a.m.]

#### FIRST AT ORLANDO CORP.

##### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the acquisition by Applicant of at 1956 (12 U.S.C. 1842(a)), by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for prior approval by the Board of Governors of the acquisition by Applicant of at least 80 percent of the voting shares of First National Bank of Lake Wales, Lake Wales, Fla.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of San Francisco.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sherrill.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 17th day of October 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-12719; Filed, Oct. 23, 1969;  
8:45 a.m.]

#### FIRST NATIONAL CORP.

##### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by First National Corp., which is a bank holding company located in Appleton, Wis., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of The Clintonville National Bank, Clintonville, Wis.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.



Dated at Washington, D.C., this 17th day of October 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-12720; Filed, Oct. 23, 1969;  
8:46 a.m.]

## HAMILTON NATIONAL ASSOCIATES, INC.

### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Hamilton National Associates, Inc., which is a bank holding company located in Chattanooga, Tenn., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of Citizens Bank of White Pine, White Pine, Tenn.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 17th day of October 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-12721; Filed, Oct. 23, 1969;  
8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AND STUDENT-WORKERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Aalls Manufacturing Co., Sheldon, Iowa; 10-1-69 to 9-30-70; 10 learners (men's work pants and jeans).

Alatex, Inc., Evergreen, Ala.; 9-19-69 to 9-18-70 (men's pants).

H. Alter & Co., Kingston, Pa.; 9-22-69 to 9-21-70 (men's and women's jackets).

Anniston Sportswear Corp., Anniston, Ala.; 9-10-69 to 9-9-70 (men's dress pants).

Arizona Slack Corp., Yuma, Ariz.; 9-12-69 to 9-11-70; 10 learners (men's dress slacks).

The Bennettsville Co., Bennettsville, S.C.; 9-18-69 to 9-17-70 (women's dresses).

Michael Berkowitz Co., Inc., Uniontown, Pa.; 9-12-69 to 9-11-70 (men's and ladies' pajamas, operating gowns, face and surgical masks).

Brooks Sea Manufacturing Co., Wilkes-Barre, Pa.; 10-2-69 to 10-1-70; 5 learners (children's blouses).

Brundidge Shirt Corp., Brundidge, Ala.; 9-26-69 to 9-25-70 (men's shirts).

Caledonia Manufacturing Co., Inc., Caledonia, Miss.; 9-11-69 to 9-10-70 (men's and boys' pants).

Carolina Lingerie Co., Inc., Mocksville, N.C.; 9-30-69 to 9-29-70 (ladies' pajamas and blouses).

Continental Manufacturing Co., Oskaloosa, Iowa; 9-20-69 to 9-19-70 (men's and boys' pants).

Dotty Dan, Inc., Lamesa, Tex.; 9-16-69 to 9-15-70 (infant and children's wear).

Dunbrooke Sportswear Co., El Dorado Springs, Mo.; 10-1-69 to 9-30-70 (men's sport shirts).

Fairmont Manufacturing Co., Inc., Fairmont, N.C.; 9-14-69 to 9-13-70; 10 learners (women's lingerie).

Form-O-Uth Brassiere Co., Inc., McLean, Tex.; 9-30-69 to 9-29-70 (women's brassieres and girdles).

Gibson Garment Co., Inc., Gibson, Ga.; 10-2-69 to 10-1-70 (men's and boys' pants).

Gross Galesburg Co., Galesburg, Ill.; 10-1-69 to 9-30-70; 10 learners (men's work clothing).

Gross Galesburg Co., Charlton, Iowa; 9-19-69 to 9-18-70 (men's work clothing).

Industrial Garment Manufacturing Co., Palestine, Tex.; 9-12-69 to 9-11-70 (men's work pants).

Kennebec Manufacturing Co., Inc., Gardiner, Maine; 9-21-69 to 9-20-70 (children's pants).

Kent Sportswear, Inc., Curwensville, Pa.; 9-28-69 to 9-27-70 (men's outerwear jackets).

Kent Uniforms, Inc., Burkesville, Ky.; 10-2-69 to 10-1-70 (nurses' and waitresses' uniforms).

Laurel Industrial Garment Manufacturing Co., Laurel, Miss.; 9-20-69 to 9-19-70 (men's work shirts).

Little Star Frocks, Inc., Bridgeton, N.J.; 9-12-69 to 9-11-70 (children's dresses).

Miller Manufacturing Co., Joplin, Mo.; 9-27-69 to 9-26-70 (men's pants and shirts).

Miss Mary Fashions, Inc., Carbondale, Pa.; 9-29-69 to 9-28-70; 5 learners (ladies' dresses).

Morehead City Garment Co., Morehead City, N.C.; 9-13-69 to 9-12-70 (men's sport shirts).

Oshkosh B'Gosh, Inc., Columbia, Ky.; 9-24-69 to 9-23-70 (men's and boys' work clothing).

Pennsylvania Brassieres Corp., Meyersdale, Pa.; 9-12-69 to 9-11-70 (women's brassieres).

Rita's Sportswear, Moscow, Pa.; 9-30-69 to 9-29-70 (children's dresses).

Riverside Manufacturing Co., Moultrie, Ga.; 9-25-69 to 9-24-70 (men's work clothes).

Riverside Industries, Inc., Moultrie, Ga.; 9-25-69 to 9-24-70; 10 learners (men's work clothes).

Roydon Wear, Inc., McRae, Ga.; 9-12-69 to 9-11-70 (boys' trousers and outerwear shorts).

Russellville Sportswear Corp., Russellville, Ala.; 9-14-69 to 9-13-70 (men's slacks and shorts).

Saltillo Manufacturing Co., Saltillo, Tenn.; 9-27-69 to 9-26-70 (men's and boys' shirts, ladies' and girls' shirts).

Henry I. Siegel Co., Inc., Eloy, Ariz.; 9-28-69 to 9-27-70 (men's and boys' pants).

Henry I. Siegel Co., Inc., Fulton, Ky.; 9-24-69 to 9-23-70 (men's and boys' pants).

Henry I. Siegel Co., Inc., Verona, Miss.; 9-24-69 to 9-23-70 (men's and boys' sport shirts).

Sportcraft, Inc., McAdoo, Pa.; 10-1-69 to 9-30-70 (girls' and preteen skirts, jackets, and jumpers).

Stapleton Garment Co., Stapleton, Ga.; 9-23-69 to 9-22-70 (men's and boys' pants).

Levi Strauss & Co., Tyler, Tex.; 9-12-69 to 9-11-70 (girls' and ladies' jeans).

Sweetwater Manufacturing Co., Sweetwater, Tex.; 9-29-69 to 9-28-70 (ladies' and girls' pajamas, paper lab coats, and surgical gowns).

Tipton Manufacturing Co., Tipton, Mo.; 9-26-69 to 9-25-70 (men's pants).

Toll Gate Garment Co., Hamilton, Ala.; 10-1-69 to 9-30-70 (men's shirts).

The Van Heusen Co., Fort Payne, Ala.; 9-24-69 to 9-23-70; 10 learners (boys' shirts).

The Van Wert Manufacturing Co., Van Wert, Ohio; 9-25-69 to 9-24-70; 10 learners (men's ladies', and boys' utility jackets).

Westmoreland Manufacturing Co., Westmoreland, Tenn.; 9-21-69 to 9-20-70 (women's blouses).

Wilcox Garment Co., Inc., Rochelle, Ga.; 9-26-69 to 9-25-70 (men's and boys' shirts).

Williamson-Dickie Manufacturing Co., Bainbridge, Ga.; 9-14-69 to 9-13-70 (men's and boys' work and casual pants).



The following plant expansion certificates were issued authorizing the number of learners indicated.

Angelica Uniform Co., Eminence, Mo.; 9-30-69 to 3-29-70; 30 learners (women's and men's washable service uniforms).

Bestform Foundations of Pennsylvania, Inc., Johnstown, Pa.; 9-29-69 to 3-28-70; 50 learners (women's foundation garments).

Moreland City Garment Co., Morehead City, N.C.; 10-2-69 to 4-1-70; 35 learners (men's sport shirts).

Pella Manufacturing Corp., Pella, Iowa; 9-15-69 to 3-14-70; 10 learners (men's work clothes).

Woolfolk Manufacturing Corp., Plant No. 2, Bremen Bluff, Va.; 9-12-69 to 3-11-70; 25 learners (men's and boys' pants).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars, Inc., Selma, Ala.; 9-29-69 to 9-28-70; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Burnham-Edina Manufacturing Co., Edina, Mo.; 10-2-69 to 10-1-70; 5 learners for normal labor turnover purposes (leather palm work gloves).

Monte Glove Co., Inc., Shelbyville, Ind.; 9-12-69 to 9-11-70; 5 learners for normal labor turnover purposes (work gloves).

St. Johnsbury Glovers, St. Johnsbury, Vt.; 9-21-69 to 9-20-70; 10 learners for normal labor turnover purposes (men's and ladies' leather and knit gloves).

St. Johnsbury Glovers, St. Johnsbury, Vt.; 9-21-69 to 9-20-70; 5 learners for plant expansion purposes (men's and ladies' leather and knit gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Broadway Hosiery Mills, Inc., Asheville, N.C.; 10-2-69 to 10-1-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' socks).

Excel Hosiery Mills, Inc., Union, S.C.; 9-17-69 to 9-16-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's seamless hosiery).

Singer Hosiery Mills, Inc., Thomasville, N.C.; 9-23-69 to 3-22-70; 10 learners for plant expansion purposes (seamless hosiery).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Almark Mills, Inc., Dawson, Ga.; 10-1-69 to 3-30-70; 40 learners for plant expansion purposes (ladies' and children's panties, ladies' and children's gowns and pajamas).

Benham Corp., Scottdale, Ala.; 10-1-69 to 9-30-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' underwear).

Dothan Manufacturing Co., Dothan, Ala.; 9-30-69 to 9-29-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's pajamas and shorts).

East Tennessee Undergarment Co., Elizabethton, Tenn.; 9-27-69 to 9-26-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's underwear).

Junior Form Lingerie Corp., Boswell, Pa.; 9-19-69 to 9-18-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear, petticoats, gowns, baby dolls, and pajamas).

Russell Mills, Inc., Alexander City, Ala.; 10-1-69 to 9-30-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (knit underwear, sweatshirts, and athletic wear).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Boqueron Manufacturing Corp., Cabo Rojo, P.R.; 8-10-69 to 6-24-70; 24 learners for normal labor turnover purposes in the occupations of: (1) Toe and panty hose sewers (seaming), for a learning period of 240 hours at the rate of \$1.15 an hour; (2) preboarding and folding, for a learning period of 360 hours at the rate of \$1.15 an hour; and (3) pairing and mending, for a learning period of 720 hours at the rates of \$1.15 an hour for the first 360 hours and \$1.20 an hour for the remaining 360 hours (ladies' seamless hosiery and ladies' panty hose) (replacement certificate).

Boqueron Manufacturing Corp., Cabo Rojo, P.R.; 8-10-69 to 6-24-70; 6 learners for normal labor turnover purposes in the occupations of: (1) Toe and panty hose sewers (seaming), for a learning period of 240 hours at the rate of \$1.15 an hour; (2) preboarding and folding, for a learning period of 360 hours at the rate of \$1.15 an hour; and (3) pairing and mending, for a learning period of 720 hours at the rates of \$1.15 an hour for the first 360 hours and \$1.20 an hour for the remaining 360 hours (ladies' seamless hosiery and ladies' panty hose) (replacement certificate).

The following student-worker certificate was issued pursuant to the regulations applicable to the employment of student-workers (29 CFR 527.1 to 527.9). The effective and expiration date, occupations, wage rates, number of student-workers, and learning periods for the certificate issued under Part 527 are as indicated below.

Oak Park Academy, Nevada, Iowa; 9-29-69 to 8-31-70; authorizing the employment of: (1) 16 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semi-skilled occupations including incidental clerical work in the shop, for a learning period of 1,000 hours at the rates of \$1.40 an hour for the first 500 hours and \$1.45 an hour for the remaining 500 hours; and (2) 20 student-workers in the broom manufacturing industry in the occupations of broom maker, stitcher and related skilled and semi-skilled occupations, for a learning period of 360 hours at the rates of \$1.40 an hour for the first 180 hours and \$1.45 an hour for the remaining 180 hours.

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or recon-

sideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 16th day of October 1969.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 69-12643; Filed, Oct. 23, 1969;  
8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 927]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 21, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

### MOTOR CARRIERS OF PROPERTY

No. MC 52704 (Sub-No. 67TA), filed October 16, 1969. Applicant: GLENN MC-CLENDON TRUCKING COMPANY, INC., Post Office Box 495, Lafayette, Ala. 36862. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coin operated refrigerated drink vending machines and parts, between plantsite of Cavalier Corp., Chattanooga, Tenn., on the one hand, and, on the other, points in Florida, Louisiana, Texas, North Carolina, South Carolina, Alabama, Georgia, Maryland, Virginia, Arkansas, West Virginia, and Oklahoma, for 180 days. Supporting shipper: Cavalier Corp., 1100 East 11th Street, Chattanooga, Tenn. 37403; Jack W. Henry, Office Manager. Send protests to: Clifford



W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 66746 (Sub-No. 14 TA), filed October 13, 1969. Applicant: JOHN L. KERR AND G. O. KERR, JR., a partnership, doing business as SHIPPERS EXPRESS, Post Office Box 8365, Jackson, Miss. 39204. Applicant's representative: John A. Crawford, Suite 700 Petroleum Building, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (with usual exceptions), from Meridian, Crystal Springs, Hazlehurst, Brookhaven, Summit, and McComb, Miss., and points within the commercial zones of each, and from points in that part of Mississippi south of U.S. Highway 80 and east of Highway 51 within 100 miles of Jackson, to Jackson, Miss., for 180 days. Note: Applicant does intend to tack with its existing authority. Supporting shippers: There are approximately (21) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 106398 (Sub-No. 425 TA), filed October 16, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull, 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, from plantsite of Senator Homes, Inc., at Fort Smith, Ark., to points in Texas, Oklahoma, Kansas, Missouri, Tennessee, Mississippi, and Louisiana, for 180 days. Supporting shipper: Senator Homes, Inc., 1002 South Sixth Street, Fort Smith, Ark. 72901. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 107012 (Sub-No. 99 TA), filed October 16, 1969. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Blaine E. Sowers (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Physical fitness and gymnasium equipment and apparatus*, uncrated, from points in Fresno County, Calif., to points in the United States, excluding Hawaii, but including Alaska, for 180 days. Supporting shipper: Universal Athletic Sales Co., 4707 East Hedges, Fresno, Calif. 46802. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 752 TA), filed October 15, 1969. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, having a prior movement by rail, from Des Moines, Iowa, to points in Iowa, for 150 days. Supporting shipper: The Carey Salt Co., Post Office Box 1728, Hutchinson, Kans. 67501. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 108207 (Sub-No. 274 TA), filed October 16, 1969. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: L. M. McLean (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shellac*, from Memphis, Tenn., to San Jose, Calif., for 150 days. Note: Applicant does not intend to tack with existing authority. Supporting shipper: DAP Inc., Box 999, Dayton, Ohio 45401. Send protests to: E. K. Willis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202. Note: Shipper states product is granulated, shipped in bags, and requires mechanical refrigeration.

No. MC 110525 (Sub-No. 937 TA), filed October 15, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid aluminum sulphate*, in bulk, in tank vehicles, from Johnsonburg, Pa., to Leicester, N.Y., for 180 days. Supporting shipper: Allied Chemical Corp., Industrial Chemicals Division, 40 Rector Street, New York, N.Y. 10006. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 118851 (Sub-No. 3 TA), filed October 14, 1969. Applicant: KEY EXPRESS, INC., 125 Tenth Avenue, Scranton, Pa. 18504. Applicant's representative: Kenneth R. Davis, 1106 Darmouth Street, Scranton, Pa. 18504. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, plantains, pineapples, coconuts, and agricultural commodities*, otherwise exempt from economic regulation under section 203(b)(6) of the Act, when transported in mixed shipments with bananas, plantains, pineapples, and coconuts, from Wilmington, Del., to points in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, West

Virginia, and District of Columbia, for 180 days. Supporting shipper: West Indies Fruit Co., Post Office Box 1940, Miami, Fla. 33101. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 119302 (Sub-No. 4 TA), filed October 15, 1969. Applicant: MILLER TRANSFER AND RIGGING CO., Post Office Box 6077, Akron, Ohio 44312. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magnets and magnet laminations for atomic research*, between the plantsite of Valley Machine Co. at Martins Ferry, Ohio, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Valley Machine Co., Inc., Martins Ferry, Ohio 43935. Send protests to: G. J. Baccell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 126736 (Sub-No. 59 TA), filed October 15, 1969. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 369 Margaret Street, Jacksonville, Fla. 32207. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil*, in bulk, in tank vehicles, from Tampa, Fla., to points in South Carolina, for 180 days. Supporting shipper: BP Oil Corp., 7 Executive Park Drive NE., Atlanta, Ga. 30329. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 126822 (Sub-No. 29 TA), filed October 15, 1969. Applicant: PASSAIC GRAIN AND WHOLESALE COMPANY, INC., Post Office Box 23, Passaic, Mo. 64777. Applicant's representative: Warren H. Sapp, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, skins, pelts, and pieces thereof*, from Houston, Tex., to Hazelwood, N.C.; Elkland, Pa.; Luray, Va.; and Durbin, W. Va., for 150 days. Supporting shipper: H. Hollander, Inc., 1 Liberty Street, New York City, N.Y. 10005. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 126899 (Sub-No. 37 TA), filed October 13, 1969. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, Ky. 42001. Applicant's representative: W. A. Usher (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and incidental advertising material when included with*



malt beverages, from La Crosse and Sheboygan, Wis., to Milwaukee, Wis., on shipments having immediate prior or subsequent movement by rail; also Newport, Ky., to points in Pennsylvania, New York, and North Carolina; also Milwaukee, Wis., and Peoria, Ill., to points in Ohio; returned empty malt beverage containers (used), used in transporting malt beverages, for 180 days. Supporting shipper: G. Heileman Brewing Co., Inc., 925 South Third Street, La Crosse, Wis. 54601 (F. M. Liegois, General Traffic Manager). Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 127705 (Sub-No. 30 TA), filed October 16, 1969. Applicant: KREVEDA BROS. EXPRESS, INC., Box 68, Gas City, Ind. 46933. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Au-

thority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Glass containers and closures therefor, from Mundelein, Ill., to points in New Jersey, New York, and Pennsylvania, for 180 days. Supporting shipper: Ball Corp., Muncie, Ind. 47302. Send protests to: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne, Ind. 46802.

No. MC 128527 (Sub-No. 11 TA), filed October 16, 1969. Applicant: MAY TRUCKING COMPANY, Post Office Box 398, Payette, Idaho 83661. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat and meat products, from the plantsite of Idaho Meat Packers, Inc., at Caldwell, Idaho, to Portland and Clackamas, Oreg., for 150 days. NOTE: Carrier does not intend

to tack the authority applied for, or interline, with other carriers. Supporting shipper: Idaho Meat Packers, Inc., Post Office Box 550, Caldwell, Idaho 83605. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 550 West Fort Street, Boise, Idaho 83702.

No. MC 133958 (Sub-No. 1 TA) (Correction), filed October 3, 1969, published in the FEDERAL REGISTER, issue of October 14, 1969, and republished in part, this issue. Applicant: W. E. STOCKARD, 2212 West Juniper, Roswell, N. Mex. 88201. NOTE: The purpose of this partial republication is to show irregular routes, in lieu of regular. The rest of the application remains as published.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-12740; Filed, Oct. 23, 1969; 8:47 a.m.]

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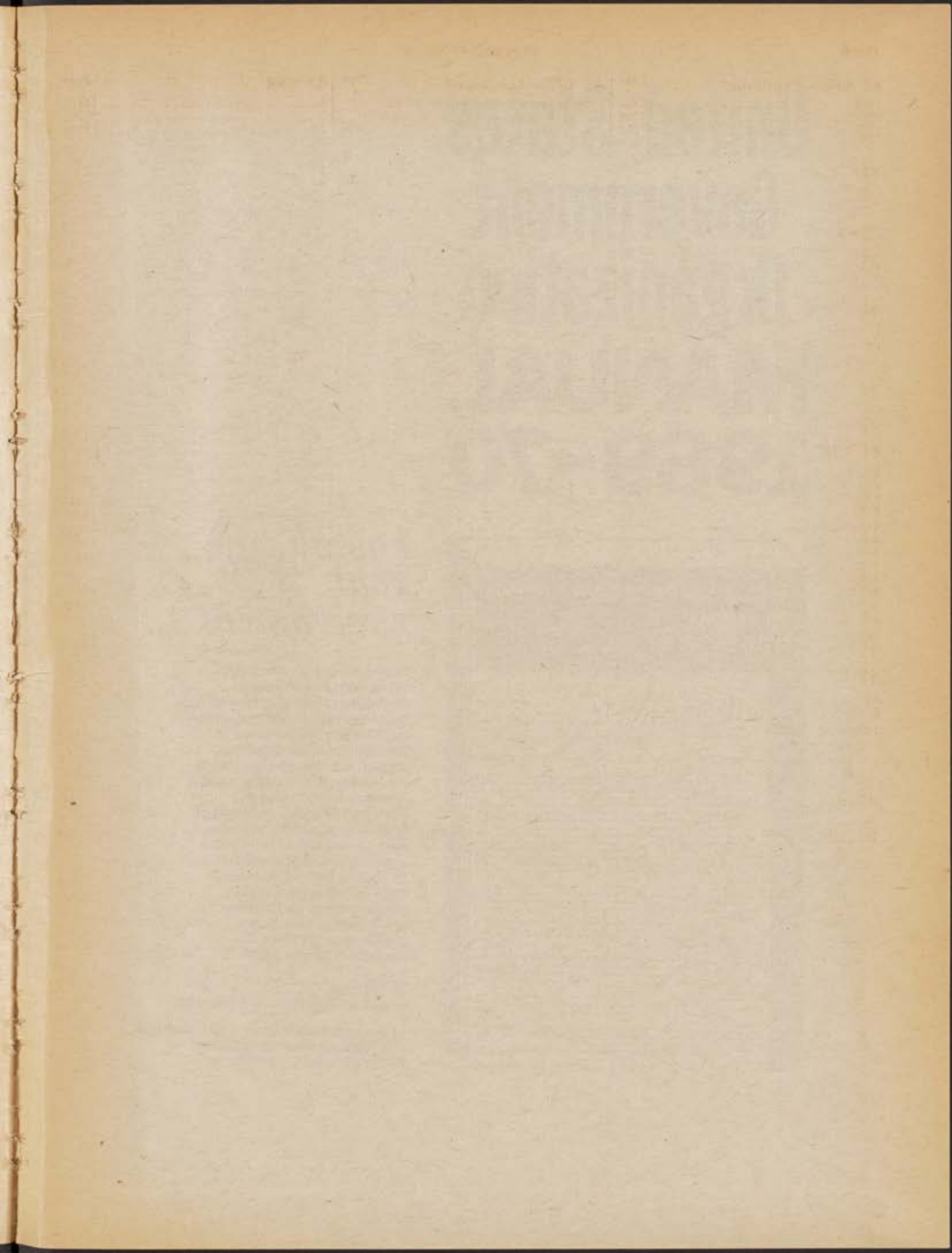
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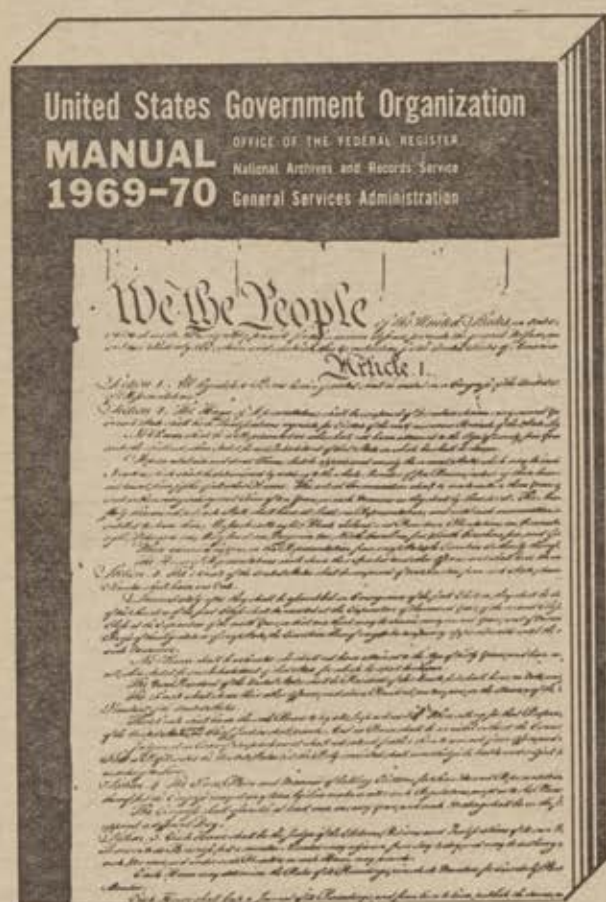
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