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Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7129; Amdt. 39-211]

PART 39—AIRWORTHINESS DIRECTIVES

Morane-Saulnier Models M.S. 760, M.S. 760A, and M.S. 760B Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the aluminum alloy rod with a steel rod in Morane-Saulnier Models M.S. 760, M.S. 760A, and M.S. 760B airplanes was published in 31 F.R. 1156.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MORANE-SAULNIER. Applies to models M.S. 760, M.S. 760A, and M.S. 760B airplanes. Compliance required within the next 300 hours' time in service after the effective date of this AD unless already accomplished. Repalce aluminum alloy rudder control system rod, P/N 0176-27.1.191, located between stations 5 and 10, with steel rod, P/N 0176-27.1.218. (Morane-Saulnier Service Bulletin No. 45 pertains to this subject.)

This amendment becomes effective April 16, 1966.

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

Issued in Washington, D.C., on March 11, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-2799; Filed, Mar. 16, 1966; 8:45 a.m.]

[Docket No. 7112; Amdt. 39-212]

PART 39—AIRWORTHINESS DIRECTIVES

Vickers Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations by amending Amendment 457 (27 F.R. 5951), AD 62-14-6, to include Model 744 Series airplanes and to incorporate the manufacturer's latest service bulletins was published in 31 F.R. 574.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 457 (27 F.R. 5951), AD 62-14-6, is amended as follows:

1. By amending the applicability statement to read: Applies to Viscount Models 744, 745D, and 810 Series airplanes.

2. By amending the heading of paragraph (a) to read: Fork ends Part Numbers 70150-273, 74450-95, and 74450-411.

3. By amending the heading of paragraph (b) to read: Fork ends Part Numbers 72450-315 and 74450-499.

4. By striking out the note following paragraph (c).

5. By amending paragraph (d) to read:

(d) Remove and inspect using magnetic particle inspection or FAA-approved equivalent in accordance with British Aircraft Corp. (B.A.C.), Ltd., Preliminary Technical Leaflet (PTL) No. 171 Issue 6 (for 744 and 745D) or later ARB-approved issue; or PTL 31 Issue 6 (for 810) or later ARB-approved issue. Parts showing evidence of cracks shall be replaced or reworked in accordance with paragraph (e) before further flight.

6. By amending paragraph (e) to read:

(e) Parts showing evidence of cracks may be reworked once in accordance with British Aircraft Corp. (B.A.C.), Ltd., Preliminary Technical Leaflet (PTL) No. 171 Issue 6 (for 744 and 745D) or later ARB-approved issue; or PTL 31 Issue 6 (for 810) or later ARB-approved issue. Any parts showing evidence of cracks after reworking must be rejected.

7. By striking out the paragraph following paragraph (e).

8. By adding a new paragraph (f) to read:

(f) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, Middle East Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

9. By adding a new paragraph (g) to read:

(g) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

10. By striking out the parenthetical reference statement.

This amendment becomes effective April 16, 1966.

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

Issued in Washington, D.C., on March 11, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-2800; Filed, Mar. 16, 1966; 8:45 a.m.]

[Docket No. 7191; Amdt. 39-213]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Model 188A and 188C Series Airplanes

There have been spanwise fatigue cracks in the lower wing plank splices and chordwise cracks in the wing lower surface planks on certain Lockheed Model 188A and 188C Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require a repetitive inspection of the affected areas until repair or modification.

The 700 landing compliance time for the initial inspection has been established by the Agency on the basis of safety considerations, and is the same as that recommended by the manufacturer in the applicable service bulletin. This compliance time provides the lead time for operators to schedule and plan compliance with the AD with a minimum burden. To prescribe the initial inspection required by this AD under the usual notice and public procedures followed by the Agency within the time the Agency has determined is required in the interest of safety, would necessarily result in a reduction of the compliance time for the initial inspection required by this AD. This could possibly leave the operators insufficient time to schedule airplanes for compliance with the AD. Therefore, accomplishment of the initial inspection required by this AD within the time the Agency has determined is necessary makes strict compliance with the notice and public procedure provisions of the Administrative Procedure Act impracticable and this amendment becomes effective 30 days after publication in the FEDERAL REGISTER. However, interested persons are invited to submit such written data, views, or arguments as they may desire regarding this AD. Communications should identify the docket number and be submitted in du-

plicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received before the effective date will be considered by the Administrator, and the AD may be changed in the light of comments received. All comments will be available both before and after the effective date in the Rules Docket for examination by interested persons. Operators are urged to submit their comments as early as possible since it may not be possible to evaluate comments received near the effective date in sufficient time to amend the AD before it becomes effective.

The substance of this AD has been informally coordinated with most of the domestic operators of these airplanes. One operator requested an increase in the repetitive inspection interval to 3,000 hours' time in service for its airplanes, since they are equipped with the "soft" landing gear. The Agency cannot increase the interval for these airplanes because investigation by the manufacturer as well as the Agency has shown no difference in fatigue crack occurrences in the two types of landing gear. The operators also requested an increase in the initial inspection time, but the Agency cannot extend the compliance time of the initial inspection because the existent cracking condition does not lend itself to crack propagation rate analysis or prediction.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

LOCKHEED. Applies to Model 188A and 188C Series airplanes except those modified in accordance with Lockheed Drawing 841318A (including notes 10 and 11), or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Compliance required as indicated.

To detect spanwise cracks in the wing lower surface aft of the main gear fulcrum fitting and chordwise cracks in the wing lower surface plank, accomplish the following:

(a) Within the next 700 landings after the effective date of this AD, unless already accomplished within the last 700 landings before the effective date of this AD, and at intervals not to exceed 1,400 landings from the last inspection until repaired or modified in accordance with paragraph (b), accomplish the following or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region:

(1) Inspect for cracks in accordance with subdivision (i) or (ii) the wing plank riser radius (Item 7, Lockheed Service Bulletin 88/SB–620D, Fig. 3), of riser number 29, plank 5, and riser number 36, plank 6, between Wing Stations 162 and 172 and between Wing Stations 204 and 214, of airplanes not modified in accordnace with Lockheed Drawing 841318.

(i) Inspect externally, by the ultrasonic technique described in Lockheed Service Bulletin 88/SB–620D, Section 2.B.(5)(c), pages 25 through 31, or later FAA-approved revision. Test block design must be in accordance with Lockheed Service Bulletin 88/SB–625B, Figure 2, or later FAA-approved revision. If indication of a crack is found, inspect before further flight in accordance with subdivision (ii).

(ii) Inspect internally, by dye penetrant method, as described in Lockheed Service Bulletin 88/SB–625B, Sections 2(A) through 2(F), or later FAA-approved revision.

(2) Inspect for cracks the internal plank area surrounding the bulkhead angle (P/N 810970) at the Wing Station 211 attachment hole located between the lower number 7 plank risers 37 and 38, by dye penetrant method, after removing the bolt from the attachment hole.

(b) Repair cracks found during the inspections required by this AD before further flight in accordance with Lockheed Drawing 841318A (including Notes 10 and 11), and the accomplishment instructions of Lockheed Service Bulletin 88/SB–625B or later FAA-approved revision, or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed. Seal all splice areas to be covered with repairs in accordance with Lockheed Service Bulletin 88/SB–620D or later FAA-approved revision.

NOTE: Regional approval required by paragraph (b) may be facilitated by obtaining prior approval of a Structural DER.

(c) The repetitive inspections required by subparagraph (a)(2) may be discontinued if, during the inspections required by paragraph (a), no cracks are found, and before further flight the airplane is modified in accordance with Note 10 of Lockheed Drawing No. 841318A.

(d) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective April 16, 1966.

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

Issued in Washington, D.C., on March 11, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–2801; Filed, Mar. 16, 1966; 8:45 a.m.]

[Docket No. 7190; Amdt. 49–1]

PART 47—AIRCRAFT REGISTRATION

PART 49—RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

Miscellaneous Amendments

The purpose of this revision is to delete from Parts 47 and 49 the acknowledgment requirement of section 503(e) of the Federal Aviation Act of 1958; to introduce new forms adapted to computer processing of Certificates of Aircraft Registration; to allow the recording and use of true copies; and to make clarifying and editorial changes. Since almost all of Part 47 is affected, it is being republished in revised form at this time.

P.L. 88–346 amended section 503(e) of the Federal Aviation Act of 1958, and added section 506 to the Act. Amended section 503(e) allows the Administrator to make exceptions by regulation to the requirement that a conveyance or other instrument be acknowledged before it is recorded. New section 506 resolves a problem of conflicts of law by providing that the law of the place of delivery (within the United States) of an instrument governs the validity of the instrument. Also, section 506 creates a presumption that, when the place of intended delivery is stated in an instrument, the instrument was delivered at that place.

The Agency is implementing amended section 503(e) by deleting the acknowledgment requirement from Parts 47 and 49. In concluding that an acknowledgment is an unnecessary condition for recording, the draftsmen of the Uniform Commercial Code have stated: "This section departs from the requirements of many chattel mortgage statutes that the instrument filed be acknowledged or witnessed or accompanied by affidavits of good faith. Those requirements do not seem to have been successful as a deterrent to fraud; their principal effect has been to penalize good faith mortgagees who have inadvertently failed to comply with the statutory niceties. They are here abandoned in the interest of a simplified and workable filing system." (Comment 3, § 9–402 of the Uniform Commercial Code.) This reasoning applies to the National Aircraft Recording System. In addition, since the lack of an acknowledgment results in the rejection of a substantial number of instruments submitted under Parts 47 and 49, the acknowledgment requirement constitutes an unnecessary burden on the public. Of course, the parties must look to applicable local law to determine whether acknowledgment is required for an instrument to be valid (as opposed to recordable). Accordingly, § 49.13(c) is amended to state that acknowledgment is not required. The conflicts of law rule and presumption of delivery in new section 506 is reflected in amended § 49.17(c).

As a result of the introduction of computers at the FAA Aircraft Registry, it will be possible to issue nearly all Certificates of Aircraft Registration in less than 30 days. FAA Forms 500, 500–2, and 500–3 have been revised for use in computer processing. FAA Form 500–1 (Temporary Certificate of Aircraft Registration) has been abolished. These new forms are FAA Form 8050–1, "Application for Aircraft Registration," FAA Form 8050–2, "Aircraft Bill of Sale" (a suggested use form), and FAA Form 8050–3, "Certificate of Aircraft Registration." As in the past, the applicant would carry a duplicate copy of the Application for Aircraft Registration as temporary operating authority that is valid for no more than 30 days. If for

any reason, the FAA Aircraft Registry cannot issue the Certificate of Aircraft Registration within the 30 day period, it will issue a letter of extension. The letter serves as authority to continue to operate the aircraft when it is carried in the aircraft with the copy of the application.

As now written, § 49.33(c) permits the recording of a "certified copy" of a document when neither the original nor a duplicate original is available. In effect, a person who wishes to record a document at the FAA Aircraft Registry in such a situation is forced to first record the instrument under local law, to have a certified copy prepared, and to submit the certified copy to the FAA Aircraft Registry. This is an unnecessary burden. In the light of the sanction of section 1001 of Title 18 of the United States Code, the Agency will accept true copies of documents when the person submitting them attaches his certificate of true copy as provided in § 49.21, and § 49.33(c) is amended to permit this practice.

Other clarifying amendments are adopted. Parts 47 and 49 are amended to use the phrase "evidence of ownership" rather than "proof of ownership," since the Agency issues a certificate on the basis of the "evidence" an applicant submits with his application. In several sections, the applicant is required to submit a "verified instrument." Since this language has resulted in several inquiries as to what is required, these sections are amended to require an "affidavit." On March 13, 1965, the Agency published its Organization Statement in the FEDERAL REGISTER (30 F.R. 3395). Paragraph 5(c)(2) of Subpart B, "Agency organization," states that the "FAA Aircraft Registry" administers Parts 47 and 49 (30 F.R. 3399). Sections 47.19 and 49.11 are amended to reflect this designation, and to add the post office box number to the address. None of the other editorial and clarifying changes to Part 47 made at this time involves any substantive change. Section 47.69(d)(1) is amended in conformity with outstanding interpretations to clarify that it relates to flight testing of aircraft only.

This amendment relaxes and clarifies existing requirements and does not impose additional burdens on any person. Therefore, the Agency finds that notice and public procedure thereon are not necessary.

In consideration of the foregoing, effective May 1, 1966, Part 47 is revised and Part 49 is amended as hereinafter set forth.

The reporting and recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U.S.C. 139–139f).

Issued in Washington, D.C., on March 10, 1966.

D. D. THOMAS,
Acting Administrator.

I. Part 47 is revised to read as follows:

Subpart A—General

Subpart B—Certificates of Aircraft Registration

Subpart C—Dealers' Aircraft Registration Certificate

AUTHORITY: The provisions of this Part 47 issued under secs. 307(c), 313(a), 501, 503, 505, 506, and 1102 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, 1406, and 1502, and the Convention of the International Recognition of Rights in Aircraft; 4 U.S.T. 1830.

Subpart A—General

§ 47.1 Applicability.

This part prescribes the requirements for registering aircraft under section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401). Subpart B applies to each applicant for, and holder of, a Certificate of Aircraft Registration. Subpart C applies to each applicant for, and holder of, a Dealers' Aircraft Registration Certificate.

§ 47.3 Registration required.

(a) Section 501(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1401(b)) defines eligibility for registration as follows:

(b) An aircraft shall be eligible for registration if, but only if—

(1) It is owned by a citizen of the United States and it is not registered under the laws of any foreign country; or

(2) It is an aircraft of the Federal Government, or of a State, Territory, or possession of the United States, or the District of Columbia, or of a political subdivision thereof.

(b) No person may operate an aircraft that is eligible for registration under section 501 of the Federal Aviation Act of 1958 unless the aircraft—

(1) Has been registered by its owner;

(2) Is carrying aboard the temporary authorization required by § 47.31(b); or

(3) Is an aircraft of the Armed Forces.

(c) Governmental units are those named in paragraph (a) of this section and Puerto Rico.

§ 47.5 Applicants.

(a) A governmental unit or a citizen of the United States that wishes to register an aircraft in the United States must submit an Application for Aircraft Registration under this part.

(b) An aircraft may be registered only by, and in the legal name of, its owner. However, section 501(f) of the Federal Aviation Act of 1958 (49 U.S.C. 1401(f)) states that registration is not evidence of ownership of aircraft in any proceeding in which such ownership by a particular person is in issue. The FAA does not issue any certificate of ownership or endorse any information with respect to ownership on a Certificate of Aircraft Registration. The FAA issues a Certificate of Aircraft Registration to the person who appears to be the owner on the basis of the evidence of ownership submitted with the Application for Aircraft Registration, or recorded at the FAA Aircraft Registry.

(c) In this part, "owner" includes a buyer in possession, a bailee, or a lessee of an aircraft under a contract of conditional sale, and the assignee of that person.

§ 47.11 Evidence of ownership.

Each governmental unit or citizen of the United States that submits an Application for Aircraft Registration under this part must also submit the required evidence of ownership, recordable under §§ 49.13 and 49.17 of this chapter, as follows:

(a) The buyer in possession, the bailee, or the lessee of an aircraft under a contract of conditional sale must submit the contract. The assignee under a contract of conditional sale must submit both the contract (unless it is already recorded at the FAA Aircraft Registry), and his assignment from the original buyer, bailee, lessee, or prior assignee, that bears the written assent of the seller, bailor, lessor, or assignee thereof, under the original contract.

(b) The repossessor of an aircraft must submit—

(1) A certificate of repossession on FAA Form 8050–4, or its equivalent, signed by the applicant and stating that the aircraft was repossessed or otherwise seized under the security agreement involved and applicable local law;

(2) The security agreement (unless it is already recorded at the FAA Aircraft Registry), or a copy thereof certified as true under § 49.21 of this chapter; and

(3) When repossession was through foreclosure proceedings resulting in sale, a bill of sale signed by the sheriff, auctioneer, or other authorized person who conducted the sale, and stating that the sale was made under applicable local law.

(c) The buyer of an aircraft at a judicial sale, or at a sale to satisfy a lien or charge, must submit a bill of sale signed by the sheriff, auctioneer, or other authorized person who conducted the sale, and stating that the sale was made under applicable local law.

(d) The owner of an aircraft, the title to which has been in controversy and has been determined by a court, must submit

a certified copy of the decision of the court.

(e) The executor or administrator of the estate of the deceased former owner of an aircraft must submit a certified copy of the letters testimentary or letters of administration appointing him executor or administrator. The Certificate of Aircraft Registration is issued to the applicant as executor or administrator.

(f) The buyer of an aircraft from the estate of a deceased former owner must submit both a bill of sale, signed for the estate by the executor or administrator, and a certified copy of the letters testimentary or letters of administration. When no executor or administrator has been or is to be appointed, the applicant must submit both a bill of sale, signed by the heir-at-law of the deceased former owner, and an affidavit of the heir-at-law stating that no application for appointment of an executor or administrator has been made, that so far as he can determine none will be made, and that he is the person entitled to, or having the right to dispose of, the aircraft under applicable local law.

(g) The guardian of another person's property that includes an aircraft must submit a certified copy of the order of the court appointing him guardian. The Certificate of Aircraft Registration is issued to the applicant as guardian.

(h) The appointed trustee of property that includes an aircraft must submit either a certified copy of the order of the court appointing him trustee (if appointed by court order), or a copy of the complete trust instrument (if appointed without court order) certified as true under § 49.21 of this chapter. The Certificate of Aircraft Registration is issued to the applicant as trustee.

§ 47.13 Signatures and instruments made by representatives.

(a) Each signature on an Application for Aircraft Registration or on an instrument submitted as evidence of ownership must be in ink.

(b) When one or more persons doing business under a trade name submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, the application or request must be signed by, or in behalf of, each person who shares title to the aircraft.

(c) When an agent submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration in behalf of the owner, he must—

(1) State the name of the owner on the application or request;

(2) Sign as agent or attorney-in-fact on the application or request; and

(3) Submit a signed power of attorney, or a true copy thereof certified under § 49.21 of this chapter, with the application or request.

(d) When a corporation submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, it must—

(1) Have an authorized person sign the application or request;

(2) Show the title of the signer's office on the application or request; and

(3) Submit a copy of the authorization from the board of directors to sign for the corporation, certified as true under § 49.21 of this chapter by the president, vice president, secretary, or treasurer, with the application or request, unless—

(i) The signer is the president, vice president, secretary, or treasurer; or

(ii) A valid authorization to sign is on file at the FAA Aircraft Registry.

(e) When a partnership submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, it must—

(1) State the full name of the partnership on the application or request;

(2) State the name of each general partner on the application or request; and

(3) Insert the word "partner" after the signature of the person who signs the application or request.

(f) When coowners, who are not engaged in business as partners, submit an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, each person who shares title to the aircraft under the arrangement must sign the application or request.

(g) A power of attorney, or other evidence of a person's authority to sign for another, that is submitted under this part, is valid for the purposes of this section for not more than 2 years after the date it is signed. However, any instrument submitted before August 18, 1964, is considered to be valid until August 18, 1966.

§ 47.15 Identification number.

(a) A governmental unit or a citizen of the United States that wishes to register an aircraft must obtain the identification number ("registration mark") and place it on the Application for Aircraft Registration, FAA Form 8050–1, and the Aircraft Bill of Sale, FAA Form 8050–2. The identification number assigned to an aircraft remains with it unless the owner obtains a different number under paragraphs (d) through (g) of this section. If the aircraft was not last previously registered in a foreign country, the applicant must obtain the identification number from the nearest FAA District Office. However, if he applies for a group of identification numbers as an aircraft manufacturer or for a special identification number, under paragraphs (c) through (g) of this section, or if the aircraft was last previously registered in a foreign country, the applicant must obtain the identification number from the FAA Aircraft Registry. A U.S. identification number is assigned only after the foreign registration has been canceled or is found to be invalid by the FAA Aircraft Registry. There is no charge for this assignment of numbers.

(b) A U.S. identification number may not exceed five symbols in addition to the prefix letter "N". These symbols may be all numbers (N10000), one to four numbers and one suffix letter (N 1000A), or one to three numbers and two suffix letters (N 100AB). If the FAA has assigned one to three numbers and one suffix letter (N 100A), then the same number with a second suffix number (N 100AB) is not assigned at the same time. However, the holder of a Certificate of Aircraft Registration may apply to the FAA Aircraft Registry for permission to add a second suffix letter to the one to three numbers and one suffix letter already assigned. There is no charge for this change of number.

(c) An aircraft manufacturer may apply to the FAA Aircraft Registry for enough U.S. identification numbers to supply his estimated production for the next 18 months. There is no charge for this assignment of numbers.

(d) Any unassigned U.S. identification number may be assigned as a special identification number. However, each U.S. identification number of one to three symbols is reserved for an FAA owned aircraft, or for an aircraft that cannot accommodate a larger number. An applicant who wants a special identification number or who wants to change the identification number of his aircraft may apply for them to the FAA Aircraft Registry. The fee required by § 47.17 must accompany the application.

(e) An applicant for a one to three symbol U.S. identification number must submit with his application a statement of an FAA inspector that the structural configuration or design of the aircraft prevents the placing of a number of more than three symbols on the fuselage or vertical tail surface.

(f) The FAA Aircraft Registry assigns a special identification number on FAA Form 3475. Within 5 days after he affixes it to his aircraft, the owner must complete and sign the receipt contained in FAA Form 3475, state the date he affixed the special identification number to his aircraft, and return the original form to the FAA Aircraft Registry. The FAA then issues a revised Certificate of Aircraft Registration and an airworthiness certificate showing the special identification number. The owner shall carry the duplicate of FAA Form 3475 and the present Certificate of Aircraft Registration in the aircraft as temporary authority to operate it. This temporary authority is valid until the date the owner receives the revised Certificate of Aircraft Registration and airworthiness certificate.

(g) The owner of an aircraft need not surrender a one to three symbol identification number that was assigned to his aircraft before August 18, 1964. Before selling that aircraft, the owner may apply to the FAA Aircraft Registry for reassignment of that number to another aircraft he owns, or for the reservation of that number for later assignment. The fee required by § 47.17 for a reassigned or reserved identification number must accompany the application. At the same time, the owner must apply to the FAA Aircraft Registry for a new identification number for the aircraft he is selling. The fee required by § 47.17 for a special identification number must accompany the application.

(h) A special identification number may be reserved for no more than 1 year. If a person wishes to renew his reservation from year to year, he must apply to the FAA Aircraft Registry for renewal and submit the fee required by § 47.17 for a special identification number.

§ 47.17 Fees.

(a) The fees for applications under this Part are as follows:

(1) Certificate of Aircraft Registration (each aircraft)	$5.00
(2) Dealer's Aircraft Registration Certificate	$10.00
(3) Additional Dealer's Aircraft Registration Certificate (issued to same dealer)	$2.00
(4) Special identification number (each number)	$10.00
(5) Changed, reassigned, or reserved identification number	$10.00
(6) Duplicate Certificate of Registration	$2.00

(b) Each application must be accompanied by the proper fee, that may be paid by check or money order to the Federal Aviation Agency.

§ 47.19 FAA Aircraft Registry.

Except as provided in § 47.15(a), each application, request, notification, or other communication sent to the FAA under this part must be mailed or delivered to the FAA Aircraft Registry, Post Office Box 1082, Oklahoma City, Okla., 73101.

Subpart B—Certificates of Aircraft Registration

§ 47.31 Application.

(a) Each applicant for a Certificate of Aircraft Registration must submit the following to the FAA Aircraft Registry—

(1) The original (white) and one copy (green) of the Application for Aircraft Registration, FAA Form 8050–1;

(2) The original Aircraft Bill of Sale, FAA Form 8050–2, or other evidence of ownership authorized by § 47.33, 47.35, or 47.37 (unless already recorded at the FAA Aircraft Registry); and

(3) The fee required by § 47.17.

The FAA rejects an application when any form is not completed, or when the name and signature of the applicant are not the same throughout.

(b) After he complies with paragraph (a) of this section, the applicant shall carry the second duplicate copy (pink) of the Application for Aircraft Registration, FAA Form 8050–1, in the aircraft as temporary authority to operate it. This temporary authority is valid until the date the applicant receives the Certificate of Aircraft Registration, FAA Form 8050–3, or until the date the FAA denies the application, but in no case for more than 30 days after the date the applicant signs the application. If by 30 days after the application is signed, the FAA has neither issued the Certificate of Aircraft Registration nor denied the application, the FAA Aircraft Registry issues a letter of extension that serves as authority to continue to operate the aircraft while it is carried in the aircraft. This paragraph does not apply to an application under § 47.37 for registration of an aircraft last previously registered in a foreign country.

§ 47.33 Aircraft not previously registered anywhere.

(a) A citizen of the United States who is the owner of an aircraft that has not been registered under the Federal Aviation Act of 1958, under other law of the United States, or under foreign law, may register it under this part if he—

(1) Complies with §§ 47.11, 47.13, 47.15, and 47.17; and

(2) Submits with his application an Aircraft Bill of Sale, FAA Form 8050–2, signed by the seller, an equivalent bill of sale, or other evidence of ownership authorized by § 47.11.

(b) If, for good reason, the applicant cannot produce the evidence of ownership required by paragraph (a) of this section, he must submit other evidence that is satisfactory to the Administrator. This other evidence may be an affidavit stating why he cannot produce the required evidence, accompanied by whatever further evidence is available to prove the transaction.

(c) The owner of an amateur-built aircraft who applies for registration under paragraphs (a) and (b) of this section must describe the aircraft by class (airplane, rotocraft, glider, or balloon), serial number, number of seats, type of engine installed (reciprocating, turbopropeller, turbojet, or other), number of engines installed, and make, model, and serial number of each engine installed; and must state whether the aircraft is built for land or water operation. Also, he must submit as evidence of ownership an affidavit giving the U.S. identification number, and stating that the aircraft was built from parts and that he is the owner. If he built the aircraft from a kit, the applicant must also submit a bill of sale from the manufacturer of the kit.

(d) The owner, other than the holder of the type certificate, of an aircraft that he assembles from parts to conform to the approved type design, must describe the aircraft and engine in the manner required by paragraph (c) of this section, and also submit evidence of ownership satisfactory to the Administrator, such as bills of sale, for all major components of the aircraft.

§ 47.35 Aircraft last previously registered in the United States.

(a) A citizen of the United States who is the owner of an aircraft last previously registered under the Federal Aviation Act of 1958, or under other law of the United States, may register it under this part if he complies with §§ 47.11, 47.13, 47.15, and 47.17, and submits with his application an Aircraft Bill of Sale, FAA Form 8050–2, signed by the seller or an equivalent conveyance, or other evidence of ownership authorized by § 47.11:

(1) If the applicant bought the aircraft from the last registered owner, the conveyance must be from that owner to the applicant.

(2) If the applicant did not buy the aircraft from the last registered owner, he must submit conveyances or other instruments showing consecutive transactions from the last registered owner through each intervening owner to the applicant.

(b) If, for good reason, the applicant cannot produce the evidence of ownership required by paragraph (a) of this section, he must submit other evidence that is satisfactory to the Administrator. This other evidence may be an affidavit stating why he cannot produce the required evidence, accompanied by whatever further evidence is available to prove the transaction.

§ 47.37 Aircraft last previously registered in a foreign country.

(a) A citizen of the United States who is the owner of an aircraft last previously registered under the law of a foreign country may register it under this part if he—

(1) Complies with §§ 47.11, 47.13, 47.15, and 47.17;

(2) Submits with his application a bill of sale from the foreign seller or other evidence satisfactory to the Administrator that he owns the aircraft; and

(3) Submits evidence satisfactory to the Administrator that—

(i) If the country in which the aircraft was registered has not ratified the Convention on the International Recognition of Rights in Aircraft (4 U.S.T. 1830), the foreign registration has ended or is invalid; or

(ii) If that country has ratified the convention, the foreign registration has ended or is invalid, and each holder of a recorded right against the aircraft has been satisfied or has consented to the transfer, or ownership in the country of export has been ended by a sale in execution under the terms of the convention.

(b) For the purposes of paragraph (a)(3) of this section, satisfactory evidence of termination of the foreign registration may be—

(1) A statement, by the official having jurisdiction over the national aircraft registry of the foreign country, that the registration has ended or is invalid, and showing that official's name and title and describing the aircraft by make, model, and serial number; or

(2) A final judgment or decree of a court of competent jurisdiction that determines, under the law of the country concerned, that the registration has in fact become invalid.

§ 47.39 Effective date of registration.

(a) Except for an aircraft last previously registered in a foreign country, an aircraft is registered under this subpart on the date and at the time the FAA Aircraft Registry receives the documents required by § 47.33 or 47.35.

(b) An aircraft last previously registered in a foreign country is registered under this subpart on the date and at the time the FAA Aircraft Registry issues the Certificate of Aircraft Registration, FAA Form 8050–3, after the docu-

ments required by § 47.37 have been received and examined.

§ 47.41 Duration and return of Certificate.

(a) Each Certificate of Aircraft Registration issued by the FAA under this subpart is effective, unless suspended or revoked, until the date upon which—

(1) Subject to the Convention on the International Recognition of Rights in Aircraft when applicable, the aircraft is registered under the laws of a foreign country;

(2) The registration is canceled at the written request of the holder of the certificate;

(3) The aircraft is totally destroyed or scrapped;

(4) Ownership of the aircraft is transferred;

(5) The holder of the certificate loses his U.S. citizenship; or

(6) 30 days have elapsed since the death of the holder of the certificate.

(b) The Certificate of Aircraft Registration, with the reverse side completed, must be returned to the FAA Aircraft Registry—

(1) In case of registration under the laws of a foreign country, by the person who was the owner of the aircraft before foreign registration;

(2) Within 60 days after the death of the holder of the certificate, by the administrator or executor of his estate, or by his heir-at-law if no administrator or executor has been or is to be appointed; or

(3) Upon the termination of the registration, by the holder of the Certificate of mentioned in paragraph (a) of this section.

§ 47.43 Invalid registration.

(a) The registration of an aircraft is invalid if, at the time it is made—

(1) The aircraft is registered in a foreign country;

(2) The applicant is not the owner;

(3) The applicant is not a citizen of the United States; or

(4) The applicant is a citizen of the United States, but his interest in the aircraft was created by a transaction that was not entered into in good faith and was made to avoid (with or without the owner's knowledge) compliance with section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401), that prevents registration of an aircraft owned by a person who is not a citizen of the United Aircraft Registration in all other cases States.

(b) If the registration of an aircraft is invalid under paragraph (a) of this section, the holder of the invalid Certificate of Aircraft Registration shall return it as soon as possible to the FAA Aircraft Registry.

§ 47.45 Change of address.

Within 30 days after any change in his permanent mailing address, the holder of a Certificate of Aircraft Registration for an aircraft shall notify the FAA Aircraft Registry of his new address. A revised Certificate of Aircraft Registration is then issued, without charge.

§ 47.47 Cancellation of Certificate for export purpose.

(a) The holder of a Certificate of Aircraft Registration who wishes to cancel the certificate for the purpose of export must submit the following to the FAA Aircraft Registry—

(1) A written request for cancellation of the certificate describing the aircraft by make, model, and serial number, stating the U.S. identification number and the country to which the aircraft will be exported; and

(2) When the aircraft is under a contract of conditional sale, the written consent of the seller, bailor, or lessor under the contract.

(b) The FAA notifies the country to which the aircraft will be exported of the cancellation by ordinary mail, or by airmail at the owner's request. The transmission of this notice by means other than ordinary mail or airmail must be arranged and paid for by the owner.

§ 47.49 Replacement of Certificate.

(a) If a Certificate of Aircraft Registration is lost, stolen, or mutilated, the holder of the Certificate of Aircraft Registration may apply to the FAA Aircraft Registry for a duplicate certificate, accompanying his application with the fee required by § 47.17.

(b) If the holder has applied and has paid the fee for a duplicate Certificate of Aircraft Registration and needs to operate his aircraft before receiving it, he may request a temporary certificate. The FAA Aircraft Registry issues a temporary certificate, by a collect telegram, to be carried in the aircraft. This temporary certificate is valid until he receives the duplicate Certificate of Aircraft Registration.

Subpart C—Dealers' Aircraft Registration Certificate

§ 47.61 Dealers' Aircraft Registration Certificates.

(a) The FAA issues a Dealer's Aircraft Registration Certificate, FAA Form 8050–6, to manufacturers and dealers so as to—

(1) Allow manufacturers to make required production flight checks; and

(2) Facilitate operating, demonstrating, and merchandising aircraft by the manufacturer or dealer without the burden of obtaining a Certificate of Aircraft Registration for each aircraft with each transfer of ownership, under Subpart B of this part.

(b) A Dealer's Aircraft Registration Certificate is an alternative for the Certificate of Aircraft Registration issued under Subpart B of this part. A dealer may, under this subpart, obtain one or more Dealers' Aircraft Registration Certificates in addition to his original certificate, and he may use a Dealer's Aircraft Registration Certificate for any aircraft he owns.

§ 47.63 Application.

A manufacturer or dealer that wishes to obtain a Dealer's Aircraft Registration Certificate, FAA Form 8050–6, must submit—

(a) An Application for Dealers' Aircraft Registration Certificates, FAA Form 8050–5; and

(b) The fee required by § 47.17.

§ 47.65 Eligibility.

To be eligible for a Dealer's Aircraft Registration Certificate, a person must have an established place of business in the United States and must be substantially engaged in manufacturing or selling aircraft.

§ 47.67 Evidence of ownership.

Before using his Dealer's Aircraft Registration Certificate for operating an aircraft, the holder of the certificate (other than a manufacturer) must send to the FAA Aircraft Registry evidence satisfactory to the Administrator that he is the owner of that aircraft. An Aircraft Bill of Sale, or its equivalent, may be used as evidence of ownership. There is no recording fee.

§ 47.69 Limitations.

A Dealer's Aircraft Registration Certificate is valid only in connection with use of aircraft—

(a) By the owner of the aircraft to whom it was issued, his agent or employee, or a prospective buyer, and in the case of a dealer other than a manufacturer, only after he has complied with § 47.67;

(b) Within the United States;

(c) While a certificate is carried within the aircraft; and

(d) On a flight that is—

(1) For required flight testing of aircraft; or

(2) Necessary for, or incident to, sale of the aircraft. However, a prospective buyer may operate an aircraft for demonstration purposes only while he is under the direct supervision of the holder of the Dealer's Aircraft Registration Certificate or his agent.

§ 47.71 Duration of Certificate; change of status.

(a) A Dealer's Aircraft Registration Certificate expires 1 year after the date it is issued. Each additional certificate expires on the date the original certificate expires.

(b) The holder of a Dealer's Aircraft Registration Certificate shall immediately notify the FAA Aircraft Registry of any of the following—

(1) A change of his name;

(2) A change of his address;

(3) A change that affects his status as a citizen of the United States; or

(4) The discontinuance of his business.

II. Part 49 is amended as follows:

1. Section 49.11 is amended to read as follows:

§ 49.11 FAA Aircraft Registry.

To be eligible for recording, a conveyance must be mailed or delivered to the FAA Aircraft Registry, Post Office Box 1082, Oklahoma City, Okla., 73101.

2. Section 49.13 is amended to read as follows:

§ 49.13 Signatures and acknowledgments.

(a) Each signature on a conveyance must be in ink.

(b) Paragraphs (b) through (f) of § 47.13 of this chapter apply to a conveyance made by, or on behalf of, one or more persons doing business under a trade name, or by an agent, corporation, partnership, coowner, or unincorporated association.

(c) No conveyance or other instrument need be acknowledged, as provided in section 503(e) of the Federal Aviation Act of 1958 (49 U.S.C. 1403(e)), in order to be recorded under this part. The law of the place of delivery of the conveyance determines when a conveyance or other instrument must be acknowledged in order to be valid for the purposes of that place.

(d) A power of attorney, or other evidence of a person's authority to sign for another, that is submitted under this part, is valid for the purposes of this section for not more than 2 years after the date it is signed. However, any instrument submitted before August 18, 1964, is considered to be valid until August 18, 1966.

3. Section 49.15(b) is amended by striking out the words "application for registration" and inserting the words "Application for Aircraft Registration" in place thereof.

4. Section 49.17 is amended as follows:

a. Paragraphs (b) and (c) are amended to read as follows:

(b) The kinds of conveyance recordable under this part include those used as evidence of ownership under § 47.11 of this chapter.

(c) The validity of any instrument, eligible for recording under this part, is governed by the laws of the State, possession, Puerto Rico, or District of Columbia, as the case may be, in which the instrument was delivered, regardless of the location or place of delivery of the property affected by the instrument. If the place where an instrument is intended to be delivered is stated in the instrument, it is presumed that the instrument was delivered at that place. The recording of a conveyance is not a decision of the FAA that the instrument does, in fact, affect title to, or an interest in, the aircraft or other property it covers.

b. Paragraphs (d) (1), (2), (3), and (e)(3) are amended by striking out the words "and acknowledged" wherever they appear.

c. Paragraph (e)(1) is amended to read as follows:

(1) A chattel mortgage must be signed by the mortgagor. If he is not the registered owner of the aircraft, the chattel mortgage must be accompanied by his Application for Aircraft Registration and evidence of ownership, as prescribed in Part 47 of this chapter, unless—

(i) He holds a Dealer's Aircraft Registration Certificate and he submits evidence of ownership as provided in § 47.67 of this chapter (if applicable);

(ii) He was the owner of the aircraft on the date the mortgage was signed, as shown by documents recorded at the FAA Aircraft Registry; or

(iii) He is the vendor, bailor, or lessor under a contract of conditional sale.

5. Section 49.21 is amended by striking out the words "signatures, and acknowledgments" and inserting the words "and signatures" in place thereof.

6. Section 49.33 is amended as follows:

a. Paragraph (b) is amended by striking out the words "FAA" and inserting the words "United States" in place thereof.

b. Paragraph (c) is amended to read as follows:

(c) It is an original document, or a duplicate original document, or if neither the original nor a duplicate original of a document is available, a true copy of an original document, certified under § 49.21;

7. Section 49.55(a) is amended by striking out the word "acknowledged" and inserting the word "signed" in place thereof.

(Secs. 307(c), 313(a), 501, 503, 505, 506, and 1102 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, 1406, and 1502, and the Convention on the International Recognition of Rights in Aircraft; 4 U.S.T. 1830)

[F.R. Doc. 66-2802; Filed, Mar. 16, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-EA-81]

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

Revocation of Control Area Extension

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the New York, N.Y., control area extension.

The following transition areas, in whole or in part, provide controlled airspace that supplants the New York, N.Y., control area extension: Allentown, Pa., Andover, N.J., Atlantic City, N.J., Binghamton, N.Y., Bridgeport, Conn., De Lancey, N.Y., Dover, Del., Harrisburg, Pa., New York, N.Y., Philadelphia, Pa., Poughkeepsie, N.Y., Riverhead, N.Y., White Plains, N.Y., Wilkes-Barre, Pa., and Wrightstown, N.J. (31 F.R. 2149).

Retention of the New York control area extension is therefore unnecessary for air traffic control purposes, and it is revoked hereby.

This action involves, in part, navigable airspace outside the United States. The Administrator has therefore consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Since this amendment is editorial in nature and does not impose a burden upon any person, notice and public procedure hereon are unnecessary and the amendment may be made effective without regard to the 30-day statutory period required by section 4(c) of the Administrative Procedure Act.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 71.165 (31 F.R. 2055) the New York, N.Y., control area extension is revoked.

(Sec. 307(a) and 1110 of the Federal Aviation Act of 1958, 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on March 10, 1966.

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

[F.R. Doc. 66-2803; Filed, Mar. 16, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-17]

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

Alteration of Control Zone and Transition Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Augusta, Ga., control zone and transition area.

The Augusta, Ga., control zone is described in 31 F.R. 2065. An extension to the control zone is described in part as, "• • • within 2 miles each side of the 348° bearing from the Augusta LMM, extending from the 5-mile radius zone to 7 miles N of the LMM • • •."

The Augusta, Ga., transition area is described in 31 F.R. 2149. An extension to the transition area is described in part as "• • • and within 2 miles each side of the 348° bearing from the Augusta LMM, extending from the Augusta LMM to 18 miles N of the LMM • • •."

Because of the cancellation of SIAP Number AL-27-ADF-3 predicated on the LMM and the establishment of SIAP Number AL-27-ADF-2 predicated on the Augusta RBN, a requirement exists to editorially alter the control zone and revoke a portion of an extension to the 700-foot transition area.

Since these changes are minor in nature and lessen the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

1. In § 71.171 (31 F.R. 2065) the Augusta, Ga., control zone is amended as follows:

Substitute "• • • within 2 miles each side of the 166° bearing from the Augusta RBN, extending from the 5-mile radius zone to 1 mile S of the RBN • • •" for "• • • within 2 miles each side of the 348° bearing from the Augusta LMM, extending from the 5-mile radius zone to 7 miles N of the LMM • • •."

2. In § 71.181 (31 F.R. 2149) the Augusta, Ga., transition area is amended as follows:

Delete that portion described in part as "• • • and within 2 miles each side of the 348° bearing from the Augusta

LMM, extending from the Augusta LMM to 18 miles N of the LMM * * *."

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

Issued in East Point, Georgia, on March 8, 1966.

HENRY S. CHANDLER,
Acting Director, Southern Region.

[F.R. Doc. 66-2804; Filed, Mar. 16, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7195; Amdt. 95-139]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, 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 consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 [New] of the Federal Aviation Regulations is amended, effective April 28, 1966, as follows:

1. By amending Subpart C as follows:

From, to, and MEA

Section 95.1001 *Direct routes—United States* is amended to delete:

Palm Beach, Fla., (via control 1,150); Barracuda INT, Fla.; 25,000. MAA-45,000.

Section 95.1001 *Direct routes—United States* is amended by adding:

Eagle Lake, Tex., VOR; Roy INT, Tex.; *1,800. *1,400—MOCA.
Roy INT, Tex.; Key INT, Tex.; *1,800. *1,500—MOCA.
Sabine Pass, Tex., VOR; Monroe City INT, Tex.; *1,500. *1,300—MOCA.
Smith Point INT,Tex.; Beaumont, Tex,. VOR; *1,600. *1,200—MOCA.
Paige INT, Tex.; College Station, Tex., VOR; *4,500. *1,600—MOCA.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Bonita INT, Fla.; Sailfish INT, Fla.; *3,000. *1,000—MOCA. MAA—45,000.
Tarpon INT, Fla.; Barracuda INT, Fla.; *25,000. MAA—45,000. *1,000—MOCA.

Puerto Rico Routes

Route 2

Isla Verdi INT, P.R.; Fajardo INT, P.R.; *1,500. *1,200—MOCA.

Section 95.6001 *VOR Federal airway 1* is amended to read in part:

Cofield, N.C. VOR; Norfolk, Va., VOR; 2,000.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

From, to, and MEA

Cincinnati, Ohio, VOR; Mason INT, Ohio; 2,700.
Mason INT, Ohio; Appleton, Ohio, VOR; 3,000.

Section 95.6005 *VOR Federal airway 5* is amended by adding:

Cincinnati, Ohio, VOR via E alter.; Appleton, Ohio, VOR via E alter.; 4,000.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Dothan, Ala., VOR; Clio INT, Ala.; *2,000. *1,500—MOCA.

Section 95.6009 *VOR Federal airway 9* is amended to read in part:

Greenwood, Miss., VOR; Coldwater INT, Miss.; *2,100. *1,800—MOCA.
Sardis INT, Miss., via E alter.; Independence INT, Miss., via E alter.; *2,200. *1,600—MOCA.
Independence INT, Miss., via E alter.; Memphis, Tenn., VOR via E alter.; *1,900. *1,600—MOCA.
McComb, Miss., VOR; *Florence INT, Miss.; **2,200. *4,000—MRA. **1,800—MOCA.
Florence INT, Miss.; Jackson, Miss., VOR; *2,000. *1,700—MOCA.
McComb, Miss., VOR via W alter.; *Byram INT, Miss., via W alter.; 2,300. *4,200—MRA.
Byram INT, Miss., via W alter.; Jackson, Miss., VOR via W alter.; 2,300.

Section 95.6015 *VOR Federal airway 15* is amended to read in part:

Neola, Iowa, VOR; Sioux City, Iowa, VOR; *3,100. *2,800—MOCA.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

Nashville, Tenn., VOR; Statesville INT, Tenn.; *3,000. *2,000—MOCA.
Knoxville, Tenn., VOR; Piedmont INT, Tenn.; 3,000.
Piedmont INT, Tenn.; *Ottway INT, Tenn.; 4,000. *7,000—MRA.
Knoxville, Tenn., VOR via S alter.; Pittman DME Fix via S alter.; westbound, 5,000; eastbound, 8,000.
Pittman DME Fix via S alter.; Snowbird, Tenn., VOR via S alter.; 8,000.
Snowbird, Tenn., VOR via S alter.; via Afton INT, Tenn., via S alter.; 7,000.
Afton INT, Tenn., via S alter.; Holston Mountain, Tenn.; VOR via S alter.; 6,000.
Knoxville, Tenn., VOR via N alter.; Tampico INT, Tenn., via N alter.; 3,500.
North Beach INT, Md.; Kenton, Del., VOR; 1,800.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

Damon INT, Tex.; Arcola INT, Tex.; *1,800. *1,600—MOCA.

Section 95.6045 *VOR Federal airway 45* is amended to read in part:

Saginaw, Mich., VOR; Alpena, Mich., VOR; *3,500. *2,200—MOCA.
Saginaw, Mich., VOR via W alter.; Alpena, Mich., VOR via W alter.; *3,500. *2,100—MOCA.

Section 95.6052 *VOR Federal airway 52* is amended to read in part:

Troy, Ill., VOR; Cartter INT, Ill.; *2,100. *2,000—MOCA.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

From, to, and MEA

Holly Springs, Miss., VOR, via S alter.; Maud INT, Ala., via S alter.; *3,500. *1,900—MOCA.
Chattanooga, Tenn., VOR; *Crandall INT, Ga.; 3,000. *6,000—MCA Crandall INT, eastbound.
Crandall INT, Ga.; *Murphy INT, N.C.; 6,000. *7,000—MRA.
Murphy INT, N.C.; Harris, Ga., VOR; *6,000. *5,700—MOCA.
Harris, Ga., VOR; Sunset INT, S.C.; 7,500.

Section 95.6082 *VOR Federal airway 82* is amended to read in part:

Grand Forks, N. Dak., VOR via N alter.; Thief River Falls, Minn., VOR via N alter.; *2,800. *2,600—MOCA.
Thief River Falls, Minn., VOR via N alter.; Bemidji, Minn., VOR via N alter.; *3,200. *2,600—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Blue Ridge INT, Ga.; *Murphy INT, Tenn.; **8,000. *7,000—MRA. **5,300—MOCA.

Section 95.6139 *VOR Federal airway 139* is amended to read in part:

Haven INT, N.J.; Shark INT, N.J.; *6,000. *1,500—MOCA.
Int. 124 M rad Kennedy VOR and 236 M rad Hampton VOR; Beach INT, N.Y.; *5,000. *1,500—MOCA.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

Hartsville INT, Tenn.; Highway, Tenn., VOR; 3,200.
Granville INT, Tenn., via S alter.; Highway, Tenn., VOR via S alter.; 3,300.

Section 95.6148 *VOR Federal airway 148* is amended to read in part:

Redwood Falls, Minn., VOR; Mayer INT, Minn.; *2,800. *2,500—MOCA.
Mayer INT, Minn.; Minneapolis, Minn., VOR; *2,800. *2,300—MOCA.

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

Orlando, Fla., VOR via S alter.; Daytona Beach, Fla., VOR via S alter.; *2,000. *1,300—MOCA.

Section 95.6156 *VOR Federal airway 156* is amended to read in part:

Richmond, Va., VOR; Harcum, Va., VOR; 2,000.
Harcum, Va., VOR; Cape Charles, Va., VOR; 2,000.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

Rocky Mount, N.C., VOR; Lawrenceville, Va., VOR; 2,000.
Richmond, Va., VOR; Doncaster INT, Md.; 2,000.
Doncaster INT, Md.; Washington, D.C., VOR; 1,800.

Section 95.6176 *VOR Federal airway 176* is amended to read in part:

Holly Springs, Miss., VOR, via N alter.; Maud INT, Ala., via N alter.; *3,500. *1,900—MOCA.
Memphis, Tenn., VOR via S alter.; Wyatte INT, Miss., via S alter.; *1,900. *1,700—MOCA.
Wyatte INT, Miss., via S alter.; Hamilton, Ala., VOR via S alter.; *2,400. *1,900—MOCA.

Section 95.6185 *VOR Federal airway 185* is amended to read in part:

From, to, and MEA

Marshall INT, N.C.; *Snowbird, Tenn., VOR; **8,000. *7,000—MCA Snowbird VOR, southeastbound. **7,700—MOCA.
Snowbird, Tenn., VOR; Piedmont INT, Tenn.; 6,000.
*Ottway INT, Tenn., via E alter.; Piedmont INT, Tenn., via E alter.; 4,000. *7,000—MRA.

Section 95.6189 *VOR Federal airway 189* is amended to read in part:

Rocky Mount, N.C., VOR; Franklin, Va., VOR; 2,000.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

Cofield, N.C., VOR; Norfolk, Va., VOR; 2,000.
Cofield, N.C., VOR via S alter.; *Sunbury INT, N.C., via S alter.; 2,000. *2,500—MRA.
Sunbury INT, N.C., via S alter.; Norfolk, Va., VOR via S alter.; 2,000.

Section 95.6196 *VOR Federal airway 196* is amended to read in part:

Utica, N.Y., VOR; Forge INT, N.Y.; *8,000. *4,700—MOCA.
Forge INT, N.Y.; *Cranberry INT, N.Y.; **9,000. *9,000—MCA Cranberry INT, southwestbound. *4,700—MOCA.

Section 95.6205 *VOR Federal airway 205* is amended to read in part:

Omaha, Nebr., VOR; Sioux City, Iowa, VOR; *3,100. *2,800—MOCA.

Section 95.6214 *VOR Federal airway 214* is amended to read in part:

Columbus, Ohio, ILS loc.; Hanover INT, Ohio; *2,700. MAA—4,000. *2,300—MOCA.
Hanover INT, Ohio; Zanesville, Ohio; VOR; *2,700. *2,400—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

McComb, Miss., VOR; Hattiesburg, Miss., VOR; *2,000. *1,800—MOCA.

Section 95.6225 *VOR Federal airway 225* is amended to read in part:

Paloma INT, Fla., via E alter.; Pavilion INT, Fla., via E alter.; *3,500. *1,200—MOCA.
Pavilion INT, Fla., via E alter.; *Goodland INT, Fla., via E alter.; **3,500. *3,500—MRA. **1,300—MOCA.

Section 95.6232 *VOR Federal airway 232* is amended to read in part:

Tannersville, Pa., VOR; INT 124 M rad, Tannersville VOR and 061 M rad, Solberg, VOR; 3,000.

Section 95.6241 *VOR Federal airway 241* is amended to read in part:

Dothan, Ala., VOR via W alter.; Edd INT, Ala., via W alter.; *2,000. *1,500—MOCA.
Edd INT, Ala., via W alter; Midway INT, Ala., via W alter.; *2,500. *1,800—MOCA.

Section 95.6249 *VOR Federal airway 249* is amended to read in part:

Sparta, N.J., VOR; Huguenot, N.Y., VOR; 3,500.

Section 95.6252 *VOR Federal airway 252* is amended to read in part:

Huguenot, N.Y., VOR; Sparta, N.J., VOR; 3,500.

Section 95.6266 *VOR Federal airway 266* is amended to read in part:

From, to, and MEA

Lawrenceville, Va., VOR; Franklin, Va., VOR; 2,000.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Norcross, Ga., VOR; College INT, Ga.; *5,000. *4,100—MOCA.
College INT, Ga.; Harris, Ga., VOR; 6,000.
Harris, Ga., VOR; Fontana INT, N.C.; 7,800.

Section 95.6286 *VOR Federal airway 286* is amended to read in part:

Brooke, Va., VOR; Cape Charles, Va., VOR; 2,000.

Section 95.6290 *VOR Federal airway 290* is amended to read in part:

Franklin, Va., VOR; *Sunbury INT, N.C.; 2,500. *2,500—MRA.
Sunbury INT, N.C.; Elizabeth City, N.C., VOR; 2,500.

Section 95.6308 *VOR Federal airway 308* is amended to read in part:

North Beach INT, Md.; Kenton, Del., VOR; 1,800.
Haven INT, N.J.; Shark INT, N.J.; *6,000. *1,500—MOCA.
Int. 124 M rad, Kennedy VOR and 236 M rad, Hampton VOR; Beach INT, N.Y.; *5,000. *1,500—MOCA.

Section 95.6317 *VOR Federal airway 317* is amended to read in part:

*Cape Spencer, Alaska, LF/RBN; **Harbor Point INT, Alaska; ***15,000. *14,200—MCA Cape Spencer LF/RBN, Westbound. **15,000—MRA. ***5,300—MOCA.

Section 95.6440 *VOR Federal airway 440* is amended to read in part:

McGrath, Alaska, VOR; Ganes Creek INT, Alaska; 6,000.
Ganes Creek INT, Alaska; Yukon INT, Alaska; *8,000. *6,000—MOCA.

Section 95.6446 *VOR Federal airway 446* is amended to read in part:

Troy, Ill., VOR; Cartter INT, Ill.; *2,100. *2,000—MOCA.

Section 95.6455 *VOR Federal airway 455* is amended to read in part:

Picayune, Miss., VOR; Hattiesburg, Miss., VOR; *2,000. *1,800—MOCA.
Madison INT, La., via W alter.; Hattiesburg, Miss., VOR via W alter.; *4,000. *1,800—MOCA.
Hattiesburg, Miss., VOR via W alter.; Louin INT, Miss., via W alter.; *2,100. *1,800—MOCA.

Section 95.6456 *VOR Federal airway 456* is amended to read in part:

King Salmon, Alaska, VOR; *Big Mountain, Alaska, LF/RBN 4,500. *10,000—MCA Big Mountain LF/RBN, northeastbound.

Section 95.6480 *VOR Federal airway 480* is amended to read in part:

*Holy Cross INT, Alaska; Joaquin INT, Alaska; **8,000. *3,500—MCA Holy Cross INT, northeastbound. **5,600—MOCA.
Joaquin INT, Alaska; McGrath, Alaska, VOR; #6,000. #Continuous navigation signal coverage does not exist below 13,000' between 110 NM BET and 60 NM MCG.
McGrath, Alaska, VOR; Medra INT, Alaska; 4,000.

From, to, and MEA

Medra INT, Alaska; Nenana, Alaska, VOR; *8,000. *4,800—MOCA.

Section 95.6483 *VOR Federal airway 483* is amended to read in part:

Sparta, N.J., VOR; Huguenot, N.Y., VOR; 3,500.

Section 95.7004 *Jet Route No. 4* is amended to read in part:

From, to, MEA, and MAA

Jackson, Miss., VORTAC; Meridian, Miss., VORTAC; 18,000; 45,000.
Meridian, Miss., VORTAC; Montgomery, Ala., VORTAC; 18,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

Airway Segment: From; to—Changeover point: Distance; from

V–16 is amended by adding:

Knoxville, Tenn., VOR via S alter.; Snowbird, Tenn., VOR via S alter.; 25; Knoxville.

(Secs. 307 and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on March 11, 1966.

GORDON A. WILLIAMS, Jr.,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-2805; Filed, Mar. 16, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 613, 7th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—European Chafer

ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

Pursuant to the authority conferred by § 301.77–2 of the regulations supplemental to the European chafer quarantine (7 CFR 301.77–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the administrative instructions appearing as 7 CFR 301.77–2a are hereby revised to read as follows:

§ 301.77–2a Administrative instructions designating regulated areas under the European chafer quarantine and regulations.

The following counties and other civil divisions, and parts thereof, in the quarantined States listed below, are designated as European chafer regulated areas within the meaning of the provisions in this subpart:

CONNECTICUT

Hartford County. The towns of Berlin and Southington.

New Haven County. The town of Meriden.

NEW YORK

Broome County. The town of Union and the city of Binghamton.

Cayuga County. The towns of Aurelius, Brutus, Cato, Conquest, Mentz, Montezuma, Sennett, Sterling, and Throop, and the city of Auburn.

Chemung County. The towns of Ashland, Big Flats, Elmira, Horseheads, Southport, and the city of Elmira.

Chenango County. The town and city of Norwich.

Cortland County. The town of Cortlandville and the city of Cortland.

Erie County. The towns of Amherst, Cheektowago, Grand Island, and Tonawanda, and the cities of Buffalo, Lackawanna, and Tonawanda.

Genesee County. The towns of Batavia and Le Roy, and the city of Batavia.

Herkimer County. The town and city of Herkimer.

Kings County. The entire county.

Livingston County. The town of Caledonia.

Monroe County. The entire county.

New York County. Governors Island.

Niagara County. The towns of Cambria, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Wheatfield, and Wilson, and the cities of Lockport, Niagara Falls, and North Tonawanda.

Oneida County. The towns of Marcy, New Hartford and Whitestown, and the city of Utica.

Onondaga County. The towns of Camillus, Cicero, Clay, De Witt, Elbridge, Geddes, Lysander, Manlius, Marcellus, Onondaga, Salina, and Van Buren, and the city of Syracuse.

Ontario County. Towns of Canandaigua, East Bloomfield, Farmington, Geneva, Gorham, Hopewell, Manchester, Phelps, Seneca, Victor, and West Bloomfield, and the cities of Canandaigua and Geneva.

Oswego County. The towns of Hastings, Oswego, and Schroeppel, and the city of Oswego.

Richmond County. The entire county (Staten Island).

Schuyler County. The towns of Dix, Hector, Reading, and Tyrone.

Seneca County. The towns of Fayette, Junius, Seneca Falls, and Tyre, the village and town of Waterloo, and the city of Seneca Falls.

Wayne County. The entire county.

Yates County. The town of Starkey.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 F.R. 16210, as amended, 30 F.R. 5801; 7 CFR 301.77–2)

These administrative instructions shall become effective March 17, 1966, when they shall supersede administrative instructions effective May 19, 1965 (7 CFR 301.77–2a).

The Director of the Plant Pest Control Division has determined that infestations of the European chafer exist or are likely to exist in the counties and other civil divisions, and parts thereof, listed above, or that it is necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Therefore, such counties and other civil divisions, and parts thereof, are designated as European chafer regulated areas.

This revision of the administrative instructions adds the town of Caledonia, Livingston County, N.Y., to the regulated areas. It also extends the existing regulated areas in New York to include the following towns: Union, Broome County; Aurelius and Sterling, Cayuga County; Grand Island, Erie County; Marcy, Oneida County; Marcellus, Onondaga County; East Bloomfield and West Bloomfield, Ontario County; Hastings and Oswego, Oswego County; and Hector, Schuyler County.

Inasmuch as this revision imposes restrictions necessary to prevent the spread of European chafers, it should be made effective promptly to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making this revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 14th day of March 1966.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 66–2843; Filed, Mar. 16, 1966; 8:49 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 0—CONDUCT OF EMPLOYEES

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 0 is added to Title 10 of the Code of Federal Regulations, reading as set forth below. This Part 0 supersedes § 1.256 of this chapter.

Subpart A—General

AUTHORITY: The provisions of this Part 0 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General

§ 0.735–1 Policy.

(a) The personnel policy of the U.S. Atomic Energy Commission states, in part, that:

> The Atomic Energy Act requires the Commission to assure itself that the character, associations, and loyalty of workers in atomic energy are of a high order. Conduct and self-discipline, both on and off the job, must measure up to unusual standards * * *.

(b) Section 735.101 of the Civil Service Commission regulations (5 CFR 735.101), issued pursuant to Executive Order 11222, May 8, 1965, states that:

> The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards * * *.

§ 0.735–2 Program objective.

(a) The program objective is to protect the interests of the public and em-

ployees by setting forth principles, practices, and standards governing conduct of employees in such a manner that they may be readily understood by the individuals involved and practicably administered by the AEC.

(b) It is expected that the provisions of this part will be observed and administered in a manner which is consistent with both their spirit and their letter.

(c) Of necessity, because of the nature of the criminal statutes and the subject matter involved, this part cannot deal with all of the problems which may arise with regard to the conduct, including conflicts of interest, of employees and former employees.

§ 0.735–3 Responsibilities and authorities.

(a) Employees shall:

(1) Comply with the statutes and the rules, standards of conduct, and other regulations set forth in this part.

(2) Consult the full text of applicable statutes as to whether an action in question may in any way violate the statutes.

(3) Be guided in all their actions by the Code of Ethics for Government Service, adopted by concurrent Resolution of the Congress (Annex A).

(4) Conduct themselves in such a manner as to create and maintain respect for the AEC and the U.S. Government and avoid situations which require or appear to require a balancing of private interests or obligations against official duties.

(5) Be mindful of the high standards of integrity expected of them in all their activities, personal and official.

(6) Not give or appear to give favored treatment or competitive advantage to any member of the public, including former employees of the AEC, appearing before them on their own behalf or on behalf of any nongovernmental interest.

(7) Recognize that violation of any of the instructions or statutes referred to in this part may subject them to disciplinary action by AEC in addition to the penalty prescribed by law for such violation.

(8) Discuss with their immediate supervisor, or counselor, as appropriate, any problem arising out of this part.

(b) Supervisors:

(1) Inform themselves of any problems of their employees arising out of this part, consult with the cognizant AEC counselor as appropriate, and take prompt action to see that the problems, if they cannot be resolved, are referred to higher authority.

(2) Relieve employees from assignments in accordance with § 0.735–22(a).

(c) The General Manager assumes responsibilities assigned in §§ 0.735–21(b), 0.735–22(b), 0.735–23 (d) and (e), 0.735–26 (c) and (d), and 0.735–28.

(d) The Director of Regulation, Heads of Divisions and Offices, Headquarters, and Field Office Managers:

(1) Bring to the attention of appropriate contractors under their jurisdiction those provisions of this part (such as "Future Employment"; Ex Parte Contacts"; "Assisting Former Employees"; "Gifts, Entertainment, and Favors"; "Cancellation of Contracts"; and others) which may affect the actions of a contractor and his employees in dealing with AEC employees.

(2) Report to the Division of Inspection all complaints concerning fraud, graft, corruption, diversion of AEC assets, and misconduct of AEC employees; take action as a result of investigations; and report on action taken, as provided in AEC Manual Chapter 0702, "Reporting and Investigating Irregularities."

(3) Assume responsibilities assigned in §§ 0.735–21(b), 0.735–22(b), 0.735–23 (d), 0.735–27, 0.735–28, and 0.735–40(b).

(e) Field Office Managers, and the Director, Division of Personnel, Headquarters:

(1) Provide a copy of this part to each employee and special Government employee, and to each such new employee at the time of his entrance on duty.

(2) Provide a copy of all revisions to each employee and special Government employee.

(3) Bring the provisions of this part to the attention of each employee and special Government employee annually, and at such other times as circumstances warrant.

(4) Assure the availability of counseling services under paragraph (h) of this section to each employee and special Government employee.

(5) Have available for review by employees and special Government employees, as appropriate, copies of laws, Executive Order 11222, AEC regulations, and pertinent Civil Service Commission regulations and instructions relating to ethical and other conduct.

(6) Notify employees and special Government employees at time of entrance on duty and periodically thereafter of the availability of counseling services under paragraph (h) of this section and how and where these services are available.

(f) The Director, Division of Personnel, Headquarters, assumes the responsibilities assigned in §§ 0.735–40(b) and 0.735–49.

(g) The Director, Division of Inspection, Headquarters, investigates all questions of employees' conduct, fraud, etc., in AEC, in accordance with AEC Manual Chapter 0702.

(h) The General Counsel:

(1) Is the counselor for AEC.

(2) Serves as AEC's designee to the Civil Service Commission on matters covered by this part.

(3) Designates deputy counselors for the Headquarters and for field offices.

(4) Coordinates counseling services, and assures that counseling and interpretations on questions of conflicts of interest and other matters covered by the part are available to deputy counselors.

(5) Carries out the specific responsibilities assigned in §§ 0.735–27, 0.735–28, and 0.735–49(b).

§ 0.735–4 Definitions.

(a) "Commission" means the Commission of five members or a quorum thereof sitting as a body, as provided by section 21 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2031.

(b) "AEC" means the agency established by the Atomic Energy Act of 1954, as amended, comprising the members of the Commission and all officers, employees, and representatives authorized to act in any case or matter, whether clothed with final authority or not.

(c) "Employee" means an AEC officer or employee, and, insofar as statutory and Executive order restrictions are concerned, a member of the Commission, but does not include (unless otherwise indicated) a special Government employee, a member of the Uniformed Services, or an employee of another Government agency assigned or detailed to the AEC.

(d) "Former employee" means a former AEC officer or employee as defined in paragraph (c) of this section, plus a former special Government employee, as defined in paragraph (e) of this section, a former member of the Commission and a former member of the Uniformed Services (other than enlisted personnel) assigned or detailed to the AEC.

(e) "Special Government employee" means an officer or employee of the AEC, who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis. The term includes AEC consultants, experts, and members of advisory boards, but does not include a member of the Uniformed Services.

(f) "Official responsibility" means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action.

(g) "Organization," as used in this part in connection with 18 U.S.C. 208, means universities, foundations, nonprofit research entities and similar nonprofit organizations, States, counties and municipalities and subdivisions thereof as well as business organizations.

(h) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(i) "Uniformed services" has the meaning given that term by 37 U.S.C. 101(3).

§ 0.735–5 Basic requirements.

(a) *Applicability.* The provisions of this part apply to all current and former AEC employees and special Government employees. Except for § 0.735–28, the provisions of this part are not applicable to members of the Uniformed Services or employees of other Government agencies assigned or detailed to the AEC. Members of the Uniformed Services and employees of other Government agencies assigned or detailed to the AEC are required by § 0.735–28 to furnish a statement of employment and financial interests if they are performing duties of a position specified in § 0.735–28(a). However, a member of the Uniformed Services or an employee of another Government agency assigned or detailed to

the AEC is not relieved of his responsibilities under regulations or code of conduct prescribed by his parent military service or employing agency.

(b) *Cancellation of contracts.* The Commission reserves the right to declare void, in accordance with law, any contract negotiated or administered in violation of the provisions of AEC regulations, or statute.

(c) *Scope of part.* This part incorporates the statutes, the instructions and specific procedures, pertaining to an employee's conduct.

(d) *Construction of criminal or civil statutes.* The paraphrased version of any criminal or civil statute in this part shall not constitute a binding interpretation thereof upon the AEC or the Federal Government.

(e) *Certifications.* Certifications called for by §§ 0.735–23(e) and 0.735–26 (c) and (d), shall be submitted for publication in the FEDERAL REGISTER.

(f) *Disciplinary and other remedial action.* (1) A violation of the regulations in this part by an employee or special Government employee may be cause for appropriate disciplinary action which may be in addition to any penalty prescribed by law.

(2) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

(g) *Presidential appointees.* Presidential appointees covered by section 401(a) of Executive Order 11222 shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of AEC, or which draws substantially on official data or ideas which have not become part of the body of public information.

§ 0.735–6 National emergency application.

The provisions of this part continue in effect without modification in a national emergency.

Subpart B—Conflict of Interest Restrictions

§ 0.735–20 General.

(a) Part I, "Policy," of Executive Order 11222 states:

> Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employee, or adviser of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

(b) The elimination of conflicts of interest in the Federal service is one of the most important objectives in establishing general standards of conduct. A conflict of interest situation may exist where a Federal employee's private interests, usually of an economic form, conflict, or raise a reasonable question of conflict with his public duties and responsibilities. The potential conflict is of concern whether it is real or only apparent.

(c) An employee, including special Government employee, shall not: (1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties and responsibilities; or (2) engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(d) An employee, including special Government employee, is not precluded from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, Executive Order 11222, Civil Service Commission regulations, or the regulations in this part.

(e) Certain provisions in 18 U.S.C. 201–209, dealing with conflicts of interest in Federal employment are referred to in §§ 0.735–21 through 0.735–27.

§ 0.735–21 Acts affecting a personal financial interest (based on 18 U.S.C. 208).

(a) *General.* Except as permitted by paragraphs (b), (c), and (d) of this section, no employee shall participate personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

(b) *Granting of ad hoc exemptions.* (1) If an employee desires to request an exemption from the prohibition of paragraph (a) of this section, he shall fully inform the field office manager, or the head of division or office, Headquarters, as appropriate, in writing of the nature and circumstances of the particular matter and of the financial interests involved and shall request a written determination in advance as to the propriety of his participation in such matter.

(2) The field office manager, or the head of division or office, Headquarters, as appropriate, after examining the information submitted, may relieve the employee from participation in the particular matter and so advise him in writing; or, he may approve the employee's participation in such matter upon advising him in writing:

(i) That he has determined the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee, and

(ii) That no provision of law and no regulation in this part would appear to be violated by the employee's participation in the particular matter.

(3) When the field office manager, or head of division or office, Headquarters, believes it is inappropriate for him to make a determination as provided in subparagraph (2) of this paragraph, he shall forthwith submit the information with his recommendation through channels to the General Manager or to the Director of Regulation, as appropriate, who shall make a determination as provided in subparagraph (2) of this paragraph, forwarding the original of his determination to the submitting official and a copy to the employee involved.

(4) A copy of each request and response made under the provisions of subparagraphs (1) and (2) of this paragraph shall be forthwith forwarded through channels to the General Manager, or the Director of Regulations, as appropriate, as a matter of record. Copies of all documents referred to in subparagraphs (1), (2), and (3) of this paragraph shall be filed by the holders thereof in their confidential files.

(5) Whenever it can be reasonably anticipated that there will be a need to invoke these procedures repeatedly, and where it also appears that a burden would be placed on the AEC thereby, consideration should be given by the field office manager or head of division or office, Headquarters, to dismissal or transfer of the employee to another position where the problems will not arise, or to the elimination of the outside interest creating the difficulty. It is expected that the employee concerned will take the initiative in resolving any problem in this area.

(c) *Exemption of remote or inconsequential financial interests.*[1] (1) In accordance with the provisions of 18 U.S.C. 208(b)(2) the AEC has exempted the following financial interests from paragraph (a) of this section and from the requirements of paragraph (b) of this section, upon the ground that such interests are too remote or too inconsequential to affect the integrity of its employees' services:

(i) Financial interests in an enterprise in the form of shares in the ownership thereof, including preferred and common stocks whether voting or nonvoting, and warrants to purchase such shares;

(ii) Financial interests in an enterprise in the form of bonds, notes, or other evidences of indebtedness;

(iii) Investments in State or local government bonds and investments in shares of a widely held diversified mutual fund or regulated investment company, except holdings in mutual investment funds or regulated investment companies dealing primarily in atomic energy stocks.

Provided, That, in the case of subdivisions (i) and (ii) of this subparagraph: (*a*) The total market value of the financial interests described in said subdivisions with respect to any individual enterprise does not exceed $7,500; and (*b*) the holdings in any class of shares,

[1] Effective upon publication in the FEDERAL REGISTER on March 14, 1964, at 29 F.R. 3392.

or bonds, or other evidences of indebtedness, of the enterprise do not exceed 1 percent of the dollar value of the outstanding shares, or bonds or other evidences of indebtedness in said class.

(2) Where a person covered by this exemption is a member of a group organized for the purpose of investing in equity or debt securities, the interest of such person in any enterprise in which the group holds securities shall be based upon said person's equity share of the holdings of the group in that enterprise.

(3) For purposes of subparagraph (1) of this paragraph, computations of dollar-value of financial interests in corporations shall be by means of:

(i) Market value in the case of stocks listed on national exchanges; or

(ii) Over-the-counter market quotations as reported by the National Daily Quotation Service in the case of unlisted stocks; or

(iii) By means of net book value (i.e. assets less liabilities) in the case of stocks not covered by the preceding two categories.

With respect to debt securities, face value shall be used for valuation purposes.

(4) The dollar value and percentage of financial interests listed above in subparagraph (1) of this paragraph shall be computed as of the date on which the employee first participated personally and substantially in any particular matter, within the meaning of 18 U.S.C. 208(a), relating to the enterprise concerned. The dollar value and percentage so computed shall govern during the entire period that the employee participates in the particular matter unless, after the aforesaid date of computation, he, or other person or organization referred to in paragraph (a) of this section, acquires an additional interest in the same enterprise. In the event of such subsequent acquisition, the dollar value and percentage shall be recomputed as of the date of such acquisition. If, in such case, the dollar value and percentage computed exceeds the limitations described in subparagraph (1) of this paragraph, the general exemption provided therein shall no longer be applicable and an ad hoc exemption must be sought in accordance with paragraph (b) of this section.

(d) *Special exemption for special Government employees.* Federal Personnel Manual Chapter 735, Appendix C provides that a special Government employee should in general be disqualified from participating as such in a matter of any type the outcome of which will have a direct and predictable effect upon the financial interests covered by 18 U.S.C. 208. However, that chapter states that the power of exemption may be exercised in this situation "if the special Government employee renders advice of a general nature from which no preference or advantage over others might be gained by any particular person or organization." It is the policy of the Atomic Energy Commission in conformity with the foregoing, to exercise the power of exemption pursuant to 18 U.S.C. 208(b) in such situations. The authority to grant such an exemption is delegated to the AEC official responsible for appointment or designation of the particular consultant or advisor. This exemption is noted on the form AEC–443 by the appointing official for the consultant or advisor concerned, by a statement that the employee "need not be precluded from rendering general advice in situations where no preference or advantage over others might be gained by any particular person or organization."

§ 0.735–22 Future employment (based on 18 U.S.C. 208).

(a) Solicitation, negotiation, or arrangements for private employment by an employee who is acting on behalf of the AEC in any particular matter in which the prospective employer has a financial interest are prohibited. With the authorization of his supervisor, an employee may be relieved of any assignment which, in the absence of such relief, might preclude such solicitation, negotiation, or arrangements.

(b) No employee shall undertake to act on behalf of the AEC in any capacity in a matter that to his knowledge affects even indirectly any party outside the Government with whom he is soliciting, negotiating, or has arrangements for future employment, except pursuant to the authorization of the General Manager, or the Director of Regulation, as appropriate, after full disclosure, or in the case of a field employee, the field office manager under whom he is employed. (See § 0.735–21.)

§ 0.735–23 Activities of officers and employees in claims against and other matters affecting the Government (based on 18 U.S.C. 205).

(a) No employee shall otherwise than in the proper discharge of his official duties:

(1) Act as agent or attorney for prosecuting any claim against the United States, or receive any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, or

(2) Act as agent or attorney for anyone before any department, agency, court, court-martial, officer, or any civil, military, or naval commission in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest.

(b) A special Government employee shall be subject to paragraph (a) of this section only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That subparagraph (2) of this paragraph shall not apply in the case of a special Government employee who has served in such department or agency no more than 60 days during the immediately preceding period of 365 consecutive days.

(c) Nothing in paragraph (a) of this section prevents an employee, if not inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings.

(d) Nothing in paragraph (a) of this section prevents an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, provided that the General Manager, the head of a division or office, Headquarters, or a field office manager, as appropriate, approves.

(e) (1) Nothing in paragraph (a) of this section prevents a special Government employee from acting as agent or attorney for another person in the performance of work under a grant by, or a contract with or for the benefit of, the United States when represented by the AEC provided that the General Manager shall certify in writing that the national interest so requires. Such certification shall be submitted for publication in the FEDERAL REGISTER.

(2) The special Government employee shall immediately notify the AEC when so designated to act as agent or attorney by his private employer.

(f) Nothing in paragraph (a) of this section prevents an employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

§ 0.735–24 Receiving salary from source other than the U.S. Government (based on 18 U.S.C. 209).

(a) No employee shall receive any salary, or any contribution to or supplementation of salary, as compensation for his services as an employee of the AEC from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality.

(b) Nothing in paragraph (a) of this section prevents an employee of the AEC from continuing to participate in a bona fide pension, retirement, group life, health or accident insurance, profit sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer.

(c) Paragraph (a) of this section does not apply to a special Government employee or to an employee of the Government serving without compensation,

whether or not he is a special Government employee.

(d) Paragraph (a) of this section does not prohibit acceptance of contributions, awards, or other expenses under the terms of the Government Employees Training Act (Public Law 85–507, 72 Stat. 327; 5 U.S.C. 2301–2319, July 7, 1958). See AEC Appendix 4150.

§ 0.735–25 Compensation to employees in matters affecting the Government (based on 18 U.S.C. 203).

(a) No employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or agree to receive, or ask, demand, solicit, or seek, any compensation for any services rendered or to be rendered either by himself or another in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court-martial, officer, or any civil, military, or naval commission.

(b) A special Government employee shall be subject to paragraph (a) of this section only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That subparagraph (2) of this paragraph shall not apply in the case of a special Government employee who has served in such department or agency no more than 60 days during the immediately preceding period of 365 consecutive days.

§ 0.735–26 Disqualification of former officers and employees in matters connected with former duties or official responsibilities (based on 18 U.S.C. 207).

(a) No employee, after his employment has ceased, shall knowingly act as agent or attorney for anyone other than the United States in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he participated personally and substantially as an employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed.

(b) No employee, within 1 year after his employment has ceased, may appear personally before any court or department or agency of the Government as agent, or attorney for, anyone other than the United States in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or directly and substantially interested, and which was under his official responsibility as an employee of the Government at any time within a period of 1 year prior to the termination of such responsibility.

(c) Nothing in paragraph (a) or (b) of this section prevents a former employee with outstanding scientific or technological qualifications from acting as attorney or agent or appearing personally in connection with a particular matter in a scientific or technological field if the General Manager or the Commission, as appropriate, shall make a certification in writing, submitted for publication in the FEDERAL REGISTER, that the national interest would be served by such action or appearance by the former employee.

(d) A former AEC employee who desires to request for himself an exception to the legal restrictions set forth above on the basis of "scientific or technological" grounds may do so by submitting a written request to the head of the AEC office with which he would do business, who in turn will forward it to the General Manager with his recommendation. The General Manager, if he approves the exception, shall advise the former employee in writing through the AEC office with which he applied and shall submit for publication in the FEDERAL REGISTER a statement to the effect that:

(1) The former employee has outstanding scientific or technological qualifications;

(2) The exception provided by 18 U.S.C. 207(b) is granted for a particular matter in a scientific or technological field; and

(3) The national interest would be served by granting the exception.

§ 0.735–27 Appearances by former employees before AEC.

When a former employee proposes to act as agent or attorney before an AEC office on behalf of anyone other than the United States in connection with any of the matters cited in § 0.735–26, he is expected to make known to the appropriate official of the AEC office the fact of his former assignment with AEC. The manager of the field office or the head of the division or office, Headquarters, or employee before whom the former employee appears, before transacting business with the former employee or authorizing employees under his jurisdiction to transact any business with the former employee, shall call the former employee's attention to the restrictions and penalties contained in 18 U.S.C. 207. No AEC official or employee, except the General Counsel, shall offer to the former employee an interpretation of 18 U.S.C. 207 as applied to the situation at hand.

§ 0.735–28 Confidential statements of employment and financial interests.

(a) *Categories of employees required to submit statements.*[1] The following employees[2] shall submit statements of employment and financial interests, prepared in accordance with paragraph (d) of this section:

(1) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(2) Employees in grade GS–16 or above, or in comparable or higher positions (including scientific and technical [STS] positions).

(3) Employees in hearing examiner positions.

(4) All consultants (including advisers and experts) (see AEC Manual Chapter 4139) and special Government employees. (A special Government employee who is not a consultant is not required to submit a statement of employment and financial interests when the operating [appointing] official finds that the duties of the position held by the special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For this purpose, "consultant" and "expert" have the meaning given those terms by Chapter 304 of the Federal Personnel Manual but do not include a physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients.)

(5) Employees in positions or categories of positions, regardless of their official title, identified in Annex B to this part.

(b) *Annex B.* (1) Annex B to this part shall be maintained and changes therein made by the Atomic Energy Commission in accordance with the criteria set forth in Annex C to this part.

(2) Heads of Divisions and Offices, Headquarters, and Managers of Field Offices shall, in conformity with the above referenced criteria, recommend changes in Annex B to the Commission, the General Manager, or the Director of Regulation, as appropriate, for approval.

(3) Incumbents of positions added to Annex B shall become subject to the reporting requirements of this part upon receipt of notification as to same, pursuant to paragraph (c) of this section. Annex B shall be republished to reflect changes in the list.

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[1] Section 401 of Executive Order 11222 established separate reporting requirements for an agency head, a Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, and a full-time member of a committee, board, or commission appointed by the President.

[2] As used in § 0.735–28, the term "employee," except as otherwise indicated, includes regular Government employees, special Government employees, and members of the Uniformed Services and employees of other Government agencies assigned or detailed to the AEC.

(c) *Notice to employees of time and place to submit statements.* Regular Government employees required to submit statements shall be notified in writing of that fact by the Managers of Field Offices or the Assistant General Manager for Administration (for Headquarters employees), or by persons designated by them. The notice shall be accompanied by three copies of the statement form and shall tell the employee to which official he shall submit his statement (see par. (h) of this section). Such employee shall submit his statement to the designated official not later than:

(1) 90 days after the effective date of the regulations in this part if employed on or before that effective date; or

(2) 30 days after his entrance on duty but not earlier than 90 days after the effective date of the regulations in this part, if appointed after that effective date.

Statements of special Government employees other than consultants (including experts and advisers) shall be submitted in accordance with the foregoing. Notice to such individuals shall also be in accordance with the foregoing. Statements of consultants (including experts and advisers) shall be submitted prior to appointment, and notice to same shall be in accordance with AEC Manual Chapter 4139.

(d) *Preparation of statement.* Statements shall be prepared in accordance with the following:

(1) *Form and content of statement.* The forms prescribed by AEC are:

Regular Government employees—Form AEC–269.

Consultants (including experts and advisers) Form AEC–443.

Special Government employees (other than consultants) Form AEC–443 (excluding items 2–11).

(2) *Interests of employee's relatives.* The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this subparagraph, "member of an employee's immediate household" means those blood relations who are full-time residents of the employee's household.

(3) *Information not known by employees.* If any information required to be included on the statement or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf, and shall report such request in Part IV of Form AEC–269 or item 16b. of Form AEC–443.

(4) *Information not required to be submitted.* This section does not require an employee to submit on a statement or supplementary statement any information relating to:

(i) The employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement.

(ii) Precise amounts of financial interests, indebtedness, or value of real property. The employee may, however, at a later time be required to reveal precise amounts if the AEC needs that information in order to carry out its responsibilities under applicable laws and regulations.

(iii) For special Government employees:

(*a*) Remote or inconsequential financial interests, as set forth in § 0.735–21 (c), and

(*b*) Those financial interests which are determined by the official responsible for such employee's appointment as not to be related either directly or indirectly to the duties and responsibilities of said employee.

(5) *Supplementary statements.* Changes in, or additions to, the information in an employee's statement shall be reported by the employee in a supplementary statement within 10 days following the end of the calendar quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. The forms prescribed in subparagraph (1) of this paragraph shall be used for this purpose and plainly marked "Supplementary." The changes and additions shall be identified in terms of the specific part(s) of the statement being modified. All changes or additions occurring during the preceding quarterly period are to be reported, not merely employment and financial interests status as of the reporting date. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement by the employee, negative or otherwise, is required as of June 30 of each year. The employee shall submit his supplementary statement(s) to the official who would be the recipient of an initial statement from the employee, as identified in paragraph (h) of this section.

(e) *Reviewing statements and reporting conflicts of interest.* (1) The employee shall prepare the statement in triplicate, retain one copy, and submit two copies to the appropriate reviewer (see paragraph (h) of this section).

(2) The reviewer of the statement shall assess it for conflicts or the appearance of conflicts of interests in the context of the employee's assigned duties and responsibilities in AEC.

(3) If the reviewer desires advice and guidance, he may discuss the statement with the counselor or appropriate deputy counselor.

(4) The reviewer shall discuss with the employee and point out any aspects of the statement which give rise, in the reviewer's opinion, to questions of conflict or of appearance of conflict. (The reviewer shall not take, or direct the employee to take, any action with respect to such conflict without first seeking the advice of the counselor or appropriate deputy counselor.)

(5) The reviewer shall in all cases record his opinion as to the presence or absence of a conflict on both copies of the statement, and forward same to the AEC counselor or deputy counselor, as appropriate.

(6) The AEC counselor or deputy counselor shall review the statement, and discuss any questions with the reviewer and/or employee.

(7) If the AEC counselor or deputy counselor believes that the statement evidences no question of conflict of interest, he shall record his opinion on both copies of the statement, and notify the reviewer.

(8) If the AEC counselor or deputy counselor believes there is a question of conflict of interest, he shall return the statement to the reviewer with his opinion recorded thereon. (The counselor or deputy counselor shall make his services available to the reviewer and employee involved to assist in effecting a resolution of any conflict or appearance of conflict.) The reviewer shall report to the counselor or deputy counselor the results of endeavors to effect resolution of the conflict at the employee-reviewer level, which results shall be recorded on the employee's statement and submitted to the counselor or deputy counselor for review and approval.

(9) When a statement submitted or information from other sources indicates a conflict between the interests of an employee and the performance of his services for the AEC and when the conflict or appearance of conflict is not resolved at a lower level in the AEC, the information concerning the conflict or appearance of conflict shall be reported to the General Manager, or Director of Regulation, as appropriate, through the counselor. The employee concerned shall be provided an opportunity to explain the conflict or appearance of conflict.

(10) When, after consideration of the explanation of the employee provided for in subparagraph (9) of this paragraph, the General Manager or Director of Regulation decides that remedial action is required, he shall take immediate action to end the conflict or appearance of conflict of interest. Remedial action may include, but is not limited to:

(i) Changes in assigned duties;

(ii) Divestment by the employee of his conflicting interest;

(iii) Disciplinary action; or

(iv) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations. Disciplinary remedial action with respect to a member of the Uniformed Services or an employee of another Government agency assigned or detailed to the AEC shall be effected only by the parent military service or employing agency.

(11) Upon completion of processing, both AEC copies of statements shall be filed in the office of the counselor or dep-

uty counselor, in a special file maintained for that purpose. If an AEC reviewer subsequently requires a copy of a statement for purposes of carrying out responsibilities under this part, he may request same from the counselor or deputy counselor.

(12) The required supplementary statements shall be processed in the same manner as an initial statement. When an AEC reviewer or the counselor or a deputy counselor receives a supplementary statement from an employee for whom he does not have an initial statement, he shall request the file from the counselor or deputy counselor of the employee's previous office.

(f) *Confidentiality of employee's statements.* AEC shall hold each statement of employment and financial interests, and each supplementary statement, in confidence. AEC shall not disclose information from a statement except in accordance with the procedures set forth in paragraph (e) of this section, or as the General Manager, or the Director of Regulation, as appropriate, or the Civil Service Commission shall determine for good cause shown.

(g) *Effect of employee's statements on other requirements.* The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee or the absence of any requirement that an employee submit such a statement does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

(h) *To whom statements are to be submitted.* Submission of required statements shall be in accordance with the following:

(1) Submitted to the Commission:

(i) The General Manager.

(ii) The Deputy General Manager.

(iii) The Director of Regulation.

(iv) The Deputy Director of Regulation.

(v) The Secretary.

(vi) Hearing Examiners.

(vii) Chairman, Contract Appeals Board.

(viii) The General Counsel.

(ix) Director, Division of Inspection.

(2) Submitted to the Individual Commissioners: Special Assistants.

(3) Submitted to the General Manager:

(i) Members of his immediate staff.

(ii) Assistant General Managers.

(iii) Director, Division of Military Application.

(iv) Managers of Operations Offices.

(v) The Controller.

(4) Submitted to the Assistant General Managers and the Director of Regulation:

(i) Members of their immediate staffs.

(ii) Heads of Divisions and Offices, Headquarters, reporting directly to them.

(5) Submitted to the Assistant General Manager: Heads of Divisions and Offices, Headquarters, not reporting directly to an Assistant General Manager.

(6) Submitted to Managers of Field Offices and Heads of Divisions and Offices, Headquarters: Employees under their respective jurisdictions.

(7) Submitted to officials responsible for their appointments: Special Government employees, including consultants, experts, and advisers.

Subpart C—Other Restrictions Imposed by Statute on Conduct of Employees

§ 0.735–30 Description of statutory provisions.

Each employee has a positive duty to acquaint himself with each statute that relates to his ethical and other conduct as an employee of the AEC and of the Government. Certain of these statutes are referred to in §§ 0.735–21—0.735–27. Attention of employees is also directed to the following statutory provisions:

(a) The prohibitions contained in the following sections of the Atomic Energy Act of 1954, as amended: Section 222, "Violation of Specific Sections"; section 223, "Violation of Sections Generally"; section 224, "Communication of Restricted Data"; section 225, "Receipt of Restricted Data"; section 226, "Tampering with Restricted Data"; and section 227, "Disclosure of Restricted Data." (42 U.S.C. 2272 through 2277)

(b) The prohibitions against the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783).

(c) The prohibition against the disclosure of confidential information (18 U.S.C. 1905).

(d) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(e) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(f) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 1181) and 18 U.S.C. 602, 603, 607 and 608. (See AEC Manual Chapter 4122, "Political Activity.")

(g) The prohibition against bribery of public officials and witnesses (18 U.S.C. 201).

(h) The prohibition against acceptance or solicitation to obtain appointive public office (18 U.S.C. 211).

(i) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r). (See also AEC Manual Chapter 4121, "Oath of Office" and AEC Manual Chapter 4166, "Employee-Management Cooperation.")

(j) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(k) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78(c)). (See also AEC Manual Chapter 5142, "Motor Vehicle and Aircraft Management.")

(l) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(m) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(n) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(o) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071). (See also AEC Appendix 0230, "Records Disposition.")

(p) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(q) The prohibition against embezzlement of Government money or property (18 U.S.C. 641). (See also AEC Manual Chapter 5101, "Personal Property and Supply Management.")

(r) The prohibition against failing to account for public money (18 U.S.C. 643).

(s) The prohibition against an employee's private use of public money (18 U.S.C. 653).

(t) The prohibition against embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(u) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(v) The prohibition against making false entries in official records with intent to defraud or making false reports concerning moneys and securities with such intent (18 U.S.C. 2073).

(w) The prohibition against receiving from any foreign Government "any present, decoration, or other thing," unless authorized by act of Congress and tendered through the Department of State (Constitution, Art. 1, sec. 9, clause 8; 5 U.S.C. 114–115a).

(x) The prohibition against soliciting contributions from another employee for a gift or present to anyone in a superior official position; against a superior official accepting a gift as a contribution from employees receiving less salary than himself; and against an employee's making a donation as a gift to any official superior (5 U.S.C. 113).

Subpart D—Restrictions Imposed by AEC Administrative Decision on Conduct of Employees

§ 0.735–40 Outside employment and other outside activity.

(a) AEC employees are entitled to the same rights and privileges with regard to outside employment and other outside activity as all other citizens. There is, therefore, no general prohibition against employees engaging in outside employment or other outside activity; except that no employee shall engage in such employment or activity if it is not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interests; or

(2) Outside employment which tends to impair his mental or physical capacity

to perform his Government duties and responsibilities in an acceptable manner.

(b) In any case in which there is a question as to the propriety of outside employment in which an employee proposes to engage and when the field office manager or head of the division or office, Headquarters, concludes that the proposed outside employment may be in violation of AEC policy, the following information shall be sent to the Director, Division of Personnel, Headquarters, for prior approval of the proposed activity (in consultation, as appropriate, with the counselor): (1) Name, job title, and grade of the employee involved; (2) a brief summary of his official AEC duties; (3) a brief description of the proposed employment, including the compensation to be received; and (4) the name and nature of the business of the employing individual or organization.

(c) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209).

(d) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive Order 11222, CSC regulations, or the regulations in this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the General Manager or Director of Regulation, as appropriate, has given written authorization for the use of nonpublic information on the basis that the use is in the public interest.

(e) Except as provided in section 19(a) of the Government Employees Training Act, 5 U.S.C. 2318(a), and Executive Order 10800, no employee shall accept a fee from an outside source on account of a public appearance, a speech, or lecture, if the public appearance or the preparation or delivery of the speech or lecture was a part of the official duties of the employee, if the public appearance, the speech, or the lecture was made during official working hours, or if travel for the purpose of the public appearance, speech, or lecture was made at Government expense. In addition, no employee shall accept a fee for the preparation, publication, or review of an article, story, or book if it was prepared during official working hours and/or was a part of the official duties of the employee.

(f) An employee shall not engage in outside employment under a State or local government except in accordance with AEC manual section 4122–05.

(g) An employee is not precluded by this § 0.735–40 from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is otherwise compatible with this section for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participation in the activities of political parties not proscribed by law.

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 0.735–41 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in § 0.735–40(d), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public. See also section 68a of the Atomic Energy Act of 1954, 42 U.S.C., section 2098(a), "Public and acquired lands," which provides as follows:

a. No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic energy program, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic energy program, acquired confidential official information as to the existence of deposits of uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to August 30, 1954, made such location, entry, or settlement, or caused the same to be made for his, or its, or their benefit.

§ 0.735–42 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with AEC;

(2) Conducts operations or activities that are regulated by AEC or is an applicant for a license from AEC; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The following exceptions are authorized as being necessary and appropriate in view of the nature of the AEC's work and the duties and responsibilities of its employees:

(1) When the circumstances make it clear that it is obvious family or personal relationships (such as those between the parents, children, or spouse of the employee and the employee) rather than the business of the persons concerned which are the motivating factors;

(2) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(3) Acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans;

(4) Acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal intrinsic value; and

(5) Acceptance of transportation not inconsistent with the provisions of paragraph (c) of this section.

(c) No employee shall accept free transportation in motor vehicles, aircraft, or other means, for official or unofficial purposes from AEC contractors, prospective contractors, licensees or prospective licensees, or representatives of any of them when such transportation might reasonably be interpreted as seeking to influence the impartiality of the employee or the agency.

(d) An employee shall avoid any action, whether or not specifically prohibited by this section, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

§ 0.735–43 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

§ 0.735–44 Scandalous conduct.

No employee shall engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct or other conduct prejudicial to the Government.

§ 0.735–45 Employee indebtedness.

The AEC considers the credit affairs of its employees essentially their own concern. However, employees are expected to conduct their credit affairs in a manner which does not reflect adversely on the Government as their employer. The AEC will not be placed in the position of acting as a collection agency or of determining the validity or amount of contested debts. An employee is expected to pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. Failure on the part of an employee without good reason to honor just financial obligations or to make or adhere to satisfactory arrangements for settlement may be cause

for disciplinary action. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which AEC determines does not, under the circumstances, reflect adversely on the Government as his employer.

§ 0.735–46 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or -leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar agency-approved activities.

§ 0.735–47 Handling of funds entrusted by fellow employees.

No employee shall receive, retain, or disburse funds entrusted to him by fellow employees, e.g., credit union deposits or donations to charitable organizations, except with the utmost care in the safeguarding of such funds and the maintenance of full and complete records with regard to the receipt, custody, and disbursement of such funds. Such records shall be made available to appropriate authorities upon proper request.

§ 0.735–48 Ex parte contacts.

Certain ex parte contacts by an employee are prohibited in quasi-judicial proceedings under §§ 2.719 and 2.780 of this chapter.

§ 0.735–49 Employment of persons on extended leave of absence from a previous employer with reemployment rights or other benefits with the previous employer.

(a) AEC may employ persons on extended leave of absence from private employers where it is the way most advantageous to the AEC to obtain qualified employees with needed skills and no violation of conflict of interest statutes would be involved. The necessity for continued employment of such persons shall be reviewed annually by the Director, Division of Personnel, Headquarters. In their AEC assignments, such employees shall not be permitted to handle, directly or indirectly, or have access to, business confidential data of their former employers' competitors.

(b) When it is proposed to employ such a person, a statement of the exact terms and conditions of the leave of absence from his employer will be obtained from the prospective employee and submitted to the General Counsel for a prior determination of possible violation of statute.

(c) The following quotation from 18 U.S.C. 209 is pertinent to this situation.

(b) Nothing herein prevents an officer or employee of the executive branch of the U.S. Government, or of any independent agency of the United States, or of the District of Columbia, from continuing to participate in a bona fide pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer.

Subpart E—Ethical and Other Conduct and Responsibilities of Special Government Employees

§ 0.735–50 Use of Government employment.

A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 0.735–51 Use of inside information.

(a) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(b) Special Government employees may teach, lecture, or write in a manner not inconsistent with § 0.735–40(d), in regard to employees.

§ 0.735–52 Coercion.

A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

§ 0.735–53 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with AEC anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) Exceptions authorized for employees under § 0.735–42 shall have equal application with respect to special Government employees.

§ 0.735–54 Miscellaneous statutory provisions.

Each special Government employee shall acquaint himself with each statute that relates to his ethical and other conduct as a special Government employee of AEC and of the Government. The AEC official responsible for his appointment shall call his attention specifically to §§ 0.735–21, 0.735–22, 0.735–23, 0.735–24(c), 0.735–25, 0.735–26, 0.735–27, and 0.735–30.

§ 0.735–55 Applicable standards of conduct.

Special Government employees shall adhere to the standards of conduct made applicable to such employees by Subpart B of this part and to the standards of conduct made applicable to regular employees by §§ 0.735–43, 0.735–44, 0.735–46, and 0.735–48. In addition, special Government employees who are not consultants or advisers shall also be subject to §§ 0.735–45 and 0.735–47.

This Part 0 has been approved by the Civil Service Commission under date of January 24, 1966.

Effective date. This Part 0 shall become effective upon publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 11th day of March 1966.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

ANNEX A—CONCURRENT RESOLUTION

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including officeholders:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.

2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.

3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

8. Never use any information coming to him confidentially in the performanec of governmental duties as a means for making private profit.

9. Expose corruption wherever discovered.

10. Uphold these principles, ever conscious that public office is a public trust.

Approved by the House of Representatives August 28, 1957.

Approved by the Senate July 11, 1958.

ANNEX B—POSITION CATEGORIES REQUIRING STATEMENTS OF EMPLOYMENT AND FINANCIAL INTERESTS BY INCUMBENTS

(1) Contracting Officers;
(2) Contract administrators (GS–13 and above);
(3) Procurement officers (GS–12 and above);
(4) Auditors (GS–12 and above);
(5) Attorneys (including patent attorneys), except Interns;
(6) Project engineers (GS–13 and above);
(7) Positions (in grades GS–13 and above unless otherwise indicated) involving assigned duties and responsibilities which require the incumbent to exercise judgment in making or recommending a decision or in taking or recommending an action in regard to:

a. Evaluation, appraisal or selection of contractors or subcontractors, prospective contractors or prospective subcontractors, proposals of such contractors or subcontractors, the activities performed by such contractors or subcontractors, or determination of the extent of compliance of such contractors or subcontractors with contract provisions.

b. Negotiation, modification or approval of contracts or subcontracts.

c. Evaluation, appraisal or selection of prospective project sites, or locations of work or activities, including real property proposed for acquisition by purchase or otherwise.

d. Inspection and quality assurance of material, products or components for acceptability (GS–11 and above).

e. Review or approval of applications for access permits.

f. Engineering planning and design which involves preparation of specifications and technical requirements.

g. Negotiation of agreements for cooperation or implementing arrangements with foreign countries.

h. Analysis, evaluation or review of licensees' and prospective licensees' compliance with AEC regulations and requirements.

i. Analysis, evaluation or review of license applications.

j. Utilization or disposal of excess or surplus property (GS–12 and above).

k. Procurement of materials, services, supplies, or equipment (GS–12 and above).

l. Authorization or monitoring of grants to educational institutions or other non-Federal enterprises.

m. Audit of financial transactions (GS–11 and above).

n. Promulgation of safety standards, procedures and hazards evaluation systems.

o. Nuclear materials management.

p. Activities (irrespective of grade) where the decision or action has an economic impact on the interests of any non-Federal enterprise.

Positions in the above categories (a–p) may be excluded when it is determined by the Commission, the General Manager, the Director of Regulation, or Managers of Operations, as appropriate, that the duties are at such a level of responsibility that the submission of a statement is not necessary because of the degree of supervision and review over the incumbents and the remote and inconsequential effect on the integrity of the Government.

ANNEX C—CRITERIA FOR DETERMINING POSITIONS OR CATEGORIES OF POSITIONS LISTED IN ANNEX B

Annex B shall be maintained and changes therein made by the Atomic Energy Commission in accordance with the following criteria:

1. Positions shall be included, the basic duties and responsibilities of which require the incumbent to exercise judgment in making or recommending a Government decision or in taking or recommending Government action in regard to:

a. Contracting or procurement;

b. Administering or monitoring grants or subsidies;

c. Regulating or auditing private or other non-Federal enterprise; or

d. Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

Generally, such duties and responsibilities will have been spelled out in local statements of delegation of authority and responsibility and the degree of responsibility for decisions and recommendations will be reflected in the Position Evaluation records under the factor "Decisions."

2. Positions in 1., above, may be excluded when their duties are at such a level of responsibility that the submission of a statement is not necessary because of the degree of supervision and review over the incumbents and the remote and inconsequential effect on the integrity of the Government.

3. In addition to 1., above, positions shall be included which are determined by the Atomic Energy Commission as requiring the incumbents to report employment and financial interests to carry out the purpose of law, Executive Order 11222, and CSC and AEC regulations.

[F.R. Doc. 66–2826; Filed, Mar. 16, 1966; 8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

Subpart D—Food Additives Permitted in Food for Human Consumption

YELLOW PRUSSIATE OF SODA

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5N1656) filed by the International Salt Co., Clarks Summit, Pa., 18411, and other relevant material, has concluded that the food additive regulations should be amended to provide for additional safe uses of yellow prussiate of soda as an anticaking agent in salt for animal and human use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 R.R. 3008), Part 121 is amended in the following respects:

1. A new section is added to Subpart C, as follows:

§ 121.284 Yellow prussiate of soda.

Yellow prussiate of soda (sodium ferrocyanide decahydrate; $Na_4Fe(Cn)_6 \cdot 10H_2O$) may be safely used as an anticaking agent in salt for animal consumption at a level not to exceed 13 parts per million. The additive contains a minimum of 99.0 percent by weight of sodium ferrocyanide decahydrate.

2. Section 121.1032 is amended by inserting a second limitation for the first item listed in paragraph (a), as follows:

§ 121.1032 Yellow prussiate of soda.

• • • • •

(a) • • •

Uses	*Limitations*
As an anticaking agent in salt	5 parts per million calculated as anhydrous sodium ferrocyanide; or 13 parts per million in fine salt, which for the purpose of this section is salt 96% of which passes through a U.S. No. 60 sieve.

• • • • • •

• • • • •

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

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

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

Dated: March 9, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–2827; Filed, Mar. 16, 1966; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 146c—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Sodium Oxacillin for Oral Solution

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), the

antibiotic drug regulation for certification of sodium oxacillin for oral solution is amended to provide for an additional potency of 25 milligrams per milliliter and to add "stabilizers" to the list of substances permitted in the product. Accordingly, § 146a.113 is amended by changing paragraph (a) to read as follows:

§ 146a.113 Sodium oxacillin for oral solution.

(a) *Standards of identity, strength, quality, and purity.* Sodium oxacillin for oral solution is a mixture of sodium oxacillin with one or more suitable colorings, flavorings, buffer substances, stabilizers, and preservatives. When reconstituted as directed in the labeling, it contains the equivalent of either 25 milligrams or 50 milligrams of oxacillin per milliliter. Its moisture content is not more than 1.0 percent. The pH of the solution, when reconstituted as directed in its labeling, is not less than 5.0 and not more than 7.5. The sodium oxacillin used conforms to the standards prescribed by § 146a.12(a) (1), (4), (5), (6), and (7). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

* * * * *

Since the established antibiotic drug as affected by the amendments specified in this order has been determined to be safe and efficacious for use, conditions prerequisite to certification under section 507 of the Federal Food, Drug, and Cosmetic Act, and since the amendments are noncontroversial and are in the public interest, notice and public procedure and delayed effective date are deemed unnecessary prerequisites to the promulgation of this order.

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

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: March 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-2828; Filed, Mar. 16, 1966; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 148y—METHACYCLINE

Methacycline Hydrochloride

Correction

In F.R. Doc. 66-2489, appearing at page 4201 of the issue for Thursday, March 10, 1966, the equations in § 148y.1(b)(1)(vi) should read as follows:

$$L=\frac{3a+2b+c-e}{5},$$

$$H=\frac{3e+2d+c-a}{5},$$

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter V—Smithsonian Institution

PART 500—STANDARDS OF CONDUCT

Pursuant to and in conformity with sections 201 through 209 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 500 is added to Title 36 of the Code of Federal Regulations, reading as set forth below. The heading of Chapter V is revised to read as set forth above.

Subpart A—General Provisions

Sec.
500.735–101 Purpose.
500.735–102 General.
500.735–103 Interpretative, advisory, and review services.
500.735–104 Disciplinary and other remedial action.

Subpart B—Gifts, Entertainment, and Favors

500.735–201 Gifts, entertainment, and favors from outside sources.
500.735–202 Unauthorized solicitations and gifts.

Subpart C—Outside Employment

500.735–301 General.
500.735–302 Representation.
500.735–303 Other activities.
500.735–304 Teaching, lecturing, and writing.
500.735–305 Holding office under State or local government.

Subpart D—Financial Interests

500.735–401 General.
500.735–402 Employees in procuring and contracting activities.
500.735–403 Exceptions.

Subpart E—Financial Responsibility

500.735–501 General.
500.735–502 Borrowing and lending money.

Subpart F—Conduct on the Job

500.735–601 General.
500.735–602 Use of Government funds.
500.735–603 Use of Federal and Smithsonian property.
500.735–604 Restrictions on disclosure of information.
500.735–605 Nondiscrimination.
500.735–606 Participation in management of employee organizations.
500.735–607 Gambling, betting, and lotteries.

Subpart G—Statements of Employment and Financial Interests

500.735–701 Applicability.
500.735–702 Time and place for submission of employees' statements.
500.735–703 Supplementary statements.
500.735–704 Interests of employees' relatives.
500.735–705 Information not known by employees.
500.735–706 Information not required.
500.735–707 Confidentiality of employees' statements.

Subpart H—Provisions Relating to Special Government Employees

500.735–801 Applicability.
500.735–802 Ethical standards of conduct.
500.735–803 Statement of financial interests required.
500.735–804 Statutory restrictions.
500.735–805 Requesting waivers or exemptions.

AUTHORITY: The provisions of this Part 500 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Provisions

§ 500.735–101 Purpose.

The regulations in this part set forth minimum standards of conduct for the Federal employees and special Government employees of the Smithsonian Institution, provide for interpretative and advisory services, and outline certain statutory provisions relating to standards of conduct and conflicts of interest.

§ 500.735–102 General.

(a) The maintenance of high standards of honesty, integrity, and impartiality by employees and special Government employees of the Smithsonian is essential to assure proper conduct of its business and of public confidence in the Institution. Employees must refrain from any private business or professional activity which would place them in a position where there is a conflict between their private interests and the interests of the Smithsonian Institution. Although a technical conflict may not exist, employees must avoid the appearance of such a conflict. Such employees are not to engage in any private activity which involves the use of, or the appearance of the use of, official information or other information gained through Smithsonian employment, which is not available to the general public or would not be made available upon request, for private gain for themselves, their families, or for business associates, either directly or indirectly.

(b) In general, employees shall avoid any action, whether or not specifically prohibited by the regulations in this part, which might result in or create the appearance of: Using their Smithsonian employment for private gain; losing impartiality and giving preferential treatment to any person; impeding Smithsonian efficiency or economy; making an official decision outside official channels; or affecting adversely the confidence of the public in the integrity of the Smithsonian Institution.

(c) Employees and special Government employees will not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Smithsonian or to the Government.

(d) Each employee and special Government employee should be aware of the following statutory prohibitions against:

(1) Lobbying with appropriated funds (18 U.S.C. 1913).

(2) Disloyalty and striking (5 U.S.C. 118p and 118r).

(3) Employment of a member of a Communist organization (50 U.S.C. 784).

(4) (i) Disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783);

and (ii) disclosure of confidential information (18 U.S.C. 1905).

(5) Habitual use of intoxicants to excess (5 U.S.C. 640).

(6) Misuse of a Government vehicle (5 U.S.C. 78c).

(7) Misuse of the franking privilege (18 U.S.C. 1719).

(8) Use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(9) Fraud or false statements in a Government matter (18 U.S.C. 1001).

(10) Mutilating or destroying a public record (18 U.S.C. 2071).

(11) Unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

§ 500.735–103 Interpretative, advisory, and review services.

The Secretary will designate a Counselor for the Smithsonian who will be the Smithsonian's designee to the Civil Service Commission on matters related to standards of conduct. Attorneys in the Office of the General Counsel will be designated as Deputy Counselors for the Smithsonian by the Counselor as needed. The Counselor shall review the statements of employment and financial interests submitted by employees and special Government employees. When that review indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Smithsonian, the Counselor will bring the indicated conflict to the attention of the employee or special Government employee, will grant the employee or special Government employee an opportunity to explain the indicated conflict, and attempt to resolve the indicated conflict. If the indicated conflict cannot be resolved, the Counselor will forward a written report on the indicated conflict to the Secretary. When the Secretary decides that remedial or disciplinary action is required to end the conflict or appearance of conflict he will effect such action as provided in § 500.735–104. Deputy Counselors will act in the absence or the unavailability of the Counselor, and their opinions shall be as authoritative as those of the Counselor.

§ 500.735–104 Disciplinary and remedial action.

A violation of the regulations in this part by an employee or special Government employee may be cause for appropriate remedial or disciplinary action, in addition to any penalty prescribed by law. Such action may include, but is not limited to: (a) Changes in assigned duties; (b) divestment by the employee or special Government employee of his conflicting interest; (c) disqualification for a particular assignment; or (d) appropriate disciplinary action.

Subpart B—Gifts, Entertainment, and Favors

§ 500.735–201 Gifts, entertainment, and favors from outside sources.

(a) In general, Federal employees may be subject to criminal penalties if they solicit, accept, or agree to accept anything of value in return for being influenced in performing or in refraining from performing an official act (see 18 U.S.C. 201, 203). Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who (1) has, or is seeking to obtain, contractual or other business or financial relations with the Smithsonian, or (2) has interests that may be substantially affected by the performance or nonperformance of the employee's official duty.

(b) The following exceptions to paragraph (a) of this section are appropriate:

(1) When the circumstances make it clear that it is a family or personal relationship (such as those between the employee's parents, children, or spouse and the employee), rather than the business of the persons concerned, acceptance of gratuities, favors, entertainment, or any other thing of monetary value is permissible;

(2) Food and refreshments of modest value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection or other tour where an employee may properly be in attendance may be accepted;

(3) Loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans, may be accepted;

(4) Unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of modest intrinsic value, may be accepted.

§ 500.735–202 Unauthorized solicitations and gifts.

(a) No employee shall solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (see 5 U.S.C. 113).

(b) Employees will not solicit contributions for, or otherwise promote, on Smithsonian Institution premises, any welfare or other type campaign, either national or local, unless participation in that campaign has had the endorsement of the Secretary.

(c) Employees will not sell tickets, stocks, articles, commodities, or services on Smithsonian Institution premises.

(d) The above prohibitions are not to be construed as prohibiting employees from engaging in bona fide activities of a recognized employee union, group, organization, or association on premises occupied by the Smithsonian Institution.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and by statute (see 5 U.S.C. 114–115a).

Subpart C—Outside Employment

§ 500.735–301 General.

(a) Outside employment or other outside activity may be appropriate when it would not adversely affect performance of an employee's official duties and would not reflect discredit on the Government or the Smithsonian Institution. Such work may include some paid or unpaid outside work which contributes to technical or professional development. Certain types of outside work, however, which give rise to real or apparent conflicts of interest, are prohibited by law or by regulation.

(b) The regulations in this part do not preclude an employee from receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence for which no Smithsonian payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits. Nor are employees precluded from participation in the activities of National or State political parties where such participation is not proscribed by law. Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, public service, or civic organization are permissible.

§ 500.735–302 Representation.

(a) An employee shall not, except in the discharge of his official duties, represent anyone else before a court or Government agency in any matter in which the United States is a party or has a direct and substantial interest (18 U.S.C. 203, 205).

(b) A person shall not, after his Smithsonian employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207).

(c) A person shall not, for 1 year after his Smithsonian employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has a direct and substantial interest and which was under his official responsibility (but in which he did not participate personally and substantially) during the last year of his Smithsonian employment (18 U.S.C. 207).

§ 500.735–303 Other activities.

Smithsonian employees shall not perform or engage in any outside work or outside activity, with or without compensation, which is not compatible with the full and proper discharge of the duties and responsibilities of his Smithsonian employment. Incompatible activities include but are not limited to:

(a) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or

create the appearance of, conflicts of interest;

(b) Outside employment which tends to impair his mental or physical capacity to perform his Smithsonian duties and responsibilities in an acceptable manner;

(c) Outside work which may be construed by the public to be official acts of the Smithsonian Institution;

(d) Any salary or anything of monetary value received by an employee from a private source as compensation for his services to the Smithsonian Institution (18 U.S.C. 209).

§ 500.735–304 Teaching, lecturing, and writing.

Smithsonian employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive order, or the regulations in this part. However, an employee shall not, with or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Smithsonian employment, except when that information is available to the general public or would be made available on request, or when the Secretary gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

§ 500.735–305 Holding office under State or local government.

(a) Employees of the Smithsonian may hold office under State or local government only to the extent permitted by Executive order or Part 734, Civil Service regulations (5 CFR Part 734). Part 734, Civil Service regulations, provides that with prior approval of the employing agency and a determination that an employee's service in the State or local office will not interfere with the regular and efficient performance of his duties, certain exceptions to the general prohibition can be made. However, such exceptions do not permit an employee to engage in partisan political activity. Exceptions under which officeholding is permitted with prior approval are:

(1) A full-time employee may hold a State or local office on other than a full-time basis;

(2) An employee employed on other than a full-time basis may hold a State or local office, whether full time or otherwise;

(3) An employee who is on leave without pay may hold a State or local office on a full-time basis;

(4) An employee of a State or local government who is on leave without pay may hold a Federal position on a full-time basis under a temporary appointment.

(b) Employees desiring to participate in political activities are cautioned to adhere strictly to the provisions of The Hatch Act, 5 U.S.C. 1181, 18 U.S.C. 602, 603, 607, and 608. Advice on political activities and copies of applicable statutes and regulations may be obtained from the Counselor.

Subpart D—Financial Interests

§ 500.735–401 General.

(a) An employee shall not participate in his official capacity in any matter in which he, his spouse, his minor child, or an outside business associate or organization (profit or nonprofit) with which he is connected or is negotiating employment has a financial interest (18 U.S.C. 208). Shares held in a widely diversified mutual fund or other regulated investment company are exempt from the provisions of 18 U.S.C. 208(a) as being too remote or inconsequential to affect the integrity of an officer's or employee's services, except as provided below in § 500.735–402. In other cases, whenever a question might be raised concerning the effect of a financial interest upon the integrity of an employee's official services, the employee shall, each time such a matter arises, request administrative approval to participate in the matter.

(b) An employee shall not have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with his Smithsonian duties and responsibilities, or engage in, directly or indirectly, a financial transaction as a result of, or primarily relying upon, information obtained through his Smithsonian employment. This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Smithsonian so long as it is not prohibited by law, Executive order, or the regulations in this part.

§ 500.735–402 Employees in procuring and contracting activities.

An employee who serves as a procurement or contracting officer or whose duties include authority to recommend or prepare specifications, negotiate noncompetitive contracts, or evaluate bids, shall not have financial interests in companies with which his office has any significant procurement or contracting relationship. Such employees may not hold shares in a mutual fund or other regulated investment company that specializes in holdings in industries with which his office has any significant procurement or contracting relationship.

§ 500.735–403 Exceptions.

If any situation arises in which it would appear to be contrary to the best interests of the Smithsonian, or cause undue hardship to an individual, to apply strictly the policies set forth in this subpart, a request for exception, with full disclosure of the relevant facts, should be forwarded to the Counselor.

Subpart E—Financial Responsibility

§ 500.735–501 General.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law, such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the agency determines does not, under the circumstances reflect adversely on the Smithsonian as his employer. If there is a dispute between an employee and an alleged creditor, the Smithsonian is not required to determine the validity or amount of the disputed debt.

§ 500.735–502 Borrowing and lending money.

(a) While on duty, or while on Smithsonian Institution premises, employees are forbidden to borrow money or lend money to anyone for the purpose of monetary profit or other gain. This prohibition is not applicable to operations of a recognized employee credit union or employee welfare plan.

(b) No supervisor may borrow money from subordinates, nor shall he request or require any subordinate to cosign or endorse a personal note.

Subpart F—Conduct on the Job

§ 500.735–601 General.

High standards of conduct on the job are required of employees of the Smithsonian Institution. Those employees in contact with the public play a particularly significant role in determining the public's attitude toward the Institution. Attitude, alertness, courtesy, consideration, and promptness in carrying out one's official duties, are important aspects of conduct.

§ 500.735–602 Use of Government funds.

The following laws carry penalties for misuse of Government funds:

(a) Improper use of official travel (18 U.S.C. 508);

(b) Embezzlement or conversion of public money, property, or records to one's use (18 U.S.C. 641);

(c) Taking or failing to account for public funds with which an employee is entrusted in his official position (18 U.S.C. 643);

(d) Embezzlement or conversion of another's money or property in the possession of an employee by reason of his employment (18 U.S.C. 654).

§ 500.735–603 Use of Federal and Smithsonian property.

(a) Employees shall not directly or indirectly use, or allow to be used, Federal or Smithsonian Institution property of any kind for other than officially approved activities.

(b) Employees have a positive duty to protect and conserve both Federal and Smithsonian Institution property, equipment, and supplies, including property leased to the Institution, which have been entrusted or issued to them. Employees are prohibited from willfully damaging or otherwise misusing Federal and Smithsonian Institution property, vehicles, equipment, tools, and instru-

ments; and are prohibited from defacing Smithsonian buildings, offices, and other premises or facilities of the Institution in any manner whatsoever.

§ 500.735–604 Restrictions on disclosure of information.

Unless specifically authorized to do so, employees will not disclose any official Smithsonian information which is of a confidential nature or which represents a matter of trust, or any other information of such character that its disclosure might be contrary to the best interests of the Government or of the Smithsonian Institution, e.g., private, personal, or business related information furnished to the Smithsonian in confidence. Security and investigative data for official use only shall not be divulged to unauthorized persons or agencies. This section shall not be construed, however, as directing any employee of the Smithsonian to withhold unclassified information from the press or public.

§ 500.735–605 Nondiscrimination.

In the performance of his duties, an employee shall not discriminate on grounds of race, color, religion, national origin, sex, or age. Discrimination because of political opinions or affiliations, refusal to render political service, or refusal to contribute money for political purposes is also prohibited.

§ 500.735–606 Participation in management of employee organizations.

Any employee has the right to be a member of an employee organization. He shall not, however, participate in the management of an employee organization as an officer of the organization or represent it in dealings with management when such activity might result in a conflict of interest or otherwise be incompatible with law or with the official duties of the employee. The duties of managerial executives who determine management policies and put them into effect and the duties of personnel employees, other than those in a purely clerical capacity, are inconsistent with participation in the management or representation of an employee organization. Conflict of interest will be deemed to exist when an employer is an officer of an employee organization or actively represents it on specific matters of direct official concern, and also has continuing responsibility as a management official for making administrative decisions or formal recommendations on cases or policies advocated by the same or similar employee organizations, or has management responsibility for dealing with officers or representatives of the same or a similar employee organization. The conflict must be immediate and real, not remote and theoretical.

§ 500.735–607 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or -leased property, or while on Smithsonian-owned or -leased property, or while on duty for the Smithsonian, in any gambling activity, including, but not limited to, the operation of a gambling device, conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

Subpart G—Statements of Employment and Financial Interests

§ 500.735–701 Applicability.

The following employees shall submit statements of employment and financial interests:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended;

(b) Employees in grade GS–16 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act;

(c) Positions in GS–13 and above, unless otherwise indicated, whose basic duties and responsibilities require the incumbent to exercise judgment in making or recommending a Smithsonian decision or in taking or recommending a Smithsonian action in regard to:

(1) Contracting or procurement, including the appraisal or selection of contractors; the negotiation or approval of contracts; the supervision of activities performed by contractors; the inspection of materials for acceptability; the procurement of materials, services, supplies, or equipment;

(2) Administering or monitoring grants, including grants to educational institutions and other non-Federal enterprises;

(3) Audit of financial transactions;

(4) Use and disposal of excess or surplus property (GS–11 and above);

(5) Establishment and enforcement of safety standards and procedures systems; and

(6) Activities (regardless of grade) where the decision or action has an economic impact on the interests of a non-Federal enterprise. Positions in the above categories may be excluded from the reporting requirement when the Secretary determines that the duties are at such a level of responsibility that the submission of a statement is not necessary because of the degree of supervision and review over the incumbents and the remote and inconsequential effect on the integrity of the Government and the Smithsonian.

§ 500.735–702 Time and place for submission of employees' statements.

An employee required to submit a statement of employment and financial interests under the regulations in this part shall submit that statement to the Counselor not later than:

(a) 90 days after the effective date of the regulations in this part if employed on or before that effective date; or

(b) 30 days after his entrance on duty, but not earlier than 90 days after the effective date of the regulations in this part, if appointed after that effective date.

§ 500.735–703 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year, to be filed not later than July 10.

§ 500.735–704 Interests of employees' relatives.

The interest of a spouse, minor child, stepchild, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations of the employee who are residents of the employee's household.

§ 500.735–705 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 500.735–706 Information not required.

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational or other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 500.735–707 Confidentiality of employees' statements.

Each statement of employment and financial interests and each supplementary statement, shall be held in strict confidence by the Smithsonian. The Smithsonian may not disclose information from a statement except as the Civil Service Commission or the Secretary may determine for good cause shown.

Subpart H—Provisions Relating to Special Government Employees

§ 500.735–801 Applicability.

The requirements of this subpart apply to "special Government employees." The

term "special Government employees" means and includes employees who are retained, designated, appointed, or employed to perform, with or without compensation, for not more than 130 days during any period of 365 consecutive days, temporary duties on a full-time or intermittent basis.

§ 500.735–802 Ethical standards of conduct.

A special Government employee must conduct himself according to ethical behavior of the highest order:

(a) He must refrain from any use of his Smithsonian employment which is, or appears to be, motivated by a desire for private gain for himself or other persons, particularly those with whom he has family, business, or financial ties.

(b) He shall not use inside information obtained as a result of his Smithsonian employment for private gain for himself or another person either by direct action on his part or by counsel, recommendations, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Smithsonian authority which has not become part of the body of public information.

(c) He shall not use his Smithsonian employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(d) While employed or in connection with his employment as a special Government employee, he shall not receive or solicit from any person having business with the Smithsonian anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties. The exceptions deemed appropriate for regular Smithsonian employees under § 500.735–201(b) also apply to special Government employees.

(e) He may write, teach, lecture, and hold office under State or local government under the conditions prescribed for regular employees in §§ 500.735–304 and 500.735–305.

§ 500.735–803 Statement of financial interests required.

(a) Each special Government employee described in §500.735–801 must submit a statement which reports:

(1) All other employment;

(2) The financial interests which relate either directly or indirectly to his duties and responsibilities with the Smithsonian.

(b) Such statement of employment and financial interests must be submitted not later than the time of employment by the Smithsonian. If during the period of appointment the special Government employee undertakes a new employment, he must promptly file an amended statement. He must also report any new financial interests acquired during the period of appointment, which interests relate either directly or indirectly to his duties.

(c) The requirements of this section may be waived or modified to the extent consistent with § 735.412 of the Civil Service Commission's regulations (5 CFR 735.412), upon application to the Secretary through the Counselor, who will attach his recommendations thereto.

§ 500.735–804 Statutory restrictions.

Each special Government employee shall acquaint himself with the provisions of the following statutes:

(a) Prohibitions affecting the activities of Government employees in their private capacities (18 U.S.C. 203, 205);

(b) Prohibitions affecting the activities of persons who leave the service of the Government (18 U.S.C. 207);

(c) A restriction on the activities of the Government employee in performing his functions as a Government employee (18 U.S.C. 208);

(d) The specific exclusion of special Government employees from the coverage of 18 U.S.C. 209 which prohibits a regular employee's receipt of compensation from private sources in certain circumstances.

§ 500.735–805 Requesting waivers or exemptions.

A special Government employee may request the following waivers or exemptions.

(a) An exemption if the outside financial interest is determined not to be substantial enough to have an effect on the integrity of his services (see 18 U.S.C. 208(b)).

(b) A limited waiver is permitted of restrictions in 18 U.S.C. 205 for the benefit of an employee who represents his own parents, spouse, child, or a person or estate which he serves as a fiduciary, if such representation is approved by the Secretary. No waiver is available for matters in which he has participated personally and substantially, or which are the subject of his official responsibility (see 18 U.S.C. 202(b)).

(c) He may be allowed to represent his regular employer or other outside organization in the performance of work under a grant or contract upon certification by the Secretary that the national interest requires it. Publication in the FEDERAL REGISTER of such certification is required.

This Part 500 was approved by the Civil Service Commission on February 8, 1966.

Effective date. This Part 500 shall become effective upon publication in the FEDERAL REGISTER.

S. DILLON RIPLEY,
Secretary.

[F.R. Doc. 66–2838; Filed, Mar. 16, 1966; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3949]

[Oregon 016908]

OREGON

Partial Revocation of Reclamation Withdrawals (Medford and Sams Valley Projects)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of February 20, 1943, withdrawing lands for reclamation purposes are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 33 S., R. 1 E.,
Sec. 14, SW¼NW¼, SE¼SW¼, and SW¼SE¼;
Sec. 20, SW¼SE¼ and E½SE¼;
Sec. 24, NW¼SW¼.
T. 34 S., R. 1 E.,
Sec. 2, S½SW¼;
Sec. 10, W½NE¼, SW¼SW¼, and SW¼SE¼;
Sec. 14, NE¼NE¼.
T. 33 S., R. 2 E.,
Sec. 30, lot 4.
T. 33 S., R. 1 W.,
Sec. 34, NE¼ and N½SE¼.
T. 34 S., R. 1 W.,
Sec. 2, N½SW¼, SE¼SW¼, and W½SE¼.

The areas described, including the public and national forest lands, aggregate 1,041.93 acres in Jackson County. Those in section 34, T. 33 S., R. 1 W., are in the Rogue River National Forest. Some of the lands are withdrawn in Project No. 828 for transmission line purposes, to which the Federal Power Commission's General Determination of April 17, 1922, is applicable, and some are withdrawn for other purposes.

The lands are situated from 24 to 35 miles north of Medford, Oreg. Elevation varies from 1,400 feet to 2,000 feet. Lands in this area generally support a growth of Douglas fir, Ponderosa pine, Incense cedar, madrona, buckbrush, and other native shrubs, forbs, and grasses.

2. At 10 a.m., on April 15, 1966, the national forest lands shall be open to such forms of disposition as may by law be made of national forest lands.

3. The State of Oregon has waived the preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). At 10 a.m., on April 15, 1966, the public lands shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of appli-

cable law. All valid applications received at or prior to 10 a.m., on April 15, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order or filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oreg.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MARCH 10, 1966.

[F.R. Doc. 66-2817; Filed, Mar. 16, 1966; 8:46 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

[CGFR 66-18]

PART 11—LICENSES IN TEMPORARY GRADES OR SPECIAL ENDORSEMENTS ON LICENSES TO PERMIT TEMPORARY SERVICE

The adequate manning of vessels has become a serious problem with the sudden increase in the number of active vessels needed to carry cargoes from U.S. ports. This condition has been reported to various agencies of the U.S. responsible for movement of cargoes connected with maritime activities. The Coast Guard has found that personnel to man vessels being reactivated are not always available and concurs in the findings of other Agencies concerning the unavailability of personnel. The Coast Guard has the administrative responsibility for establishing requirements and procedures for the licensing of persons who are deemed sufficiently qualified to serve as licensed officers on merchant vessels.

The regulations in 46 CFR Part 10 set forth the qualifications for men to serve as officers of merchant vessels under normal conditions and procedures for applicants to obtain various grades of licenses. Under emergency conditions or other special circumstances when licensed officers are not available in sufficient numbers to man all the vessels required to meet the needs of commerce, it is reasonable to provide for the licensing of officers for such emergency purposes. This is necessary in order that vessels be manned by officers who are considered sufficiently qualified under such emergency conditions who might not otherwise be considered as fully qualified.

The Under Secretary of the Navy in a letter dated January 20, 1966, requested the Coast Guard to take appropriate action to alleviate the problem concerning a shortage of available Third Assistant Engineers and proposed that favorable consideration be given to reducing the sea service requirements in 46 CFR Part 10 for applicants to qualify as Third Assistant Engineers. The problems in availability in various ports of persons holding Third Assistant Engineer licenses, as well as those holding Third Mate licenses and the potential shortages of other licensed personnel, were investigated. The Coast Guard has found that definite shortages or potential shortages in the availability of licensed officers below the grades of Master and Chief Engineer exist. Therefore, it is found necessary in the public interest that additional regulations designated as 46 CFR Part 11, as set forth in this document, regarding licenses in temporary grades or special endorsements on licenses to permit temporary service in higher grades are needed in order to make available persons found to be qualified to serve as officers of vessels under present conditions.

It is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon and effective date requirements) for the establishment of 46 CFR Part 11, as set forth in this document, is contrary to the public interest and therefore are exempted from such requirements under the provisions of section 4 of that Act (5 USC 1003).

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, under section 632 of Title 14, U.S. Code, and Treasury Department Order 120, dated July 31, 1950 (15 F.R. 6521), and the laws cited with the regulations in this document, the following regulations designated as 46 CFR Part 11 are prescribed and shall become effective on publication of this document in the FEDERAL REGISTER.

Subpart 11.01—General

Sec.
11.01-1 Application.
11.01-3 Purpose.
11.01-5 Duration of regulations.
11.01-10 Duration of licenses in temporary grades or special endorsements issued pursuant to this part.

Subpart 11.05—Definitions

11.05-1 General.
11.05-5 Endorsement for temporary service.
11.05-10 Regular license.
11.05-15 License in temporary grade.

Subpart 11.10—Licenses in Temporary Grades

11.10-1 Temporary Third Mate.
11.10-5 Regular license as Third Mate.
11.10-50 Temporary Third Assistant Engineer.
11.10-55 Regular license as Third Assistant Engineer.

Subpart 11.15—Endorsements on Licenses To Permit Temporary Services

Sec.
11.15-1 Special provisions.
11.15-5 Authority of endorsement on license for temporary service.

AUTHORITY: The provisions of this Part 11 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4440, as amended, 4441, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 228, 229, 231, 233, 367, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894.

Subpart 11.01—General

§ 11.01-1 Application.

(a) The regulations in this part apply to all applicants for licenses to serve as "Temporary Third Mate" or "Temporary Third Assistant Engineer," and for special endorsements on regular licenses as Second and Third Mates and Second and Third Assistant Engineers which will permit the holders to serve temporarily in the grade next higher than that endorsed on the regular licenses.

(b) The applicable regulations in Part 10 of this subchapter shall apply in all cases except to the extent that certain requirements in §§ 10.05-1 to 10.10-29, inclusive, are modified to permit issuance of licenses as "Temporary Third Mate" or "Temporary Third Assistant Engineer," and for endorsement of certain licenses authorizing the holders to serve temporarily in the grade next higher than the grade in which the license is issued other than as Master or Chief Engineer.

§ 11.01-3 Purpose.

(a) The regulations in this part set forth the special, reduced requirements of sea service by which applicants may be considered qualified for licenses as "Temporary Third Mate" or "Temporary Third Assistant Engineer." Compliance with these requirements will permit the issuance of licenses in temporary grades to those applicants who have established to the satisfaction of the Officer in Charge, Marine Inspection, that they possess the other qualifications necessary and are entitled to be issued such licenses.

(b) The regulations in this part set forth the special conditions under which the Officers in Charge, Marine Inspection, may endorse regular licenses as Second and Third Mates or Second and Third Assistant Engineers to permit qualified holders to serve temporarily in the grade next higher than that endorsed on the regular licenses.

§ 11.01-5 Duration of regulations.

(a) The regulations in this part shall be in effect for such a period of time as may be considered necessary to provide licensed officers in emergency situations upon the request of an authorized official of the U.S. Government. The amendments, revisions, additions or cancellations of these regulations shall become effective ninety (90) days after the date of publication in the FEDERAL REGISTER unless the Commandant shall fix a different time.

§ 11.01-10 Duration of licenses in temporary grades or special endorsements issued pursuant to this part.

(a) The licenses in temporary grades issued under the provisions of this part shall be valid for a period of five (5) years from the date of issuance unless sooner canceled or suspended by proper

authority as published in the FEDERAL REGISTER. Licenses in temporary grades shall not be renewed.

(b) The special endorsements placed on regular licenses to permit service in the grade next higher shall be valid for the period of the regular license. The special endorsement may be continued upon the first renewal of the regular license subsequent to obtaining the special endorsement unless sooner canceled or suspended by proper authority as published in the FEDERAL REGISTER. Except as provided in this paragraph, special endorsements shall not be renewed.

Subpart 11.05—Definitions

§ 11.05–1 General.

(a) Certain terms or words used in this part shall be used in accordance with the definitions in this subpart unless otherwise stated. When terms or words are defined in other regulations in this chapter, such definitions shall apply to the terms or words in this part except when such term or word is defined otherwise in this subpart.

§ 11.05–5 Endorsement for temporary service.

(a) The endorsement for temporary service means the special endorsement placed on a regular license authorizing the holder to serve in a temporary capacity on vessels in the grade next higher than the grade of the regular license, but subject to any other limitations placed on the regular license.

§ 11.05–10 Regular license.

(a) The term "regular license" means the license issued to an applicant who qualifies therefor under the provisions of Part 10 in this subchapter, and authorizes the holder to serve in the grade or grades stated therein and subject to any limitations placed on the license.

§ 11.05–15 License in temporary grade.

(a) The term "license in temporary grade" means the license issued to an applicant who qualifies for "Temporary Third Mate" or "Temporary Third Assistant Engineer" under the provisions of this part.

Subpart 11.10—Licenses in Temporary Grades

§ 11.10–1 Temporary Third Mate.

(a) The applicable procedures and requirements in Part 10 of this subchapter shall be followed and the applicant for a license as "Temporary Third Mate" will be considered eligible upon presentation of evidence of 24 months' service on deck in a watchstanding capacity and endorsement as "Able Seaman" on his merchant mariner's document.

(b) After application to the Officer in Charge, Marine Inspection, any person who is found qualified under the requirements set forth in this part shall be issued a license endorsed as "Temporary Third Mate."

(c) Such license endorsed as "Temporary Third Mate" authorizes the holder to serve in the capacity of "Third Mate" subject to any limitations appended with the same force and effect of a regular license issued without the term "temporary."

§ 11.10–5 Regular license as Third Mate.

(a) The holder of a license as "Temporary Third Mate," upon completion of such additional service as to meet the 36 months' service required for a regular license as "Third Mate" in Part 10 of this subchapter, is considered eligible for a regular license as Third Mate without examination. Such holder may submit a regular application with evidence of additional service to the Officer in Charge, Marine Inspection, who shall issue a regular license as Third Mate.

§ 11.10–50 Temporary Third Assistant Engineer.

(a) The applicable procedures and requirements in Part 10 of this subchapter shall be followed and the applicant for a license as "Temporary Third Assistant Engineer" shall be considered eligible upon presentation of evidence of 18 months' service in the capacity of Fireman, Oiler, Watertender, Junior Engineer, Deck Engine Mechanic, or Engine Man. Applicants presenting evidence of service as Electrician or Refrigeration Engineer will be given consideration when specifically recommended for a license by the Chief Engineer of a vessel on which such service has been performed and by the Superintending Engineer of a company on whose vessel the applicant has served in such capacity.

(b) After application to the Officer in Charge, Marine Inspection, any person who is found qualified under the requirements set forth in this part shall be issued a license endorsed as "Temporary Third Assistant Engineer."

(c) Such license endorsed as "Temporary Third Assistant Engineer" authorizes the holder to serve in the capacity of "Third Assistant Engineer" subject to any limitations appended with the same force and effect of a regular license issued without the term "temporary."

§ 11.10–55 Regular license as Third Assistant Engineer.

(a) The holder of a license as "Temporary Third Assistant Engineer," upon completion of such additional service as to meet the 36 months' service required for a regular license as "Third Assistant Engineer" in Part 10 of this subchapter, is considered eligible for a regular license as Third Assistant Engineer without examination. Such holder may submit a regular application with evidence of additional service to the Officer in Charge, Marine Inspection, who shall issue a regular license as Third Assistant Engineer.

Subpart 11.15—Endorsements on Licenses To Permit Temporary Services

§ 11.15–1 Special provisions.

(a) Upon application and after finding that an applicant meets the special conditions in this subpart, the Officer in Charge, Marine Inspection, may place on a regular license of Second and Third Mates and Second and Third Assistant Engineers an endorsement which will permit the holder to serve in a temporary capacity in the next higher grade, subject to any other limitations on such license.

(b) The holder of a regular license as Second or Third Mate or Second or Third Assistant Engineer who has served at sea under the authority of and in the capacity of such a regular license for a period of at least 6 months is eligible to apply for an endorsement authorizing him to serve temporarily in the grade next higher than the capacity stated on the regular license, but subject to any other limitations placed on such license, without examination.

(c) The holder of a regular license with an endorsement permitting service in the next higher grade, upon completion of such additional service as to meet the 12 months' service for the next higher grade as required by Part 10 of this subchapter, may apply for a regular license in that grade subject to examination. When such holder presents his application and shows to the satisfaction of the Officer in Charge, Marine Inspection, that he possesses all the applicable qualifications for such higher grade regular license specified in Part 10, the Officer in Charge, Marine Inspection, shall issue such regular license. No regular license shall be issued until the applicant has met all the service and examination requirements specified in Part 10 for such regular license.

§ 11.15–5 Authority of endorsement on license for temporary service.

(a) The endorsement on a regular license for temporary service authorizes the holder to serve in the capacity stated thereon subject to any limitations appended with the same force and effect of a regular license issued without the term "temporary."

Dated: March 11, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 66-2839; Filed, Mar. 16, 1966; 8:48 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Italy; Postal Union Mail

The regulations of the Post Office Department are amended as follows:

In § 168.5 *Individual country regulations*, make the following change which modifies existing prohibitions to Italy in view of new Italian regulations which provide for Italian banknotes to be mailed to Italy by banking institutions if addressed to Italian banks to be credited to "capital accounts."

In "Italy (including Republic of San Marino)," the item *Prohibitions and import restrictions* under Postal Union Mail is revised to read as follows:

Postal Union Mail

* * * * *

Prohibitions and import restrictions. Currency and checks except as stated below: Bonds and other values; gold and silver bullion, precious stones, jewelry, and other precious articles. Italian banknotes may be mailed by banking institutions directly to Italian banks to be credited to "capital accounts." The term "checks" is understood to mean only personal checks on U.S. banks payable in Italy. Bank drafts drawn by U.S. banks on Italian banks in favor of Italian payees are understood to be admitted. Postage, stamps, except as provided under *Observations*.

Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

[F.R. Doc. 66-2850; Filed, Mar. 16, 1966; 8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 0—THE COMMISSION

Subpart B—Canons of Conduct

APPROVAL BY CIVIL SERVICE COMMISSION

The "Miscellaneous Amendments to Appendix I," F.R. Doc. 66-2221, 31 F.R. 3344, is corrected by inserting the following paragraph immediately before the paragraph entitled "Effective date."

These amendments have been approved by the Civil Service Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-2840; Filed, Mar. 16, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Upper Souris 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

UPPER SOURIS NATIONAL WILDLIFE REFUGE

Sport fishing on the Upper Souris National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 6,000 acres are delineated on maps available at 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 conditions:

(1) The open season for sport fishing on the refuge extends from May 7, 1966, through September 14, 1966, daylight hours only.

(2) The use of minnows or any other fish or parts thereof, for bait (except perch eyes) is prohibited in all waters which lie north of the Lake Darling dam.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 14, 1966.

JOHN M. DOHL,
Refuge Manager, Upper Souris National Wildlife Refuge, Foxholm, N. Dak., 58738.

MARCH 10, 1966.

[F.R. Doc. 66-2816; Filed, Mar. 16, 1966; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7192]

AIRWORTHINESS DIRECTIVES

Lycoming O–540–B2B5 Engines

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Lycoming Model O–540–B2B5 engines. There have been failures of the crankshaft idler gear shaft on certain of these Lycoming engines. Since this condition is likely to exist or develop in other engines of the same design, the proposed AD requires the replacement of crankshaft idler shafts and accessory housing.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before April 16, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

LYCOMING. Applies to Model O–540–B2B5 engines, Serial Numbers 101–40 through 8267–40, installed in Piper PA–25 and Intermountain Manufacturing Co. airplanes, except engines remanufactured at Lycoming after November 14, 1965.

Compliance required as indicated, unless already accomplished.

To prevent further failures of crankshaft idler shafts, accomplish the following:

(a) For engines with, on the effective date of this AD, less than 300 hours' time in service since new or overhaul, comply with paragraph (c) before the accumulation of 400 hours' time in service since new or overhaul, whichever occurs first.

(b) For engines with, on the effective date of this AD, 300 or more hours' time in service since new or overhaul, comply with paragraph (c) within the next 100 hours' time in service.

(c) Replace crankshaft idler shaft, P/N 70390, and accessory housing, P/N 71648, with crankshaft idler shaft, P/N 73014, and accessory housing, P/N 75367 or 71648–85. (Lycoming Service Bulletin No. 308 pertains to this subject.)

Issued in Washington, D.C., on March 11, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–2806; Filed, Mar. 16, 1966; 8:45 a.m.]

[14 CFR Part 39]

[Docket No. 7193]

AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Boeing Model 727 Series airplanes. There have been instances of cracking in the B-nuts at the engine firewall resulting in extensive fuel leakage. It has been determined that only those B-nuts supplied by a particular manufacturer are susceptible to cracking. Since this condition is likely to exist or develop in other airplanes of the same design, the proposed AD would require inspection and replacement of defective fuel line B-nuts.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before April 16, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BOEING. Applies to Model 727 Series airplanes.

Compliance required as indicated, unless already accomplished.

It has been determined that certain of the B-nuts at the engine firewall on Boeing Model 727 Series airplanes are susceptible to cracking. To correct this condition:

(a) Within the next 600 hours' time in service after the effective date of this AD, inspect the engine fuel feed system B-nut, P/N NAS596, located at each engine firewall to determine if it is an AFCO (Aircraft Fitting, Inc.) manufactured part. Identification must be made in accordance with the instructions listed in Boeing Service Bulletin 28–25 dated December 3, 1965 or later FAA-approved revision.

(b) If the B-nut is not an AFCO part, no further action under this AD is required. If the B-nut is an AFCO part, accomplish the following before further flight:

(1) Inspect for cracks using a 10-power glass, dye penetrant or ultrasonic method.

(2) If cracks are found, remove the fuel line tube assembly and replace with a new part in accordance with Boeing Service Bulletin 28–25 dated December 3, 1965, or later FAA-approved revision or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(3) If no cracks are found, repeat the inspection required under subparagraph (1) every 600 hours' time in service until the AFCO B-nuts are replaced as specified in paragraph (c).

(c) Within the next 3,000 hours' time in service after the effective date of this AD, unless already accomplished under paragraph (b), remove all fuel feed line tube assemblies incorporating AFCO B-nuts and replace in accordance with Boeing Service Bulletin 28–25 dated December 3, 1965, or later FAA-approved revision or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(d) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

Issued in Washington, D.C., on March 11, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–2807; Filed, Mar. 16, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65–PC–5]

CONTROL ZONE, CONTROL AREA EXTENSION, AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

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

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on Interna-

tional Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

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

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

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The following controlled airspace is presently designated in the Kwajalein Island terminal area:

1. Kwajalein Island control zone is designated as that airspace within a 5-nmi radius of NAS Kwajalein Island.

2. The Kwajalein Island control area extension is designated as that airspace extending upward from 700 feet above the surface within a 100-nmi radius of the Kwajalein radio beacon from the 270° to the 180° bearings from the radio beacon, and within a 25-nmi radius of the Kwajalein radio beacon from the 180° to the 270° bearings from the radio beacon.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace requirements at Kwajalein Island, including studies attendant to implementation of provisions of CAR Amendment 60-21/60-29, proposes the airspace actions hereinafter set forth.

1. In § 71.171 (31 F.R. 2065) Kwajalein Island control zone would be redescribed as follows: The Kwajalein Island control zone would be designated as that airspace within a 5-mile radius of the Kwajalein Island AAF (latitude 08°43' N., longitude 167°44' E.), within 2 miles each side of the Kwajalein TACAN 248° True radial, extending from the 5-mile radius zone to 6 miles west of the TACAN, within 2 miles each side of the 008° True bearing from the Kwajalein RBN, extending from the 5-mile radius zone to 12 miles north of the RBN, and within 2 miles each side of the 078° True bearing from the Kwajalein RBN, extending from the 5-mile radius zone to 8 miles east of the RBN.

2. In § 71.181 (31 F.R. 2149) the following transition area would be added: The Kwajalein Island transition area would be designated as that airspace extending upward from 700 feet above the surface within a 12-nautical mile radius of the Kwajalein TACAN; and that airspace extending upward from 1,200 feet above the surface within a 100-nautical mile radius of the Kwajalein TACAN.

3. In § 71.165 (31 F.R. 2055) the Kwajalein Island control area extension would be revoked.

The control zone as proposed is necessary to protect aircraft executing prescribed instrument approach and departure procedures at the airport involved. The proposed transition areas are necessary to protect aircraft executing prescribed instrument approach and departure procedures, transition between terminal and oceanic control area and special operations in connection with Kwajalein test site activities.

The alteration to the control zone would provide extensions to protect aircraft making instrument approaches to Kwajalein.

The revocation of the presently designated control area extension and substitution of the transition area as proposed herein would result in the raising of the floor of controlled airspace from 700 feet to 1,200 feet above the surface outside of the 12-nmi radius from the TACAN.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Pacific Region, Federal Aviation Agency, Post Office Box 4009, Honolulu, Hawaii, 96812.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Pacific Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 4009, Honolulu, Hawaii, 96812. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510), and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on March 10, 1966.

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

[F.R. Doc. 66-2808; Filed, Mar. 16, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-21]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Huntingburg, Ind., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Huntingburg, Ind., terminal area, proposes the following airspace action:

Designate the Huntingburg, Ind., transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Huntingburg Airport (latitude 38°15'00" N., longitude 86°57'00" W.), and within 2 miles each side of the 067° bearing from the Huntingburg Airport extending from the 6-mile radius area to 8 miles northeast of the airport.

An "MH" facility is to be established to serve Huntingburg, Ind., Airport. A public-use instrument approach procedure has been developed using this facility, and it will be effective concurrent with the designation of controlled airspace.

The proposed transition area will provide controlled airspace for departing aircraft during climb from 700 to 1,200 feet above the surface. It will also provide controlled airspace protection for aircraft executing the prescribed instrument approach procedure during descent from 1,500 to 700 feet above the surface.

The controlled airspace proposed herein will underlie the Evansville, Ind., 1,200-foot transition area.

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

A new approach procedure is to be established; therefore, no procedural changes would be effected in conjunction with the actions proposed herein.

Specific details of the new approach procedure for Huntingburg, Ind., Airport and of the proposal contained herein may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency,

4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

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

Issued at Kansas City, Mo., on March 4, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-2809; Filed, Mar. 16, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-19]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Eufaula, Ala., transition area.

The proposed Eufaula, Ala., transition area would be designated as that airspace extending upward from 700 feet above the surface within a 4-mile radius of the Weedon, Ala., Airport (latitude 31°56'45" N., longitude 85°08'15" W.); within 2 miles each side of the Eufaula, Ala., VOR 014° radial extending from the 4-mile radius area to 8 miles NE of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles W and 5 miles E of the Eufaula VOR 014° radial extending from the VOR to 12 miles NE, excluding that portion which coincides with the Columbus, Ga., transition area.

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

The proposed transition area is needed for the protection of IFR operations at Weedon, Ala., Airport. A prescribed instrument approach procedure to the Weedon Airport utilizing the Eufaula, Ala., VOR is proposed in conjunction with the designation of this transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 18097, Memphis, Tenn., 38118. 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 Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 9, 1966.

HENRY S. CHANDLER,
Acting Director, Southern Region.

[F.R. Doc. 66-2810; Filed, Mar. 16, 1966; 8:46 a.m.]

[14 CFR Part 91]

[Notice No. 66-7]

AIR TRAFFIC CONTROL

Lateral Separation of Aircraft Over North Atlantic; Notice of Public Hearing

On December 8, 1965, the International Civil Aviation Organization Council approved a proposal that the 120-mile lateral separation standard for turbojet aircraft over the North Atlantic Ocean be reduced to 90 miles, effective January 13, 1966. As implemented, the 90-mile lateral separation standard for turbojet aircraft is now being applied at flight level 290[1] and above over the North Atlantic. Below flight level 290, the 120-mile lateral separation is still provided upon request if traffic permits.

On February 14, 1966, the Air Line Pilots Association requested a public hearing on the safety aspects of the change in separation, and repeated that request on February 28, 1966.

Background information. In the fall of 1961, the Federal Aviation Agency initiated a program called "Project Accordian" to measure the accuracy with which aircraft maintain position along their assigned route at flight level 290 and above over the North Atlantic. The measurements were derived from data obtained from aircraft flight logs, pilot reports, and radar sightings covering approximately 5,000 flights of 14 airlines.

[1] "Flight level" is used to describe the altitude of a flight with the altimeter set to a constant atmospheric pressure related to a reference datum of 29.92 inches of mercury. For example, flight level 290 represents a barometric altimeter indication of 29,000 feet; flight level 295, an indication of 29,500 feet.

Based on "Project Accordion" and nine other studies conducted by airlines, the United Kingdom, and Canada, the U.S. delegation to the ICAO special North Atlantic Regional Air Navigation Meeting of February and March, 1965, proposed that the 120-mile lateral separation between aircraft then in effect be reduced to 90 miles. Prior to this meeting, attended by representatives of 22 ICAO contracting States and 8 International Aviation Organizations, copies of the U.S. proposal were sent to U.S. aviation organizations and Government offices. All either concurred or did not comment. On June 11, 1965, the ICAO Council approved the reduction but did not establish an implementation date pending the completion of an independent study by the United Kingdom on aircraft track keeping accuracy. Upon the completion of this study, which covered over 2,000 airline flights, the ICAO Council established January 13, 1966, as the effective date for reducing the lateral separation over the North Atlantic to 90 nautical miles.

The reduction in lateral separation over the North Atlantic thus placed in effect was taken through international agreement, after determining that the present state of the navigational art permitted the reduction without any adverse effect on safety.

It is the policy of the Federal Aviation Agency to review any matter affecting air safety on a continuing basis. In view of ALPA's request for a public hearing on this matter, the Agency believes it is in the public interest to grant that request. The hearing will provide an opportunity for the presentation of data and other evidence on the safety of the present separation standards and the need, if any, for a change.

Notice of Hearing. In consideration of the foregoing, notice is hereby given that the Agency will hold a public hearing at 9 a.m., April 4, 1966, at the Federal Aviation Agency Building, 800 Independence Avenue SW., Washington, D.C., to receive the views of all interested persons on the subject.

Interested persons are invited to attend the hearing and present oral or written statements on the matters set forth herein which will be made a part of the record of the hearing. Any person who wishes to make an oral statement at the hearing should notify the Agency by March 30, 1966, stating the amount of time requested for making his statement. Each participant may be questioned by any other participant or by FAA representatives concerning his statement and any participant may submit further written comment, in duplicate, within 10 days after the closing of the hearing. In addition, any person may submit relevant written comments. These comments must be in duplicate, and must be received by the Agency by April 4, 1966, to be assured of full consideration.

A transcript of the hearing will be made. Anyone may buy a copy of the transcript from the reporter. All communications concerning this hearing should be addressed to the Office of the General Counsel, Rules Docket, Federal Aviation Agency, Washington, D.C.,

20553, marked "Attention: Presiding Officer, Public Hearing on Lateral Separation over North Atlantic."

All relevant matter presented will be fully considered in determining what further, if any, Agency action should be taken with respect to the present international agreement.

Issued in Washington, D.C., on March 15, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-2892; Filed, Mar. 16, 1966; 9:10 a.m.]

[14 CFR Part 151]

[Docket No. 7194; Notice No. 66-5]

REVIEW OF MISCELLANEOUS ELIGIBILITY CRITERIA AND PROGRAMING STANDARDS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amendments to Part 151 of the Federal Aviation Regulations to add, revise, and clarify certain eligibility criteria and programing standards for obtaining Federal financial assistance for airport development under the Federal-aid Airport Program.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before April 18, 1966, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Because of the number of proposals contained in this notice and the number of sections affected, specific regulatory language is not proposed except where it will enable the public to better understand the proposal. Where specific regulatory language is proposed, it is combined with the pertinent explanation. There is no separate preamble, and the proposals are listed in numerical order under two topics: Eligibility Criteria and Programing Standards.

ELIGIBILITY CRITERIA PROPOSALS

Proposal 1. Compliance With Outstanding Agreements (§§ 151.7, 151.37, and 151.67). Before the FAA authorizes any Federal-aid Airport Program funds for an airport development project grant or for an advance planning and engineering grant, § 151.7(a) requires that the Administrator must be satisfied "that the sponsorship requirements have been or will be met under existing and proposed agreements with the United States with respect to the airport involved." To be eligible to apply for a grant, § 151.37(b)(2) requires that, with respect to the airport involved, the sponsor must be able to "make, keep, and perform the assurances, agreements, and covenants" contained in the Project Application, Form FAA 1624, and described in § 151.67(a). As presently written, both §§ 151.7(a) and 151.37 apply only to agreements with the United States affecting the airport involved in the airport development project or advance planning and engineering proposal. In many cases, a sponsor may own or control two or more airports. Under these circumstances, a sponsor may have fully complied with all sponsorship requirements of agreements with the United States that affect the airport involved in the project or proposal. However, the sponsor may be in default under agreements with the United States affecting another airport he owns or controls. The FAA believes that it is not in the public interest to make a grant of Federal funds to any sponsor who is in default under any agreement with the United States affecting any airport he owns or controls. It is proposed to amend §§ 151.7, 151.37, and 151.67 to make them applicable to any agreement with the United States affecting any of the sponsor's airports.

Section 151.7(a) has been misunderstood by some to require that the sponsor be in compliance only with the terms and conditions of grant agreements with the United States made under the Federal-aid Airport Program. To clarify this problem, it is proposed to amend § 151.7(a) to state expressly that the agreements referred to include not only grant agreements and any special conditions in grant agreements, but also covenants under conveyances under section 16 of the Federal Airport Act, covenants under conveyances of surplus airport property under section 13(g) of the Surplus Property Act, and AP-4 agreements under the terminated Development Landing Areas National Defense Program and the Development Civil Landing Areas Program.

As presently written, § 151.7(a) does not expressly refer to the problem facing a sponsor who is in default under an agreement with the United States as to development, operation, and maintenance of an airport because of circumstances that he cannot control. Section 151.7(a) would be amended to allow the sponsor to establish to the satisfaction of the Administrator that the delay, deficiency, or default under the agreement is caused by factors that he is unable to control, and to provide that, when the Administrator is satisfied that the sponsor is not at fault, a grant may be made to the sponsor, if it is otherwise eligible.

As proposed to be amended, §§ 151.7(a), 151.37, and 151.67 would not apply to a sponsor's failure to comply with the assurance required under section 602 of the Civil Rights Act of 1964 and § 15.7 of the Federal Aviation Regulations (14 CFR 15.7). The remedial action that the FAA takes in the case of a default is governed by section 602 and Part 15 of the Federal Aviation Regulations.

Proposal 2. Adequate Land for Airport Development (§§ 151.9, 151.11, 151.25, 151.37, and 151.39). The basic purpose of the Federal-aid Airport Program is to provide Federal financial assistance to public agencies which own airports, to develop and maintain a national system of public airports that is adequate to anticipate and meet the needs of civil aeronautics. The basic national system to be achieved is set forth in the National Airport Plan, and the Federal-aid Airport Program is designed to make the National Airport Plan a reality. The Administrator is required to make certain that each airport development project is consistent with the National Airport Plan. To achieve this, the Administrator requires project sponsors, among other things, to own, control, or be able to acquire, interests in land that are adequate for the project and satisfactory to the Administrator. These requirements are now contained in § 151.25, for all project applications, and in §§ 151.9 and 151.11, for projects specifically including runway clear zones. Under § 151.37(d), a sponsor who cannot meet the requirements of § 151.25 is ineligible for a grant. However, the regulations contain no specific requirement that the sponsor must own, control, or be able to acquire, interests in land that are adequate to meet the future needs of civil aeronautics, and airport growth. The expenditure of Federal funds for projects at airports that cannot be developed to accommodate the future needs of civil aeronautics because of lack of land is not consistent with the policy of the Federal Airport Act, or of the FAA.

It is proposed to amend Part 151 to require project sponsors to own, control, or be able to acquire, adequate land for the next 5 years of future expansion of the airport in general, and specifically to meet the needs for new or expanded landing facilities, runway clear zones, and ground support activities. Sections 151.9, 151.11, 151.25, and 151.37(d) would be amended to reflect this proposal. Also, § 151.39(a) would be amended to require that the Administrator be satisfied that the land, or interests in land, shown on the Airport Layout Plan (§ 151.5(a)(1)) that the sponsor owns, controls, or is able to acquire, is adequate to accommodate the future needs of the airport, as projected in the National Airport Plan for the next 5 years.

Proposal 3. Value of Donated Land (§§ 151.23, 151.27, and 151.39). Except for land donated to the sponsor by another public agency, the value of land donated to the sponsor by any person may be included in a land acquisition or other project as an allowable project cost only under the circumstances stated in § 151.39(c). Related § 151.41(b)(6) states that land donated to the sponsor by another public agency is not an allowable project cost. When a project sponsor intends to include donated land in a project, § 151.23 requires the sponsor in his application to identify it as donated land, to describe the donation, and to state the value the sponsor places on the land. Also, § 151.27(c) requires the sponsor to submit with his application two or more independent appraisals of

the land made by disinterested appraisers. The FAA now uses these appraisals to determine the amount of the maximum United States' obligation in the grant offer under § 151.29(a). Requiring a sponsor to obtain these appraisals at his expense may be an undue burden, since trained FAA field personnel are available to appraise the land without cost to the sponsor. On the other hand, in some instances the appraisals a sponsor submits do not accurately reflect the actual value of the land. It is proposed to amend the regulations to make land donated to the sponsor ineligible for inclusion in any airport development project until the FAA makes or obtains an appraisal of its value, and §§ 151.23, 151.27, and 151.39 would be amended accordingly. No substantive change is proposed to § 151.41(b)(6). The proposed amendments would relieve the sponsor of the cost of obtaining the appraisals now required, and FAA would be certain that it is not obligating substantially more Federal funds than are actually necessary as the United States' share of the value of donated land.

Proposal 4. Consideration of Local Community Interest (*§ 151.39*). Under section 9(d)(3) of the Federal Airport Act, the Administrator may not approve an airport development project unless he is satisfied that fair consideration has been given to the interest of the communities in or near which the project is located. This statutory mandate is now reflected in § 151.39(a)(5). However, the regulations are silent as to how the Administrator obtains the information that is necessary for him to make his decision. It is proposed to amend § 151.39 to require the sponsor of the project to submit information to the Administrator that adequately demonstrates to him that the interest of local communities has received fair consideration, and that will enable him to make the necessary determination.

Proposal 5. Periodic Cost Estimate for Force Account Work (*§§ 151.51, 151.57, and 151.67*). In performing construction work, § 151.45(a) allows a sponsor to use his own work force, or the work force of another public agency acting as the sponsor's agent, when to do so is more effective and economical. A sponsor who uses force account must file a Periodic Cost Estimate, Form FAA 1629, when he applies for each grant payment under §§ 151.51(b) and 151.57(a)(2). Also, § 151.67(a)(5) describes Form FAA 1629 as being signed by the sponsor in the case of force account work. Among the accounting records the sponsor must keep, and make available to the FAA after proper notice under § 151.55, are the itemized costs of force account work. Since the sponsor's accounts must contain the information that the sponsor submits in the Periodic Cost Estimate, Form FAA 1629, and since these accounts are available to the FAA, it is proposed to delete the requirement that a sponsor using force account must file a Periodic Cost Estimate when he applies for a grant payment.

PROGRAMING STANDARDS PROPOSALS

Proposal 1. High or Medium Intensity Runway Lighting (*§§ 151.43 and 151.87*). Under § 151.39(b)(7), an airport development project may include items of runway lighting. Under § 151.13(b)(3), high intensity runway edge lighting must be included in a project when: (1) A runway equipped with ILS at the airport involved does not have high intensity runway edge lighting; (2) a runway will be equipped with ILS installed by FAA under the Facilities and Equipment Program (49 U.S.C. 1348(b)); or (3) a runway equipped with high intensity runway edge lighting will be extended under the current project. Under § 151.43(d)(1), Federal participation in the cost of installing high intensity runway edge lighting is 75 percent on a designated instrument runway, or on a runway with an approved straight-in approach procedure. The programing standards for high intensity runway edge lighting are contained in § 151.87(d), and provide that high intensity runway edge lighting is eligible as follows:

(1) 75 percent of the cost, either for a designated instrument landing runway, or for a runway with an approved straight-in approach procedure; or

(2) 50 percent of the cost for a runway that does not rate 75 percent participation, but that is served by a navigational aid that will allow use of instrument approach procedures.

The FAA has reviewed the extent of Federal participation in the cost of installing runway edge lighting. The FAA believes that the greatest benefit to safety in air commerce is derived from the installation of high intensity runway edge lighting on airport runways that are equipped with an Instrument Landing System (ILS) that will permit precision approach procedures. This lighting is now required under § 151.13(b)(3). The FAA believes that Federal participation should continue to be 75 percent, as provided by § 151.43(d)(1), in the cost of installing high intensity runway edge lighting on ILS equipped runways, when it is required under § 151.13(b)(3). However, although the FAA believes that a benefit to safety in air commerce is derived from the installation of high intensity runway edge lighting on airport runways with an approved straight-in approach procedure, or with a navigational aid that will allow use of instrument approach procedures, and although the FAA now authorizes 75 percent Federal participation in the installation cost of high intensity runway edge lighting on runways with approved straight-in approach procedures under § 151.43(d)(1), the FAA does not believe that Federal participation in these cases should continue to be 75 percent. This is because the increased level of safety resulting from installations on these runways is not as great as installations on ILS runways permitting precision approach procedures. Accordingly, it is proposed to amend § 151.87(d) to provide that Federal participation is 50 percent in the cost of high intensity runway edge lighting for airport runways without ILS, but with either: (1) An approved straight-in approach procedure; or (2) a navigational aid that will allow use of instrument approach procedures.

Finally, it is proposed to amend § 151.87(d) to provide that when an airport runway is not equipped so that it is eligible for 50 or 75 percent Federal participation in the cost of high intensity runway edge lighting, but is otherwise eligible for runway lighting, Federal participation will be limited to 50 percent of the cost of installing medium intensity runway edge lighting.

Proposal 2. In-runway Lighting (*§§ 151.43, 151.87, and Appendix F*). Under § 151.39(b)(7), an airport development project may include items of runway lighting, and under § 151.13(b)(2), the FAA requires in-runway lighting to be included in a project under stated circumstances. In-runway lighting is eligible for 75 percent Federal participation as stated in § 151.43(d), and is eligible for inclusion in any project under the programming standards of § 151.87(e). In-runway lighting is also listed as a typical eligible item in Appendix F. The words "narrow gauge, centerline, and turnoff" are used in §§ 151.43(d)(2), 151.87(e), and Appendix F to describe in-runway lighting systems. The FAA believes that these descriptive terms do not adequately describe in-runway lighting systems and that the term "touchdown lighting system, centerline lighting system, and exit taxiway lighting system" is both more accurate and more comprehensive and therefore better expresses the intent of the rule. It is proposed to amend §§ 151.43(d)(2), 151.87(e), and Appendix F to substitute the more comprehensive term stated above for the present language.

Proposal 3. Paving Second Runways (*§§ 151.77 and 151.79*). Under § 151.39(b)(5), an airport development project may include items of runway construction, and the programing standards for paving runways are contained in § 151.77 (generally) and § 151.79 (for additional runways). The standards for paving a second runway on the basis of wind conditions, contained in § 151.79(a), now apply to all airports. The FAA recently has developed new standards for eligibility of second runway paving on the basis of wind conditions on airports that serve only small aircraft. Under these new standards, a sponsor who owns such an airport would be able to include the paving of a second runway in a project under conditions that would make such paving ineligible by present standards. The FAA believes that present § 151.79 should be revised to more clearly distinguish between eligibility based on wind conditions and eligibility based on other factors. Also, the last four sentences should be deleted from § 151.79(a), since they are acceptable methods (but not the only methods) of demonstrating the existence of the required crosswind conditions.

Therefore, it is proposed to amend §§ 151.77 and 151.79, as follows:

(a) The second sentence of § 151.77(a) is amended to read as follows: "Program participation in constructing, reconstructing, or resurfacing is limited to a single runway at each airport, unless more than one runway is eligible under a standard in § 151.79 or § 151.80."

(b) Section 151.79 is amended to read as follows:

§ 151.79 Runway paving: second runway; wind conditions.

(a) Paving a second runway on the basis of wind conditions is eligible for inclusion in a project only if the sponsor establishes to the satisfaction of the Administrator that—

(1) The airport meets the applicable standards of paragraph (b), (c), (d), or (e) of this section;

(2) The operational experience, and the economic factors of air transportation at the location, justify an additional runway for the airport; and

(3) The second runway is oriented with the existing paved runway to achieve the maximum wind coverage, with due consideration to the aircraft noise factor.

(b) A second paved runway for an airport that serves both large and small aircraft is eligible when the existing paved runway is subject to a crosswind component of more than 15 miles per hour (13 knots) more than 5 percent of the time.

(c) A second paved runway for an airport that serves small aircraft exclusively is eligible when—

(1) The airport has 10,000, or more, aircraft operations each year; and

(2) The existing paved runway is subject to a crosswind component of more than 15 miles per hour (13 knots) more than 5 percent of the time.

(d) A second paved runway for an airport that serves small aircraft of less than 8,000 pounds exclusively is eligible when—

(1) The airport has 5,000, or more, aircraft operations each year; and

(2) The existing paved runway is subject to a crosswind component of more than 15 miles per hour (13 knots) more than 5 percent of the time.

(e) A second paved runway for an airport that serves small aircraft exclusively, that has limited facilities, and that is limited to VFR operations is eligible when the existing paved runway is subject to a crosswind component of more than 11.5 miles per hour (10 knots) more than 5 percent of the time.

(c) A new § 151.80 is added to read as follows:

§ 151.80 Runway paving: additional runway; other conditions.

Paving an additional runway on an airport, that does not qualify for a second runway under § 151.79, is eligible on a case-to-case basis if the Administrator is satisfied that—

(a) The layout and orientation of an additional runway would expedite traffic and justify an additional runway for an airport with 75,000, or more, aircraft operations each year; or

(b) A combination of traffic volume, wind coverage, and aircraft noise problems justifies an additional runway for any airport.

Proposal 4. Economy Approach Lighting Aids (§ 151.87 and Appendix F). Under § 151.39(b)(7), an airport development project may include items of runway, taxiway, or apron lighting, and §151.87 contains the programing standards for lighting and electrical work. The FAA has recently developed programing standards for economy approach lighting aids that include: (1) A medium intensity approach lighting system (MALS), that may include a sequence flasher (SF); (2) a runway end identifier lights system (REILS); and (3) an abbreviated visual approach slope indicator (AVASI). These economy approach lighting aids are designed to correct or substantially reduce the problem of visual reference deficiency on some lighted airport runways. When a visual reference deficiency exists on a lighted airport runway, the FAA believes that these economy approach lighting aids will increase the level of safety in aircraft operations at these airports, and recommends their inclusion in projects at airports having this problem. However, the FAA believes that it would not be in the public interest to obligate Federal-aid Airport Program funds for economy approach lighting aids when the airport will qualify for FAA installed approach lighting aids within the next 3 years under the Facilities and Equipment Program (49 U.S.C. 1348(b)). Therefore, it is proposed to amend § 151.87 to provide that economy approach lighting aids are eligible for inclusion in a project at an airport that:

(1) Has a visual reference deficiency on one of its lighted runways; and

(2) Will not qualify for FAA installed approach lighting aids within the next 3 years under the Facilities and Equipment Program. It is also proposed to amend Appendix F to add economy approach lighting aids to the list of Typical Eligible Items.

Proposal 5. Airport Entrance Roads (§ 151.89 and Appendix G). Under § 151.39(b)(8), an airport development project may include airport entrance and service road construction, alteration, and repair. Section 151.89 contains the programing standards for airport entrance and service roads. Although § 151.89(a) expressly states that Federal-aid Airport Program funds may not be used to resolve highway problems, the inclusion of an airport entrance road in a project often results in disputes between the sponsor and other public agencies as to the location, size, and adequacy of the entrance road. These disputes, in turn, result in delays in the timely completion of the project. To avoid these delays, and to limit the use of Federal funds to airport development involving efficient and safe airport operations, it is proposed to amend § 151.89 and Appendix G to limit participation in the construction of new airport entrance roads as follows:

(1) Only airport entrance roads at new airport sites leading to the nearest public highway by the shortest route would be eligible;

(2) Only airport entrance roads inside the airport boundary, as shown on the Airport Layout Plan, would be eligible; and

(3) Only the cost of a two-lane airport entrance road not more than 24 feet wide (12 feet for each lane) would be eligible. If a larger or more complex entrance road is constructed, Federal participation would be limited to the equivalent of the cost of a two-lane road under (3) above. It is not proposed to modify the programing standards for construction of service roads, or for the alteration or repair of existing airport entrance roads.

Proposal 6. Airport Utilities (§ 151.93). Under § 151.39(b)(9), an airport development project may include utility construction, installation, or connection, and under § 151.39(b)(12), a project may include utility relocation. Section 151.93(b) states that where a utility serves both eligible and ineligible airport areas or facilities, the utility is eligible on a pro rata basis. Section 151.93(b) also states that a water system is eligible to the extent necessary to provide fire protection. Use of Federal funds to provide any supporting utility for an ineligible airport area or facility is contrary to the policy of the Federal Airport Act. To give further effect to this policy, the FAA proposes to amend § 151.93 (b) to further limit U.S. participation in airport utility construction, installation, and connection when the utility serves both eligible and ineligible airport areas and facilities, as follows:

(1) Any airport utility serving both eligible and ineligible airport areas and facilities would be eligible only to the extent of the cost of providing additional utility service capacity for eligible airport areas and facilities that is over and above the cost of providing utility service necessary for all ineligible airport areas and facilities; and

(2) A water utility system would be eligible only to the extent necessary to provide fire protection for aircraft operations, and to provide water for a fire and rescue equipment building.

It is not proposed to modify the programming standard for utility relocation necessary to allow airport development, eligible under § 151.39(b)(12).

Proposal 7. Remarking Runways and Taxiways (§ 151.95). An airport development project may include runway or taxiway construction, alteration, or repair under § 151.39(b)(5). The programing standards for runway and taxiway paving are contained in §§ 151.77, 151.79, and 151.81, and the standards for runway and taxiway marking and remarking are contained in § 151.95(f). In some cases, the FAA receives a project application involving the construction of a new runway or taxiway, or involving runway or taxiway work that will obliterate existing markings, but the project does not provide for the marking of the new runway or taxiway, or for the remarking of the improved runway or taxiway. In other cases, a project at an air-

port, where existing runway or taxiway marking is obsolete under current FAA standards, may not provide for the remarking of the runway or taxiway involved. Also, the use of the words "has been obliterated" in § 151.95(f) may cause sponsors to believe that remarking of the affected runway or taxiway must be accomplished in a separate, later project when this is not intended. The FAA believes that adequate runway or taxiway marking or remarking is necessary for safe airport operation. Accordingly, it is proposed to amend § 151.95(f) to clarify the programing standards for runway and taxiway marking and remarking, as follows:

(1) The initial marking of new or presently unmarked runways or taxiways would be eligible; and

(2) The remarking of existing runways or taxiways would be eligible when—

(a) Present marking is obsolete under current FAA standards; or

(b) Present marking is obliterated by construction, alteration, or repair work included in the current project.

The programing standards for marking of aprons would not be changed.

To assure runway or taxiway remarking under item (2)(b) above, it is proposed to amend Subpart A by adding a new section that would require runway and taxiway remarking as part of a project that includes work that would obliterate existing markings.

Proposal 8. Aprons for Cargo Buildings (Appendix E). Section 13(b) of the Federal Airport Act provides that "the following shall not be allowable project costs * * *. (2) The cost of construction of any part of an airport building except such of those buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport." This provision is reflected in §§ 151.35(a)(1), 151.39(b)(4), 151.41(b)(2), and 151.93(a). Under section 13(b)(2), the FAA believes that no cargo building is eligible for inclusion in an airport development project. However, Appendix E (under § 151.83(c)) lists as item 4 under Typical Ineligible Items "Aprons for ineligible cargo buildings." This item appears to cause sponsors to believe that if there are "ineligible" cargo buildings, then there must be some eligible cargo buildings. Since all cargo buildings are ineligible for Federal participation, it is proposed to amend item 4 of Appendix E, Typical Ineligible Items, to read: "Aprons for any cargo building."

These amendments are propoesd under the authority of sections 1–15 and 17–21 of the Federal Airport Act (49 U.S.C. 1101–1114 and 1116–1120).

Issued in Washington, D.C., on March 11, 1966.

COLE MORROW,
Director, Airports Service.

[F.R. Doc. 66-2811; Filed, Mar. 16, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

CUSTOMHOUSE BROKERS

Licenses

The present provisions of Part 31 of the Customs Regulations (19 CFR Part 31) provide for the licensing of customhouse brokers on a district basis. Under the reorganization of the customs field service by Treasury Department Order No. 165–17 (30 F.R. 10913), there are established nine customs regions, each comprised of one or more customs districts. The Bureau is considering the advisability of licensing customhouse brokers on a regional basis instead of on the present district basis. This would permit a customhouse broker to operate in all districts in the region for which he is licensed. If this is done, the Bureau may also wish to consider whether proceedings for the revocation or suspension of customhouse brokers' licenses should be on a regional basis under the regional commissioner as chief customs officer.

It is desired to obtain the views of all interested parties. Prior to taking action on these proposals, consideration will be given to any relevant data, views, or arguments pertaining to these matters which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington, D.C., 20226, and received not later than 60 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: March 7, 1966.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66–2824; Filed, Mar. 16, 1966; 8:47 a.m.]

Foreign Assets Control

IMPORTATION OF CUT JADE STONES DIRECTLY FROM TAIWAN (FORMOSA)

Available Certification by Government of Republic of China

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodity:

Jade stones, cut but not set, suitable for use in jewelry.

[SEAL] MARGARET W. SCHWARTZ,
Director, Office of Foreign Assets Control.

[F.R. Doc. 66–2825; Filed, Mar. 16, 1966; 8:47 a.m.]

POST OFFICE DEPARTMENT

CITIZENS' STAMP ADVISORY COMMITTEE

Appointment of Members

Correction

In F.R. Doc. 66–2499 appearing at page 4252 in the issue for Thursday, March 10, 1966, the executive order designation referred to in item IV. now reads "Executive Order 11077". It is corrected to read "Executive Order 11007".

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

Notice of Filing of Idaho Protraction Diagram

MARCH 10, 1966.

Notice is hereby given that effective at and after 10 a.m., on April 14, 1966, the following protraction diagram is officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701, and is available to the public as a matter of information only. In accordance with Title 43, Code of Federal Regulations, this protraction will become the basic record for describing the land for all authorized uses. Until this date and time the diagram has been placed in open file and is available to the public for information only.

IDAHO PROTRACTION DIAGRAM NO. 70

BOISE MERIDIAN

Approved February 24, 1966

T. 12 N., Rs. 29, 30, 31, and 32 E.
T. 13 N., Rs. 29, 30, and 31 E.

Copies of this diagram are for sale at one dollar ($1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

EUGENE E. BABIN,
Acting Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66–2818; Filed, Mar. 16, 1966; 8:46 a.m.]

ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

MARCH 8, 1966.

Notice of an application, Serial Number Anchorage 060877, for withdrawal and reservation of lands was published as F.R. Doc. 64–2006, on page 2914 of the issue for March 3, 1964. The applicant agency has canceled its application so far as it involves the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Subpart 2311, such lands will be at 10 a.m., on March 21, 1966, relieved of the segregated effect of the above mentioned application.

The lands involved in this notice are:

EKLUTNA LAKE RECREATION AREA

SEWARD MERIDIAN

T. 14 N., R. 2 E. (Unsurveyed):
Sec. 12, E½SW¼.
T. 14 N., R. 3 E. (Unsurveyed):
Sec. 19, E½SE¼;
Sec. 20, W½W½;
Secs. 21 and 28, W½E½ and E½W½;
Sec. 33, E½NW¼.

The areas described aggregate approximately 1,040 acres.

R. DON CHRISTMAN,
Acting State Director.

[F.R. Doc. 66–2835; Filed, Mar. 16, 1966; 8:48 a.m.]

[Idaho 017112]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

MARCH 11, 1966.

The Department of Agriculture has filed an application, Serial Number Idaho 017112, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws nor disposals of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601–604), as amended. The applicant desires the land for public purposes as five campgrounds and one administrative site within the Caribou, Challis, and Payette National Forests.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

The authorized officer of the Bureau of Land Management will undertake

such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

CARIBOU NATIONAL FOREST

Swan Lake Campground

T. 9 S., R. 43 E.,
Sec. 30, SW¼NW¼SE¼, SW¼SE¼, and SW¼SE¼SE¼.
Totaling 60 acres.

CHALLIS NATIONAL FOREST

Pole Flat Campground

T. 11 N., R. 15 E., unsurveyed,
When surveyed will probably be in the NE¼, sec. 8, more particularly described as:

Beginning at a reference point, being an iron stake set in the ground with 3.5 feet exposed and a pile of rocks raised 1.8 feet high around the stake and which is located on the north bank of the mouth of Pole Creek at the high watermark on the east bank of the Yankee Fork of the Salmon River, thence N. 12°45' E., 1,385 feet to corner No. 1, from whence a pile of rock, raised 2.5 feet, bears S. 81°E., 3 feet; thence by metes and bounds;
N. 12° E., 734 feet along Yankee Fork to corner No. 2; N. 82° E., 1,477 feet to corner No. 3; S. 5° W., 388 feet to corner No. 4; N. 80° W., 672 feet to corner No. 5; S. 38° W., 496 feet to corner No. 6; S. 70° W., 675 feet to corner No. 1 the point of beginning.
Totaling 15 acres, more or less. All corners established by placing a Forest Service sign No. 394–C on an iron stake exposed 4.5 feet above ground at each corner.

Jerrys Creek Campground

T. 12 N., R. 15 E., unsurveyed,
When surveyed will probably be in the NE¼, sec. 32, more particularly described as:

Beginning at reference point U.S. Geodetic Survey Marker T 232, thence N. 34° W., 275 feet to corner No. 1, the true point of beginning, thence by metes and bounds;
N. 76° E., 1,070 feet to corner No. 2; S. 29° E., 300 feet to corner No. 3; S. 75° W., 856 feet to corner No. 4; S., 871 feet to corner No. 5; S. 85° W., 380 feet to corner No. 6; N. 7° W., 172 feet to corner No. 7; N. 10° E., 455 feet to corner No. 8; N., 387 feet to corner No. 9; N. 8° W., 165 feet to corner No. 1, the point of beginning.
Totaling 16 acres, more or less.

All corners were established by placing a green iron fence post in ground and Forest Service sign, Form 394–C on each post.

West Fork Campground

T. 12 N., R. 15 E., unsurveyed,
When surveyed will probably be in the W½, sec. 8, more particularly described as:

Beginning at a reference point, being an iron stake set in the ground with 4 feet exposed and which is located 45 feet above high waterline on the south bank of the mouth of Sawmill Creek which is on the west bank of the West Fork of Yankee Fork of the Salmon River, thence N. 29° W., 4,750 feet along the West Fork to corner No. 1, the true point of beginning; thence by metes and bounds;
N. 82° W., 450 feet along West Fork to corner No. 2; N. 54° W., 527 feet along West Fork to corner No. 3; N. 27° W., 711 feet along West Fork to corner No. 4; S. 88° W., 295 feet along West Fork to corner No. 5; S. 82° W., 286 feet along West Fork to corner No. 6; N. 17° W., 521 feet across West Fork Road to corner No. 7; S. 81° E., 2,130 feet to corner No. 8; S. 4° E., 859 feet to corner No. 9; S. 39° W., 384 feet to corner No. 1, the point of beginning.
Totaling 39 acres, more or less.
All corners established by placing Forest Service sign No. 394–C on an iron stake exposed 4 feet above ground.

Custer Campground

T. 12 N., R. 15 E., unsurveyed,
When surveyed will probably be in the NE¼, sec. 2, more particularly described as:

Beginning at reference point U.S. Coast and Geodetic Survey Marker No. F 234 thence S. 50° E., 237 feet to corner No. 1, the true point of beginning, thence by metes and bounds;
N. 8° W., 307 feet to corner No. 2; N. 47° E., 335 feet to corner No. 3; N. 78° E., 425 feet to corner No. 4; S. 53° E., 235 feet to corner No. 5; N. 78° E., 199 feet, to corner No. 6; S. 39° E., 130 feet to corner No. 7; S. 41° W., 403 feet to corner No. 8; S. 75° W., 225 feet to corner No. 9; N. 88° W., 223 feet to corner No. 10; S. 84° W., 367 feet to corner No. 1; the point of beginning.
Totaling 11 acres, more or less.
All corners established by placing Forest Service sign, Form 394–C on a green iron fence post exposed 54 inches above ground.

PAYETTE NATIONAL FOREST

Chamberlain Administrative Site

T. 24 N., R. 10 E., unsurveyed,
When surveyed will probably be in secs. 26, 27, 34, 35, and 36, more particularly described as:

Commencing at U.S.L.M. No. 344 thence S. 83°09'52" W., 4,319.42 feet to corner No. 1 the real point of beginning; thence by metes and bounds;
N. 76°45' W., 929.28 feet to corner No. 2; N. 33°18' W., 1,537.80 feet to corner No. 3; S. 46°49' W., 1,474.44 feet to corner No. 4; S. 4°30' E., 2,730.25 feet to corner No. 5; S. 12°55' E., 2,949.88 feet to corner No. 6; S. 86°28' E., 908.82 feet to corner No. 7; S. 61°06' E., 1,075.14 feet to corner No. 8; E., 2,046.00 feet to corner No. 9; N. 22°36' W., 1,309.44 feet to corner No. 10; N. 71°52' E., 1,626.24 feet to corner No. 11; N. 50°17' E., 1,896.82 feet to corner No. 12; N. 58°12' W., 5,230.44 feet to corner No. 1; the point of beginning.
Totaling 657.644 acres.

The areas described aggregate 799 acres more or less in Caribou, Custer, and Idaho Counties, Idaho.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 66–2836; Filed, Mar. 16, 1966; 8:48 a.m.]

Fish and Wildlife Service

[Docket No. G–362]

HOWARD JAKE BOWMAN

Notice of Loan Application

Howard Jake Bowman, Box 574, Seadrift, Tex., 77983, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 39-foot wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

DONALD L. MCKERNAN,
Director,
Bureau of Commercial Fisheries.

MARCH 14, 1966.

[F.R. Doc. 66–2834; Filed, Mar. 16, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

CHIEF OF RATES, SERVICES AND FACILITIES BRANCH, PACKERS AND STOCKYARDS DIVISION, ET AL.

Delegation of Authority

Pursuant to authority (30 F.R. 1260, as amended, 30 F.R. 6597) delegated to the Director of the Packers and Stockyards Division:

1. The Chief of the Rates, Services, and Facilities Branch; the Chief of the Registrations, Bonds and Reports Branch and the Chief of the Scales and Weighing Branch of the Packers and Stockyards Division are hereby delegated authority, by virtue of the provisions of section 402 of the Packers and Stockyards Act (7 U.S.C. 222), to issue general and special

orders pursuant to the provisions of section 6(b) of the Federal Trade Commission Act (15 U.S.C. 46(b)) and to issue notices of default provided for in section 10 of the Federal Trade Commission Act (15 U.S.C. 50).

2. The Chief of the Rates, Services, and Facilities Branch of the Packers and Stockyards Division is hereby delegated authority to perform all acts, functions, and duties with respect to suspending the operation of schedules and extending the time of suspensions pursuant to the provisions of section 306(e) of the Packers and Stockyards Act, as amended (7 U.S.C. 207(e)).

3. The Chief of the Registrations, Bonds, and Reports Branch of the Packers and Stockyards Division is hereby delegated authority to perform all acts, functions, and duties with respect to the posting and depositing of stockyards pursuant to the provisions of section 302(b) of the Packers and Stockyards Act, as amended (7 U.S.C. 202(b)).

4. The Chief of the Packer Branch of the Packers and Stockyards Division is hereby delegated authority to perform all acts, functions, and duties with respect to the issuing of licenses pursuant to the provisions of section 502(b) of the Packers and Stockyards Act, as amended (7 U.S.C. 218a(b)).

No delegation made herein shall preclude the Director of the Packers and Stockyards Division from performing any of the duties or exercising any of the functions or powers delegated hereby. The delegations made hereby are subject at all times to withdrawal or amendment by the Director.

Done at Washington, D.C., this 11th day of March 1966.

DONALD A. CAMPBELL,
Director, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-2845; Filed, Mar. 16, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additive Chlortetracycline

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 6C1934) has been filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, proposing the following amendments to the food additive regulations relating to the safe use of chlortetracycline in swine feed and for calves:

1. The petitioner proposes that paragraph (d) of § 121.208 *Chlortetracycline* be amended by:

a. Adding to items 4 and 5 in table 2 the limitation "withdraw 24 hours before slaughter."

b. By changing the withdrawal limitation for items 1 and 2 of table 5 from "24 hours" to "48 hours."

2. It is also proposed that § 121.1014 *Chlortetracycline* be amended by reducing the tolerances of 4 parts per million in uncooked swine kidneys, 2 parts per million in uncooked swine liver, and 4 parts per million in uncooked calf kidneys and liver to 1.5 parts per million, respectively.

Dated: March 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-2830; Filed, Mar. 16, 1966; 8:47 a.m.]

E. I. DU PONT DE NEMOURS AND CO., INC.

Notice of Filing of Petition for Food Additives Resinous and Polymeric Coatings

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 6B1988) has been filed by E.I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, Del., 19898, proposing an amendment to § 121.2569 *Resinous and polymeric coatings for polyolefin films* to provide for the safe use of glycidyl acrylate and glycidyl methacrylate as comonomers in vinylidene chloride copolymers used in coatings for polyolefin food-contact films.

Dated: March 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-2831; Filed, Mar. 16, 1966; 8:48 a.m.]

NORWICH PHARMACAL CO.

Notice of Filing of Petition for Food Additive Buquinolate

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 6D1851) has been filed by The Norwich Pharmacal Co., Post Office Box 191, Norwich, N.Y., 13815, proposing the issuance of regulations to provide for the safe use of buquinolate (ethyl 4-hydroxy-6,7-diisobutoxy-3-quinoline-carboxylate) in chicken feed at a level of 75 grams per ton (0.00825%) for the prevention of coccidiosis due to *Eimeria tenella*, *E. necatrix*, and *E. acervulina* in broiler chickens, but not for laying chickens.

Tolerances proposed by the petitioner for buquinolate in uncooked edible portions of chickens are: 0.4 part per million in livers; 0.3 part per million in kidneys and fat; and zero in muscle and skin.

Dated: March 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-2832; Filed, Mar. 16, 1966; 8:48 a.m.]

SALSBURY LABORATORIES

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 6D1941) has been filed by Salsbury Laboratories, Charles City, Iowa, 50616, proposing amendments to § 121.262 *3-Nitro-4-hydroxyphenylarsonic acid* and § 121.269 *2-Chloro-4-nitrobenzamide* to provide for the safe use in chicken feed of 2-chloro-4-nitrobenzamide alone or in combination with 3-nitro-4-hydroxyphenylarsonic acid, as an aid in the prevention of coccidiosis due to *E. tenella* and *E. necatrix*, plus use of the combination as an aid in growth promotion, feed efficiency, and improved pigmentation.

Dated: March 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-2833; Filed, Mar. 16, 1966; 8:48 a.m.]

CIVIL SERVICE COMMISSION

PROFESSIONAL ENGINEERS, CERTAIN PHYSICAL SCIENTISTS, AND MATHEMATICIANS

Notice of Adjustment of Minimum Rates and Rate Ranges

1. Under authority of section 504 of the Federal Salary Reform Act of 1962, as amended, and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and rate ranges for grades GS-6, GS-7, GS-8, and GS-9, in the following occupations under the Classification Act of 1949, as amended:

a. All Professional Series in the Engineering and Architecture Group, GS-800.

Professional Series at present in the GS-800 Group are:

GS-801	General.
GS-803	Safety.
GS-804	Fire Prevention.
GS-806	Materials.
GS-807	Landscape Architecture.
GS-808	Architecture.
GS-810	Civil.
GS-819	Sanitary.
GS-830	Mechanical.
GS-840	Nuclear.
GS-850	Electrical.
GS-855	Electronic.
GS-861	Aerospace.
GS-870	Marine.
GS-871	Naval Architecture.

GS–880 Mining.
GS–881 Petroleum Production and Natural Gas.
GS–890 Agricultural.
GS–892 Ceramic.
GS–893 Chemical.
GS–894 Welding.
GS–896 Industrial.

b. Science Series and Specializations.

GS–015 Operations Research.[1]
GS–1221 Patent Adviser.
GS–1224 Patent Examining.
GS–1301.1 Physical Science Subseries.
GS–1306 Health Physics.
GS–1310 Physics.
GS–1313 Geophysics (Seismology).
GS–1313 Geophysics (Geomagnetics).
GS–1313 Geophysics (Earth Physics).
GS–1315 Hydrology.
GS–1320 Chemistry.
GS–1321 Metallurgy.
GS–1330 Astronomy and Space Science.
GS–1340 Meteorology.
GS–1360 Oceanography.
GS–1372 Geodesy.
GS–1380 Forest Products Technology.
GS–1390 Technology, in the following specializations: Aviation Survival Equipment; Industrial Radiography; Packaging and Preservation; Photographic Equipment.
GS–1510 Actuary.
GS–1520 Mathematics.
GS–1529 Mathematical Statistics.

c. GS–690 Industrial Hygiene Series.

2. The revised rates are as follows:

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS–6	$6,654	$7,046	$7,238	$7,430	$7,622	$7,814	$8,006	$8,198	$8,390	$8,582
GS–7	7,511	7,718	7,925	8,132	8,339	8,546	8,753	8,960	9,167	9,374
GS–8	7,781	8,009	8,237	8,465	8,693	8,921	9,149	9,377	9,605	9,833
GS–9	8,241	8,495	8,749	9,003	9,257	9,511	9,765	10,019	10,273	10,527

3. Geographic coverage: Worldwide.

4. Effective date: The effective date will be the first day of the pay period which begins on or after June 1, 1966.

5. After the effective date, all new employees in the specified occupational levels will be hired at the new minimum rates.

6. As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the existing special rate range, shall receive compensation at the corresponding numbered rate authorized by this notice on or after such date.

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

[F.R. Doc. 66–2868; Filed, Mar. 16, 1966; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30—Indianapolis, Ind., Region, Rev. 1]

MIDWESTERN REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Midwestern Area Chicago, 30 F.R. 3252, as amended by 30 F.R. 7686, 30 F.R. 8599, 30 F.R. 13556, and 30 F.R. 14062; Delegation of Authority 30 F.R. 4732 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determination (delegated to the positions as indicated below).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (Size determinations for financial assistance only).

2. Item I.B. (Eligibility determinations for financial assistance only).

3. To approve business and disaster loans not exceeding $350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), *Administrator*
By ----------
(*Name*)
Title of person signing.

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefore, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Working Supervisor, Loan Processing.* 1. Item I.A. (size determinations for financial assistance only.)

2. Item I.B. (eligibility determinations for financial assistance only.)

Final approval authority for the following actions concerning current direct or participation loans:

3. Use of the cash surrender value of life insurance to pay the premium on the policy.

4. Release of dividends of life insurance or consent to application against premiums.

5. Minor modifications in the authorization.

6. Extension of disbursement period.

7. Extension of initial principal payments.

8. Adjustment of interest payment dates.

9. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

E. *Working Supervisor, Loan Administration and Liquidation.* 1. Item I.C.12 only the authority for servicing, administration and collection, including subitems a. and b.

F. *To Loan Specialists GS–9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following

[1]Rates do not apply at grades 6 through 8.

actions concerning director participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

G. Reserved.

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size determinations on PMA activities only).

2. Item I.B. (Eligibility determinations on PMA activities only).

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving funds, requested by U.S. Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; (d) issue Government bills of lading; and (e) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date. March 1, 1966.

ROBERT V. HINSHAW,
Regional Director,
Indianapolis, Ind.

[F.R. Doc. 66-2837; Filed, Mar. 16, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian List 208]

CANADIAN BROADCAST STATIONS

Changes, Proposed Changes and Corrections in Assignments

FEBRUARY 25, 1966.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 4721423) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CKPG (now in operation with increased power).	Prince George, British Columbia.	*550 kilocycles* 10 kw	DA-N	U	III	
CKXR (assignment of call letters—now in operation).	Salmon Arm, British Columbia.	*530 kilocycles* 1 kw	DA-2	U	III	
CHRC (PO: 800 kc/s 10 kw DA-1.	Quebec, Province of Quebec.	*800 kilocycles* *50 kw*	DA-1	U	II	E.I.O. 2-15-67.
CHRE (assignment of call letters).	Sydney, Nova Scotia	*960 kilocycles* 10 kw	DA-1	U	III	
CHEX (PO: 960 kc/s 5 kw DA-2).	Peterborough, Ontario	*960 kilocycles* *10 kw D/5 kwN*	DA-2	U	III	E.I.O. 2-15-67.
CKNW (NIO with increased power and change in orientation as notified in List No. 198).	New Westminster, British Columbia.	*980 kilocycles* 50 kw	DA-1	U	III	
New	New Liskeard, Ontario.	*1230 kilocycles* 1 kw D/0.25 kwN.	ND	U	IV	E.I.O. 2-14-67.
New	Osoyoos, British Columbia.	*1240 kilocycles* 1 kw D/0.25 kwN.	ND	U	IV	E.I.O. 2-15-67.
CFVR (correction of operation from that shown in in List No. 200).	Abbotsford, British Columbia.	*1240 kilocycles* 1 kw D/ 0.25 kwN.	{ *DA-D* ND-N }	U	IV	
CJOE (assignment of call letters. Change in location, increase in power, and change in pattern).	London, Ontario	*1290 kilocycles* *10 kw*	*DA-1*	U	III	E.I.O. 2-15-67.
CKLM (PO: 1570 kc/s 10 kw DA-1).	Montreal, Province of Quebec.	*1570 kilocycles* *50 kw*	DA-2	U	II	E.I.O. 2-15-67.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-2846; Filed, Mar. 16, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-281]

EASTERN SHORE NATURAL GAS CO.

Notice of Application

MARCH 11, 1966.

Take notice that on March 4, 1966, Eastern Shore Natural Gas Co. (Applicant), Post Office Box 615, Dover, Del., filed in Docket No. CP66-281 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of metering and connecting facilities for the sale and delivery of gas on an interruptible basis to Standard Bitulithic Co. (Standard), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to tap its 6-inch pipeline at Mount Pleasant, Del., and provide a metering and regulating station for the sale and delivery of gas on an interruptible basis to Standard for use in the processing of asphalt paving. Applicant states that the proposed delivery point will make connection with a 2-inch pipeline to be constructed at the expense of Standard in

order to connect the gas supply to its plant located approximately 1,400 feet from Applicant's 6-inch line.

The application states that Standard's use of gas will be limited to the summer and fall months of the year and that during these periods the maximum daily volume of gas to be consumed by Standard is estimated at 500 Mcf, while the total annual consumption is estimated at 22,500 Mcf. The application further states that authorization of the proposed service will not affect Applicant's ability to supply service to its remaining customers.

The total estimated cost of Applicant's proposed meter and regulator facilities is $2,150, which cost will be financed from funds on hand.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before April 8, 1966.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if 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 Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-2812; Filed, Mar. 16, 1966; 8:46 a.m.]

[Docket No. E-7277]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

MARCH 11, 1966.

Take notice that on March 10, 1966, the Iowa Southern Utilities Co. (Iowa), an operating public utility incorporated under the laws of the State of Delaware and doing business in the State of Iowa with its principal place of business office in Centerville, Iowa, filed an application with the Federal Power Commission seeking authority pursuant to section 204 of the Federal Power Act to issue short term notes in an aggregate amount not to exceed $20,000,000.

According to Iowa the notes are to be issued from time to time as a need for funds arises with maturity dates not in excess of 6 months from the date of issue and in any event not later than October 31, 1967, and will bear interest at a rate not to exceed the prime rate in effect at the time of the borrowing of the first $15,000,000 and will not exceed one-quarter of a percent above such rate on the balance. Iowa represents that the notes are to be issued to the Continental Illinois National Bank & Trust Co. of Chicago in an amount not to exceed $20,000,000.

Iowa states that the notes are to be issued for the purpose of financing its 1966, 1967, and 1968 construction program. The principal item in this program is the construction of the 212,000 kw, Burlington Generation Station, which has an estimated total cost of $24,580,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 29, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-2813; Filed, Mar. 16, 1966; 8:46 a.m.]

[Docket No. CP66-284]

MICHIGAN GAS STORAGE CO.

Notice of Application

MARCH 11, 1966.

Take notice that on March 7, 1966, Michigan Gas Storage Co. (Applicant), 212 West Michigan Avenue, Jackson, Mich., filed in Docket No. CP66-284 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to use its existing facilities for the transportation, for and in behalf of Consumers Power Co. (Consumers), of up to 350,000 Mcf of natural gas per day, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

By order of the Commission issued in Docket No. CP65-245 on April 13, 1965, Applicant was authorized to transport up to 275,000 Mcf of natural gas per day for and in behalf of Consumers commencing November 1, 1965. The gas contemplated by said authorization was to be supplied to Consumers by Trunkline Gas Co. (Trunkline).

Applicant states that an amendment dated December 29, 1965, to an agreement between Consumers and Trunkline dated October 29, 1963, provides, inter alia, for the delivery to Consumers of 350,000 Mcf of gas per day commencing November 1, 1966, 400,000 Mcf per day commencing November 1, 1967, 450,000 Mcf per day commening November 1, 1968, 500,000 Mcf per day commencing November 1, 1969, and 575,000 Mcf per day commencing November 1, 1970. The Commission on February 11, 1966, in Docket No. CP66-131 approved, inter alia, the 1966 increase in deliveries by Trunkline to Consumers.

The application states that in connection with the receipt by Consumers of the additional deliveries from Trunkline commencing November 1, 1966, pursuant to the aforementioned order issued in Docket No. CP66-131, Applicant desires to commence transporting, for and in behalf of Consumers, up to 350,000 Mcf of natural gas per day commening November 1, 1966. The application further states that these transportation services will be provided by Applicant without any additional facilities and all costs arising from said service will be passed on to Consumers pursuant to Applicant's cost of service tariff.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before April 11, 1966.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if 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 Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-2814; Filed, Mar. 16, 1966; 8:46 a.m.]

[Docket No. CP66-283]

WISCONSIN PUBLIC SERVICE CORP. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

MARCH 11, 1966.

Take notice that on March 7, 1966, Wisconsin Public Service Corp. (Applicant), Post Office Box 420, Oshkosh, Wis., 54901, filed in Docket No. CP66-283 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its natural gas transmission facilities with the facilities proposed to be constructed by Applicant and to sell and deliver natural gas to Applicant for resale and distribution in the Villages of Coleman and Pound, and the towns of Beaver and Pound, all in the State of Wiscon-

sin, as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct a gate station, a regulator, 4.6 miles of 4-inch pipeline and appurtenant transmission facilities together with the necessary distribution facilities for the aforementioned communities. Applicant also proposes that Respondent construct approximately 3.3 miles of 4-inch pipeline, pursuant to its 10-cent formula, extending from its main transmission line in a northwesterly direction to Applicant's proposed gate station.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	23,910	68,840	100,420
Peak day (Mcf)	175	431	627

The total estimated cost of Applicant's proposed transmission and distribution facilities is $271,075, which cost will be financed from internal funds.

Protests 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 or 1.10) on or before April 11, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-2815; Filed, Mar. 16, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1923]

BARNETT NATIONAL SECURITIES CORP. AND BARNETT FIRST NATIONAL BANK OF JACKSONVILLE

Filing of Application for Order Exempting Proposed Transaction

MARCH 11, 1966.

Notice is hereby given that Barnett National Securities Corp. ("Corporation"), 100 Laura Street, Jacksonville, Fla., 32202, and Barnett First National Bank of Jacksonville ("Barnett Bank"), 100 Laura Street, Jacksonville, Fla., 32202, have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17(a) of the Act an exchange of shares of common stock of the Corporation for shares of common stock of Barnett Bank. Consolidated Financial Corp. ("Consolidated") of Sebring, Fla., one of the exchange offerees and presently a holder of 23.51 percent of the outstanding common stock of the Corporation and 23.51 percent of the outstanding common stock of Barnett Bank, is a registered investment company under the Act. Section 17, as here pertinent, makes it unlawful for an affiliated person of a registered investment company, or an affiliated person of such a person, to sell to or buy from such company any security or property unless exempted by the Commission pursuant to section 17(b) thereof. Under section 17(b) of the Act, the Commission shall grant an exemption from the prohibitions of section 17(a) of the Act if it finds that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any persons concerned, that the proposed transaction is consistent with the policy of the registered investment company concerned, as recited in the registration statement and reports filed under the Act, and with the general purposes of the Act. All interested persons are referred to the application filed with the Commission for a full statement of the representations therein which are summarized below.

The Corporation, organized under the laws of Florida, is a bank holding company registered under the Bank Holding Company Act of 1956. It is engaged solely in managing, controlling and servicing its subsidiary banks. It presently controls five Florida banks having aggregate deposits of $75,638,295 as of June 30, 1965. Its stock ownership in these banks varies from 60.46 percent to 82.57 percent. Barnett Bank, the fourth largest bank in the State of Florida, had deposits of $161,389,875 as of June 30, 1965. The Corporation presently owns 346 of the outstanding 300,000 shares of Barnett Bank. However, the two managements are closely related and 97 percent of the Corporation stock was owned by stockholders who also owned 96 percent of the stock of Barnett Bank, as of January 12, 1966. Two directors of both the Corporation and Barnett Bank are directors of Consolidated and one is also an officer of Consolidated. It is represented that neither the Corporation nor Barnett Bank controls, is controlled by, or is under common control with Consolidated. Neither the Corporation nor Barnett Bank nor any subsidiary of either owns any shares or any other interest in Consolidated.

The Corporation has offered to exchange up to 675,000 shares of its common stock, par value $4.00 per share, for outstanding common stock of Barnett Bank in an exchange ratio of 2.25 Corporation shares for each share of Barnett Bank. The purpose of the exchange offer is to place the relationship of the two companies on a permanent basis by substituting a parent-subsidiary relationship for the present virtual identity of stock ownership. On December 27, 1965, the Board of Governors of the Federal Reserve System approved the acquisition of a majority of the Barnett Bank stock by the Corporation. The Corporation has filed a registration statement under the Securities Act of 1933, effective January 12, 1966, which covers the 675,000 shares to be offered pursuant to the exchange. The prospectus states that for the exchange offer to become effective 80 percent of the common stock of Barnett Bank (less the 346 shares already owned by the Corporation) must be deposited for exchange. The exchange offer, which had a termination date of February 28, 1966, may be extended by the Corporation for a period of not more than 90 additional days. As of the date of the application over 95 percent of the Barnett Bank stock had been tendered for exchange.

The exchange ratio was established by comparing financial data filed by Barnett Bank with the Comptroller of the Currency for the years 1960 through 1964, with similar data for the subsidiary banks owned by the Corporation. In determining the ratio which was developed with the advice and assistance of M. A. Shapiro & Co., Inc., brokers and dealers in bank stocks and bank stock specialists, the board of directors of the Corporation considered comparative earnings, assets, deposits, loans and relative growth, as well as the potential effect on the earnings and book value of the Corporation which may be expected to result from the proposed acquisition of Barnett Bank. The Corporation's board of directors believes the exchange ratio to be equitable. Management of Barnett Bank has considered the exchange ratio and has recommended it to shareholders. The Corporation and Barnett Bank believe that the terms of the proposed exchange, and in particular the ratio of stock of the Corporation to be issued for the stock of Barnett Bank, are reasonable and fair and do not involve overreaching on the part of any person concerned; that the proposed exchange is consistent with the policy of Consolidated and that the proposed exchange is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than March 23, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an or-

der for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-2819; Filed, Mar. 16, 1966; 8:46 a.m.]

[812-1925]

CONSTITUTION EXCHANGE FUND, INC., AND JOHN L. GRANDIN, JR.

Filing of Application for Order Exempting Proposed Transaction

MARCH 11, 1966.

Notice is hereby given that Constitution Exchange Fund, Inc. ("Fund") and John L. Grandin, Jr. ("Grandin"), 50 Congress Street, Boston, Mass., have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from section 17(a) of the Act the exchange of shares of common stock of American Machine & Foundry Co. having current market value of about $30,000, owned by Grandin, for shares of common stock to be issued by Fund having aggregate asset value equal to the market value of the American Machine & Foundry Co. shares. The exchange is prohibited by section 17(a) of the Act unless exempted by the Commission pursuant to section 17(b) thereof. Under section 17(b) of the Act, the Commission shall grant an exemption from the prohibitions of section 17(a) of the Act if it finds that the terms of the proposed transactions are reasonable and fair and do not involve overreaching on the part of any person concerned; that the proposed transactions are consistent with the policy of the registered investment company concerned, as recited in the registration statement and reports filed under the Act, and with the general purposes of the Act. All interested persons are referred to the application filed with the Commission for a statement of the representations therein which are summarized below.

Fund, an open-end diversified investment company of the management type registered as such under the Act, has filed a registration statement under the Securities Act of 1933 for the sale of 600,000 shares of its common stock, which registration statement became effective on November 15, 1965. The prospectus and registration statement under the Securities Act of 1933 state that Fund is intended as an investment vehicle for investors who wish to exchange securities which they hold having a low federal tax basis for shares of Fund in a simultaneous exchange on a tax-free basis.

The offering is being conducted through A. G. Becker & Co. Inc., as Dealer Manager, and Soliciting Dealers who are members of the National Association of Securities Dealers, Inc. Investors are being solicited to deposit their securities pursuant to the terms of the prospectus and the Transmittal Letter which provide an opportunity to the Fund to decide which securities it wishes to accept and an opportunity to depositing investors to withdraw after notice of the list upon which the Fund has determined as meeting its investment objectives at the end of the offering period. The solicitation period ended March 4, 1966. The portfolio review period is expected to end on March 30, 1966, and the Fund has the right to reject securities on deposit during the following 5 days. The terms of the offering provide that unless the Fund has received and accepted at the end of the solicitation period securities having a market value of at least $30,000,000 the exchange will not be consummated. At the present time securities having a market value in excess of $30,000,000 have been deposited.

Grandin is a director of Fund and an affiliated person of Fund within the meaning of the Act. He proposes to deposit 1,573 shares of the common stock of American Machine & Foundry Co., as stated above, which the Fund proposes to accept subject to the right of Grandin to withdraw such shares and the Fund to reject such shares in whole or in part. The application states that Grandin is not an underwriter with respect to the stock to be deposited and is not in control of, controlled by or under common control with American Machine & Foundry Co. within the meaning of the Securities Act of 1933; that Grandin and all other depositors will pay the applicable subscription fee described in the prospectus and that the Fund intends to accept all deposits of American Machine & Foundry Co. common stock by persons other than Grandin if such depositors meet the minimum dollar requirements set forth in the prospectus.

The common stock of American Machine & Foundry Co. is actively traded on the New York Stock Exchange and its exchange value, as defined in the prospectus, is readily ascertainable. The representation is made that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; that they are consistent with the policy of the Fund as recited in its registration statement and reports filed under the Act and that they are consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than March 31, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Fund at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon said proposal shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-2820; Filed, Mar. 16, 1966; 8:47 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MARCH 11, 1966.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976 being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 13, 1966, through March 22, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-2821; Filed, Mar. 16, 1966; 8:47 a.m.]

[File No. 70-4355]

PENNZOIL CO.

Proposed Issuance of Common Stock Pursuant to Terms of Outstanding Stock Options and Convertible Debentures

MARCH 10, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, has filed a declaration and an amendment thereto with this Com-

mission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act as applicable to the transactions therein proposed. All interested persons are referred to said amended declaration, on file in the office of the Commission, for a description of the proposed transactions which are summarized below.

On December 21, 1965, Pennzoil filed its notification of registration as a public utility holding company under the Act. On January 28, 1966, it had outstanding 4,009,088 shares of common stock, par value $2.50 per share, exclusive of shares held in its treasury. It also had outstanding options to purchase 131,903 shares of the common stock; a series of 5 percent convertible debentures due 1972 convertible into 11,305 shares of the common stock; and a series of such debentures due 1975 convertible into 28,566 shares of the common stock. Pennzoil proposes to issue and sell, from time to time, shares of its authorized but unissued common stock, as follows: (1) A maximum of 131,903 shares upon the exercise of the options, and (2) a maximum of 39,871 shares upon conversion of the debentures.

The declaration states that the options had been issued, from time to time, pursuant to a Restricted Stock Option Plan ("the Plan") for the full-time key employees of Pennzoil and its subsidiaries which had been adopted in 1963. The Plan provides that the exercise price of an option granted thereunder may not be less than 100 percent of the fair market value of the stock subject to the option on the date such option is granted. The outstanding options on 131,903 shares of common stock are exercisable with respect to 115,503 of such shares at a price of $23.4375 per share, and at varying higher prices with respect to the balance of 16,400 of such shares.

The 5 percent convertible debentures due 1972 had been issued in 1957 and the series due 1975 had been issued in 1960 by a company which was merged into Pennzoil in 1963. In connection with such merger Pennzoil assumed the obligations under the debentures. The 1972 series of debentures, $646,000 principal amount outstanding, are convertible into shares of common stock at a price of $57.1428 per share, and the 1975 series of debentures, $857,000 principal amount outstanding, are convertible at a price of $30.00 per share.

No fees, commissions or expenses are anticipated in connection with the exercise of the outstanding common stock options other than $3,300 estimated annual fees and expenses, including counsel fees of $1,200, involved in maintaining in effect a current prospectus of Pennzoil under the Securities Act of 1933. No fees, commissions or expenses are anticipated in connection with the conversion of the outstanding 1972 and 1975 debentures other than the fee of the conversion agent, Morgan Guaranty Trust Co. of New York, which is expected to be determined at the rate of $1.00 per $1,000 principal amount of debentures converted, and other miscellaneous expenses estimated at not in excess of $100.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 28, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-2822; Filed, Mar. 16, 1966; 8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

MARCH 11, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 14, 1966, through March 23, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-2823; Filed, Mar. 16, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1313]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 14, 1966.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 179:

No. MC-FC-68638. Application filed March 9, 1966, by A. A. METLER, 117 Chicamauga Avenue NE., Knoxville 17, Tenn., for temporary authority to lease the operating rights of BAXTER TRANSFER, INC., Baxter, Ky., under section 210a(b). The Transfer to A. A. METLER, of the operating rights of BAXTER TRANSFER, INC., is still pending.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-2841; Filed, Mar. 16, 1966; 8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 14, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40353—*Crude phosphate rock to Courtright, Ont., Canada.* Filed by O. W. South, Jr., agent (No. A4864), for interested rail carriers. Rates on crude phosphate rock (other than ground phosphate rock), in carloads, subject to minimum shipment of 1,500 net tons, from producing points in Florida, to Courtright, Ont., Canada.

Grounds for relief—Rail-water competition.

Tariff—Supplement 105 to Southern Freight Association, agent, tariff I.C.C. S-140.

FSA No. 40354—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 136), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 23 to Southern Motor Carriers Rate Conference, agent, tariff MF-I.C.C. 1351.

FSA No. 40355—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 137), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 23 to Southern Motor Carriers Rate Conference, agent, tariff MF-I.C.C. 1351.

FSA No. 40356—*Pig iron to Saginaw, Mich.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2828), for and on behalf of Canadian National Railways. Rates on pig iron, in carloads, from Port Colborne, Ont., Canada, to Saginaw, Mich.

Grounds for relief—Market competition.

Tariff—Supplement 4 to Canadian National Railways, tariff I.C.C. E.527.

FSA No. 40357—*Beet or cane sugar to Belleville, Ill.* Filed by Western Trunk Line Committee, agent (No. A-2445), for interested rail carriers. Rates on beet or cane sugar, in bulk, in covered hopper cars, in carloads, from points in Montana, transcontinental and western trunk-line territories, to Belleville, Ill.

Grounds for relief—Market competition, and restoration of rate relationship.

Tariff—Supplement 36 to Western Trunk Line Committee, agent, tariff I.C.C. A-4481, and any other schedules named in the application.

FSA No. 40358—*Liquid caustic soda from McIntosh, Ala.* Filed by Southwestern Freight Bureau, agent (No. B-8831), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from McIntosh, Ala., to Brian, Princeton, Shreveport, and West Monroe, La.

Grounds for relief—Market competition.

Tariff—Supplement 121 to Southwestern Freight Bureau, agent, tariff I.C.C. 4469.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-2842; Filed, Mar. 16, 1966; 8:49 a.m.]

[No. 17000]

GRAIN AND GRAIN PRODUCTS WITHIN WESTERN DISTRICT AND FOR EXPORT

Rate Structure Investigation

At a general session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 1st day of March 1966.

In our report in Docket No. 33171 et al., Omaha Grain Exc. v. Chicago, B. & Q. R. Co., 322 I.C.C. 743, decided June 5, 1964, we reopened the above-entitled proceeding and modified the orders entered therein on October 22, 1934, and March 4, 1936, so as to vacate and set aside the requirement that under the absolute rate-break rule therein prescribed the rate-break combinations and the proportional rates prescribed in the same proceeding must be observed as the exclusive basis of charges on shipments of grain and grain products at points from which proportional rates are applicable.

On appeal by certain railroad defendants in the indicated proceedings, the U.S. District Court for the Northern District of Illinois, Eastern Division, in Chicago, B. & Q. R. Co. v. United States, 242 F. Supp. 414, held that the plaintiff railroads did not have notice from the outset of the proceeding that this docket was in issue, and that such carriers were "entitled to clear, decisive notice of the Commission's contemplated enlargement of the issues in the proceeding and of the proposed amendatory action in Docket 17000 Part VII." The Court declared our order of June 5, 1964, in the last mentioned docket void, without prejudice to further proceedings before or by us not inconsistent with its opinion. The decision of the District Court was affirmed by the U.S. Supreme Court in a per curiam opinion in Chicago & N. W. R. Co. v. Chicago, B. & Q. R. Co., No. 751, and Interstate Commerce Commission v. Chicago B. & Q. R. Co., No. 752 (Oct. Term 1965), decided January 24, 1966.

The issue of the propriety of the portion of our outstanding orders in this docket, which compels compliance with the absolute rate-break rule, remains unresolved. Further proceedings are essential. Accordingly, this proceeding will be reopened for the purpose of determining the advisability of continued mandatory compliance with the described rate-break rule. The record in the proceedings in Nos. 33171, et al., will be incorporated by reference herein, and special rules of procedure will be adopted to expedite final decision. Publication of such rules will be made in the FEDERAL REGISTER to insure adequate notice to all interested parties.

It is ordered, That this proceeding be, and it is hereby, reopened to consider the advisability of the continued mandatory compliance with orders entered herein on October 22, 1934, and March 4, 1936, prescribing the absolute rate-break rule, under which the rate-break combinations and the proportional rates therein prescribed must be the exclusive basis of charges on shipments of grain and grain products at points from which proportional rates are applicable.

It is further ordered, That the record in Docket Nos. 33171, et al., be, and it is hereby, incorporated by reference into this proceeding;

It is further ordered, That the following special rules of procedure be, and they are hereby, prescribed for the submission of evidence in this reopened proceeding:

(a) Anyone desiring to be made a party of record herein shall notify the Commission giving his name, address, and statement of position on or before April 1, 1966;

(b) A service list will be prepared and served on all parties of record about April 15, 1966;

(c) All parties of record shall submit their evidence in writing in the form of verified statements, with exhibits attached, if any, with an original and 14 copies to the Commission and service on each of the parties of record on or before June 1, 1966; and

(d) All parties of record shall submit their rebuttal evidence in writing in the form of verified statements, with exhibits, if any, with an original and 14 copies to the Commission with service on each of the parties on or before July 1, 1966; and

(e) An oral hearing for the purpose of cross-examination of witnesses, if any, is deemed necessary by the Commission, shall be held at a time and place hereafter to be established.

And it is further ordered, That a copy of this order be posted in the Office of the Secretary of this Commission, and that a copy be delivered to the Director, Office of Federal Register, for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-2876; Filed, Mar. 16, 1966; 10:27 a.m.]

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