

funds shall be prepared and submitted to the Administrator and the Chief or their duly authorized representatives for approval. The report of the planning program as agreed upon shall be submitted for record purposes.

(d) The program amount for any project may be increased by the Administrator or his duly authorized representative by an amount not to exceed 25 percent. The additional funds required in connection with cost increases shall be obtained from the unprogramed balance or in special cases, from the reserve. A construction project substantially deviating from the project as approved in the program or for which the cost will exceed by more than 25 percent the amount as authorized therein, shall constitute a major program revision to be approved by the Administrator and Chief or their duly authorized representatives.

§ 15.5 Cooperative agreements and project agreements.

(a) A cooperative agreement, state-wide, route or project type shall be entered into between the Bureau of Public Roads and each State highway department or county having jurisdiction. Such agreement shall be entered into prior to advertising, authorization to advertise or authorization to proceed by force account. Negotiations for cooperative agreements shall be conducted by the regional engineer or his duly authorized representative. Approval of the cooperative agreement shall be by the Administrator or his duly authorized representative.

(b) A project agreement implementing the cooperative agreement shall be entered into under the following conditions:

(1) Cooperator's funds are to be made available to the Bureau of Public Roads for the work.

(2) Federal funds are to be made available on a reimbursable basis to the cooperator for the work.

(3) Special circumstances exist which make a project agreement necessary for other payment purposes or to clarify any aspect of the approved program.

The implementing project agreement required for those projects supervised by the State shall be entered into as soon as practicable following approval of the plans, specifications and estimate. The division engineer shall conduct negotiations for and approve such project agreements. Negotiations for and approval of project agreements for projects under Public Roads supervision shall be in accordance with delegated authority. Payment of the reimbursable Federal share of funds shall not be made in the absence of an executed project agreement.

§ 15.6 Surveys.

(a) Surveys, and the preparation of construction plans, specifications and cost estimates, may be made for any improvement that is to be considered for inclusion in a future forest highway program. Such surveys may be made on routes that ultimately may become a

part of the forest highway system as well as present forest highway routes.

(b) Before the completion of a survey, the regional forester shall be notified in writing so that he shall have opportunity to examine the surveyed line or the location map and to indicate any details of location desirable for the protection, development, or multiple use of the national forest.

(c) Before the completion of a survey undertaken by the Bureau of Public Roads for a project to be constructed under its supervision the cooperator shall be notified in writing and shall have opportunity to examine the surveyed line or the location map to indicate any details of location desirable from the standpoint of the operation and maintenance of the highway. Opportunity also shall be provided the cooperator to examine the plans, specifications and estimate before the project is advertised for bids.

§ 15.7 Construction.

(a) No construction shall be undertaken upon any designated part of the forest highway system by any Federal agency until a survey and cost estimate have been approved by the regional engineer and the State highway department, unless specifically authorized by the Administrator. The Forest Service may, however, at its expense make temporary repairs on forest highways or construct utilization roads on the forest highway system. Such temporary repairs and construction of utilization roads shall follow as closely as practicable surveys made or authorized by the Bureau of Public Roads at the request of the Forest Service.

(b) Approval of plans, specifications and estimates shall be by the regional engineer.

(c) Upon fulfillment of the requirements set forth in these regulations, projects included in the approved forest highway program may be advertised for bids if within the limit of funds available for obligation.

(d) The construction of forest highways will be performed by the contract method unless, as prescribed in 23 U.S.C. 204(c), the estimated cost exclusive of bridges is less than \$5,000 per mile or after proper advertising no acceptable bid is received or the bids are deemed excessive in which event the Administrator may construct on his own account.

(e) Construction work on any project shall not be considered as completed until the project has been inspected and approved by the cooperating agency and the regional engineer or his duly authorized representative, nor until the regional forester has approved the clearing and disposal of refuse.

§ 15.8 Maintenance.

Maintenance of completed forest highway projects shall be the responsibility of the cooperating agency unless otherwise provided in a formally approved cooperative agreement.

§ 15.9 Records and accounting.

(a) The Administrator shall keep all forest highway records which he deems necessary of survey, right-of-way acqui-

sition, construction, and maintenance costs for projects under his supervision.

(b) Records for forest highway projects constructed under State supervision shall be maintained by the State in the same manner as those required for Federal-aid projects by the regulations for the administration of Federal-aid for highways.

(c) Equipment depots under the jurisdiction of the Bureau of Public Roads shall be operated on a self-sustaining basis. Work done in equipment depots will be charged on an actual cost basis, including overhead. Projects on which equipment is used will be charged with the cost of such equipment on a depreciation or appropriate rental basis.

(d) Cooperative funds provided by any cooperator in advance shall be deposited in the Treasury of the United States to the credit of "Cooperative Work, Forest Highways, Bureau of Public Roads." If cooperative funds are to be made available on a reimbursable basis, the Bureau of Public Roads will bill the cooperator either on completion of the project or as the work progresses, in accordance with the terms of the project agreement.

§ 15.10 Administrator's report.

Not later than December 15 of each year, the Administrator shall submit to the Secretary of Commerce and to the Secretary of Agriculture a report covering the operations on the forest highway system for the preceding fiscal year, including the current status of surveys, construction and maintenance, and with such recommendations as he shall consider desirable.

§ 15.11 Application of regulations.

The regulations in this part shall take effect upon publication in the FEDERAL REGISTER and shall supersede all prior rules and regulations heretofore in effect for administering forest highways.

Approved: May 17, 1961.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

EDWARD GUDEMAN,
Acting Secretary of Commerce.

Recommended:

CLARE HENDEE,
Acting Chief, Forest Service,
Department of Agriculture.

REX M. WHITTON,
Federal Highway Administrator,
Bureau of Public Roads.

[F.R. Doc. 61-4904; Filed, May 25, 1961;
8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER C—CLAIMS AND ACCOUNTS

PART 836—CLAIMS AGAINST THE UNITED STATES

Organization, Responsibilities, and Authority

Sections 836.0 to 836.8 are added as follows:

- Sec.
836.0 Scope.
836.1 Claims activities.
836.2 Claims responsibilities.

STATUTORY AND DELEGATED AUTHORITY

- 836.3 Military Personnel Claims Act.
836.4 Military Claims Act and National Guard Claims Act.
836.5 Foreign Claims Act.
836.6 Maritime Claims Settlement Act.
836.7 Federal Tort Claims Act.
836.8 NATO Claims Reimbursement Act.

AUTHORITY: §§ 836.0 to 836.8 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.
SOURCE: AFR 112-1, Nov. 1, 1960.

§ 836.0 Scope.

Sections 836.0 to 836.8 outline claims activities, responsibilities, and delegation of authority for administrative settlement of claims.

§ 836.1 Claims activities.

Claims activities with respect to claims comprise:

- Staff supervision and inspection of claims administration.
- Assignment and training of claims personnel.
- Investigating and reporting accidents or incidents that arise out of Air Force activities which may result in claims.
- Processing and disposing of claims resulting from these accidents or incidents.
- Cross-servicing certain claims that arise in foreign countries and are generated by the Department of Defense or any United States Armed Force.

§ 836.2 Claims responsibilities.

Claims activities are primarily a command responsibility, and prompt and just disposition of meritorious claims is mandatory. It is essential that all personnel assigned claims responsibility recognize the impact that Air Force claims activities have on the public.

(a) Commands and organizations assigned claims responsibilities are:

- Headquarters USAF.
- Air Force Logistics Command (formerly Air Materiel Command), including:
 - Middletown Air Materiel Area.
 - Mobile Air Materiel Area.
 - Ogden Air Materiel Area.
 - Oklahoma City Air Materiel Area.
 - Rome Air Materiel Area.
 - Sacramento Air Materiel Area.
 - San Antonio Air Materiel Area.
 - San Bernardino Air Materiel Area.
 - Warner Robins Air Materiel Area.
 - Alaskan Air Command.
 - Caribbean Air Command.
 - 64th Air Division (Defense).
 - Military Air Transport Service.
 - Pacific Air Forces.
 - United States Air Forces in Europe.
- Headquarters USAF responsibility

is worldwide. The Judge Advocate General has responsibility for control, staff supervision, coordination, inspection, and monitoring of claims activities throughout the Air Force, and training of claims personnel. He also has responsibility for administrative settlement and payment of certain claims (see §§ 836.200 to 836.220).

(c) Staff Judge Advocates of other commands and organizations listed in paragraph (a) of this section are assigned similar claims responsibilities within their respective geographic areas. They also are responsible for collection and consolidation of claims statistics within their geographic areas of responsibility.

(d) Foreign Claims Commissions are assigned responsibility for settlement and payment of claims against the United States which are within their jurisdiction and are presented for their consideration. They are also assigned responsibility for preparation of claims statistics pertaining to their activities.

(e) Exception: Claims that arise outside of the United States, its Territories, commonwealths, or possessions from the activities of an Air Force missile test center, base, organization, or unit in the United States, and the military or civilian personnel assigned thereto. Responsibility for investigating and processing these claims under §§ 836.11 to 836.27 and 836.61 to 836.78 is assigned to that activity. Such claims will be settled and paid by an Air Force Foreign Claims Commission appointed by The Judge Advocate General.

(f) Claims officers shall be appointed by the commander of each Air Force base, station, fixed installation, or separate unit, and chiefs of the Air Force section of military missions and assistance groups, air attaches of each embassy, and such other commanders or personnel in charge as shall be designated. The commander will:

(1) Designate a commissioned officer as claims officer. The officer appointed will be a designated Judge Advocate of the Air Force, when one is assigned. In the absence of a Judge Advocate, an experienced civilian attorney may be designated as claims officer, except that he may not act as a board of one officer under §§ 836.51 to 836.56.

(2) At his discretion, designate an assistant claims officer who will perform his duties relating to claims under the supervision of the claims officer, and possess the qualifications stated in subparagraph (1) of this paragraph.

(g) The claims officer is responsible for all claims activities of the command, organization, or unit; he is under the immediate direction and supervision of the Staff Judge Advocate, or, if none is assigned, under the general direction of the commander or appointing authority. His responsibilities for investigating and reporting an accident, incident, or claim are set out in §§ 836.200 to 836.220. He is authorized, without further designation or appointment, to act as a board of one officer for the purpose of investigating complaints under the provisions of Article 139, UCMJ (see §§ 836.51 to 836.56), when so directed.

STATUTORY AND DELEGATED AUTHORITY

§ 836.3 Military Personnel Claims Act.

(See §§ 836.90 to 836.101.) Claims under the Act shall be settled and paid pursuant to the following statutory and delegated authority.

(a) *Statutory authority*—(1) *Claims for more than \$6,500.* Such claims can-

not be administratively paid for more than \$6,500.

(2) *Claims for \$6,500 or less.* The Secretary of the Air Force or his designees may settle and pay such claims against the United States when presented by Air Force military or civilian personnel for damage to or loss of personal property incident to their service.

(b) *Delegation of authority.* The Secretary of the Air Force has delegated authority to settle and pay such claims to the following persons:

- Claims for \$6,500 or less:
 - The Judge Advocate General of the Air Force.
 - Assistant Judge Advocate General.
 - Chief, Claims Division, Headquarters USAF.
 - Assistant Chief, Claims Division, Headquarters USAF.
 - Chief, Administrative Claims, Claims Division, Headquarters USAF.
- Claims for \$1,000 or less may be settled and paid by the Director of Claims of the Pacific Air Forces and the United States Air Forces in Europe; by the Chief, United States Armed Forces Claims Service, Japan; and by the Staff Judge Advocates of:
 - Headquarters Command.
 - Air Force Logistics Command (formerly Air Materiel Command).
 - Middletown Air Materiel Area.
 - Mobile Air Materiel Area.
 - Ogden Air Materiel Area.
 - Oklahoma City Air Materiel Area.
 - Rome Air Materiel Area.
 - Sacramento Air Materiel Area.
 - San Antonio Air Materiel Area.
 - San Bernardino Air Materiel Area.
 - Warner Robins Air Materiel Area.
 - Alaskan Air Command.
 - 13th Air Force.
 - Pacific Air Forces.
 - United States Air Forces in Europe.
 - 64th Air Division (Defense).

(c) *Statutory authority*—(1) *Claims for more than \$5,000.* Such claims cannot be administratively settled and paid. However, if the Secretary of the Air Force considers that any such claim is meritorious and would otherwise be cognizable under the statute, after receipt of a settlement agreement in full satisfaction of the entire claim he may pay the claimant \$5,000 and report the excess to the Congress for its consideration.

(2) *Claims for \$5,000 or less.* The Judge Advocate General of the Air Force may settle and pay such claims, subject to appeal to the Secretary of the Air Force.

(3) *Claims for \$5,000 or less.* The Judge Advocate General of the Air Force may settle and pay such claims, subject to appeal to the Secretary of the Air Force.

(3) *Claims for \$1,000 or less.* The Secretary of the Air Force designees may settle and pay such claims, subject to appeal to the Secretary of the Air Force.

(b) *Delegation of authority.* The Secretary of the Air Force delegated authority to settle and pay such claims as follows:

(1) Claims for \$5,000 or less: The Judge Advocate General of the Air Force.

(2) Claims for \$1,000 or less may be settled and paid within Headquarters USAF by the Assistant Judge Advocate General, and within the Claims Division, Headquarters USAF by the Chief, the Assistant Chief, or the Chief of Administrative Claims. Outside Headquarters USAF such claims may be settled and paid by the Director of Claims, Pacific Air Forces; by all Air Force Foreign Claims Commissions; and by the Commanders-in-Chief, Commanders, and Staff Judge Advocates of:

- (i) Air Force Logistics Command (formerly Air Materiel Command).
- (ii) Middletown Air Materiel Area.
- (iii) Mobile Air Materiel Area.
- (iv) Ogden Air Materiel Area.
- (v) Oklahoma City Air Materiel Area.
- (vi) Rome Air Materiel Area.
- (vii) Sacramento Air Materiel Area.
- (viii) San Antonio Air Materiel Area.
- (ix) San Bernardino Air Materiel Area.
- (x) Warner Robins Air Materiel Area.
- (xi) Alaskan Air Command.
- (xii) Caribbean Air Command.
- (xiii) Pacific Air Forces.

§ 836.5 Foreign Claims Act.

(See §§ 836.61 to 836.78.) Claims that arise outside the United States, its Territories, commonwealths, or possessions when presented by inhabitants of foreign countries.

(a) *Statutory authority—(1) Claims for more than \$15,000.* Such claims cannot be administratively settled and paid. However, if the Secretary of the Air Force considers that any such claim is meritorious and would otherwise be cognizable under this statute, after receipt of a settlement agreement in full satisfaction of the entire claim he may certify the claim to the Congress.

(2) *Claims for \$15,000 or less.* The Secretary of the Air Force or his designees may appoint claims commissions—each composed of one of more commissioned officers—to settle and pay any such claim. Claims may include damage to or loss of property or personal injury or death of any inhabitant of a foreign country or the property of a foreign government, if caused by Air Force military or civilian personnel or otherwise incident to Air Force non-combat activities. Authority to settle and pay is further limited by §§ 836.61 to 836.78.

(b) *Delegation of authority.* The Secretary of the Air Force authorized the following Air Force officers to appoint Foreign Claims Commissions (see § 836.61 to 836.78):

- (1) The Judge Advocate General of the Air Force.
- (2) Assistant Judge Advocate General.
- (3) Staff Judge Advocates:
- (i) Military Air Transport Service.

No. 101—10

(ii) Caribbean Air Command.

(iii) 64th Air Division (Defense).

(4) Staff Judge Advocates and Directors of Claims:

- (i) Pacific Air Forces.
- (ii) United States Air Forces in Europe.

§ 836.6 Maritime Claims Settlement Act.

(See §§ 836.141 to 836.148.) Claims under the Act shall be settled and paid pursuant to the following statutory and delegated authority.

(a) *Statutory authority—(1) Claims against the United States (10 U.S.C. 9802).* Claims for damage to or loss of property or personal injury or death caused by vessels of or in the service of the Air Force, and compensation for towage and salvage services (including contract salvage) rendered to such vessels.

(i) *Claims for more than \$500,000.* The Secretary of the Air Force may settle or compromise and pay admiralty-type claims. However, these claims which are settled or compromised for more than \$500,000 shall be certified to the Congress.

(ii) *Claims for \$500,000 or less.* The Secretary may settle or compromise and pay these claims.

(iii) *Claims for \$1,000 or less.* The Secretary may delegate to any person in the Air Force the authority to settle or compromise and receive payment of these claims.

(2) *Claims in favor of the United States (10 U.S.C. 9801 and 9803).* Claims for damage to property under jurisdiction of the Air Force or for which the Air Force has assumed an obligation to respond for damage.

(i) *Claims for more than \$500,000.* Such claims may not be settled or compromised, except claims for salvage services.

(ii) *Claims for \$500,000 or less.* The Secretary of the Air Force may settle or compromise and receive payment of admiralty-type claims.

(iii) *Claims for \$1,000 or less.* The Secretary may delegate to any person in the Air Force the authority to settle or compromise and receive payment of these claims.

(3) *Salvage claims by the United States (10 U.S.C. 9801 and 9804).* The Secretary of the Air Force may settle or compromise and receive payment of a claim in any amount for salvage services (including towage) performed by the Air Force for any vessel.

(b) *Delegation of authority.* The Secretary of the Air Force has authorized the following officers to settle, pay claims against, or receive payment of any such claims in favor of the United States for \$1,000 or less:

- (1) The Judge Advocate General of the Air Force.
- (2) Assistant Judge Advocate General.
- (3) Chief, Claims Division, Headquarters USAF.
- (4) Assistant Chief, Claims Division, Headquarters USAF.

§ 836.7 Federal Tort Claims Act.

The Act provides for the settlement and payment of claims that arise within

the United States, its Territories, commonwealths, or possessions.

(a) *Statutory authority—(1) Claims for more than \$2,500.* Such claims cannot be administratively considered.

(2) *Claims for \$2,500 or less.* The Secretary of the Air Force or his designees may settle and pay these tort claims against the United States. Claims may include loss of property or personal injury or death caused by the negligent or wrongful act or omission of any Government employee while acting within the scope of his employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(b) *Delegation of authority.* The Secretary of the Air Force authorized the officers listed in § 836.5(b) (except Air Force Foreign Claims Commissions) to settle and pay such claims for \$2,500 or less against the United States.

§ 836.8 NATO Claims Reimbursement Act.

(See §§ 836.61 to 836.78 and 836.200 to 836.220.) The Act provides for the settlement and payment of claims that arise outside the United States, its Territories, commonwealths, or possessions and are settled pursuant to international agreements.

(a) *Statutory authority.* The Secretary of the Air Force or his designees are authorized under such regulations as the Secretary may prescribe to reimburse foreign governments for the United States' agreed pro rata share of claims against the United States that arise from acts or omissions in the performance of official duty by United States Armed Forces civilian employees or military personnel when the foreign government has agreed to assume responsibility for the claims.

(b) *Delegation of authority.* Reimbursements to foreign governments are made by Air Force designees when the Air Force is assigned responsibility for claims in a particular country or area.

CARROLL W. KELLEY,
Lt. Col., U.S. Air Force, Chief,
Special Activities Group, Office
of The Judge Advocate General.

[F.R. Doc. 61-4887; Filed, May 25, 1961;
8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service,
Department of the Interior
PART 6—VEHICLE, GUIDE, ADMIS-
SION, AND MISCELLANEOUS FEES
Edison Laboratory National Monu-
ment, New Jersey, and Gettysburg
National Military Park, Pennsyl-
vania; Admission Fees

On page 2750 of the FEDERAL REGISTER of April 1, 1961, there was published a notice and text of a proposed amend-

ment of § 6.9, paragraphs (a) and (b), of Part 6 of Title 36, Code of Federal Regulations. The purpose of this amendment is to establish a fee for admission to the Home of Thomas A. Edison (Glenmont) at the Edison Laboratory National Monument, New Jersey, and to increase the admission fee for the greatly improved Cyclorama at Gettysburg National Military Park and Cemetery, Pennsylvania.

Interested persons were given 30 days within which to submit written comments, suggestions or objections concerning this proposed amendment. No suggestions for changes or objections have been received and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

MAY 20, 1961.

Section 6.9 Admission; miscellaneous, paragraphs (a) and (b) are amended to read as follows:

§ 6.9 Admission; miscellaneous.

(a) An admission fee shall be charged each person entering the following areas:

	Fee
Aztec Ruins National Monument.....	\$0.25
Castillo de San Marcos National Monument.....	.25
El Morro National Monument.....	.25
Fort Pulaski National Monument.....	.25
Fort Raleigh National Historic Site (except after 6 p.m. on days when the pageant, "The Lost Colony," is presented by the Roanoke Island Historical Association).....	.25
George Washington Birthplace National Monument.....	.25
Montezuma Castle National Monument.....	.25
Tonto National Monument.....	.25
Tumacacori National Monument.....	.25
Tuzigoot National Monument.....	.25
Walnut Canyon National Monument.....	.25

(b) An admission fee shall be charged each person entering the following places:

	Fee
Adams National Historic Site.....	\$0.25
Appomattox Court House National Historical Park—McLean House....	.25
Chickamauga and Chattanooga National Military Park—Point Park....	.25
Colonial National Historical Park—Moore House.....	.25
Edison Laboratory National Monument:	
Home of Thomas A. Edison (Glenmont).....	.25
Laboratory of Thomas A. Edison.....	.50
Fort McHenry National Monument and Historic Shrine—Inner Fort....	.25
Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park—Museum.....	.25
Gettysburg National Military Park—Cyclorama.....	.50
Home of Franklin D. Roosevelt National Historic Site (no charge shall be made for persons desiring to visit only the grave of Franklin D. Roosevelt).....	.25
House Where Lincoln Died.....	.10
Custis-Lee Mansion in Arlington National Cemetery.....	.25
Lincoln Museum.....	.10
Manassas National Battlefield Park—Museum.....	.25

Morristown National Historical Park—Ford Museum and Mansion.....	\$0.25
Ocmulgee National Monument—Museum and Earth Lodge.....	.25
Salem Maritime National Historic Site—Derby House.....	.25
Vanderbilt Mansion National Historic Site.....	.25
Vicksburg National Military Park—Museum.....	.25

[F.R. Doc. 61-4900; Filed, May 25, 1961; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Philippine Service

In § 3.9, paragraphs (a) and (b) are amended to read as follows:

§ 3.9 Philippine service.

(a) For a Regular Philippine Scout or a member of one of the regular components of the Philippine Commonwealth Army while serving with Armed Forces of United States, the period of active service will be from the date certified by the Armed Forces as the date of enlistment or date of report for active duty whichever is later to date of release from active duty, discharge, death, or in the case of a member of the Philippine Commonwealth Army June 30, 1946, whichever was earlier. Release from active duty includes:

(1) Leaving one's organization in anticipation of or due to the capitulation.

(2) Escape from prisoner-of-war status.

(3) Parole by the Japanese.

(4) Beginning of missing-in-action status, except where factually shown at that time he was with his unit or death is presumed to have occurred while carried in such status: *Provided, however,* That where there is credible evidence that he was alive after commencement of his missing-in-action status, the presumption of death will not apply for Veterans Administration purposes.

(5) Capitulation on May 6, 1942, except that periods of recognized guerrilla service or unrecognized guerrilla service under a recognized commissioned officer or periods of service in units which continued organized resistance against Japanese prior to formal capitulation will be considered return to active duty for period of such service.

(b) Active service of a Regular Philippine Scout or a member of the Philippine Commonwealth Army serving with the Armed Forces of the United States will include a "prisoner-of-war" status immediately following a period of active duty, or a period of recognized guerrilla service or unrecognized guerrilla service under a recognized commissioned officer. In those cases where following release from active duty as set forth in paragraph (a) of this section, the veteran is factually found by the Veterans Administration to have been injured or killed by the Japanese because of anti-Japanese activities or his former service

in the Armed Forces of the United States, such injury or death may be held to have been incurred in active service for Veterans Administration purposes. Determination shall be based on all available evidence, including service department reports, and consideration shall be given to the character and length of the veteran's former active service in the Armed Forces of the United States.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective May 26, 1961.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 61-4909; Filed, May 25, 1961; 8:48 a.m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart C—War Orphans' Educational Assistance Under 38 U.S.C. Ch. 35

MISCELLANEOUS AMENDMENTS

1. In § 21.3306, paragraph (f) is added to read as follows:

§ 21.3306 Examination of records.

(f) The records and accounts, as described in this section, pertaining to each period of enrollment of an eligible person, shall be kept intact and in good condition at the educational institution for at least 3 years following the termination of such enrollment period. Longer retention will not be required unless a written request is received from the General Accounting Office or the Veterans Administration not later than 30 days prior to the end of the 3-year period.

2. Section 21.3311 is revoked.

§ 21.3311 Application of other laws. [Revoked]

(72 Stat. 1114; U.S.C. 210)

These regulations are effective May 26, 1961.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 61-4910; Filed, May 25, 1961; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES

CONELRAD and Emergency Broadcast System

The Commission having under consideration the desirability of making certain editorial changes in Part 3 of its rules and regulations; and

It appearing that the amendments adopted herein are editorial in nature, and, therefore, prior publication of notice of proposed rule making under the provisions of section 4 of the Ad-

ministrative Procedure Act is unnecessary.

It further appearing that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority and Other Information:

It is ordered, This 19th day of May 1961, that, effective June 5, 1961, Part 3 Radio Broadcast Services, is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: May 22, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

1. Section 3.902 is amended to read as follows:

§ 3.902 Object of plan.

The aim of this plan is to minimize the navigational aid that may be obtained from the continued operation of broadcast stations and to fulfill other national security requirements while at the same time providing for transmission of vital information to the public. During a

CONELRAD Radio Alert condition, when not broadcasting vital information, stations operating in the Emergency Broadcast System may, on their own responsibility, broadcast such other programs as they may desire.

2. Section 3.913 is amended to read as follows:

§ 3.913 Emergency Broadcast System (EBS).

The Emergency Broadcast System consists of broadcast stations and interconnecting facilities which have been authorized by the Commission to operate in a controlled manner during a war, threat of war, state of public peril or disaster or other national emergency.

3. Section 3.930(f) is amended to read as follows:

§ 3.930 Notification of a CONELRAD Radio Alert.

(f) During the experimental period many broadcast stations may be off the air. All broadcast stations will be supplied with a list of 24-hour broadcast stations at least one of which must be monitored during any period of operation when the regularly used station is not on the air.

4. Section 3.932(a) is amended to read as follows:

§ 3.932 Operation during a CONELRAD Radio Alert.

(a) Those stations which are authorized to participate in the Emergency Broadcast System will immediately begin operations on assigned frequencies in accordance with the terms of their National Defense Emergency Authorizations and current operating instructions. Except as provided in paragraph (b) of this section, all other broadcast stations will observe radio silence until the CONELRAD Radio All Clear is issued by appropriate military authority.

5. Section 3.940 is amended to read as follows:

§ 3.940 Notification of a CONELRAD Radio All Clear.

The CONELRAD Radio All Clear notification will be transmitted through the same channels as the CONELRAD Radio Alert. Stations operating in the Emergency Broadcast System will transmit the CONELRAD Radio All Clear Message on an Emergency Broadcast System frequency. All standard, commercial, FM, and TV stations, upon resuming regular authorized operation will follow the prescribed procedure and immediately broadcast the CONELRAD Radio All Clear Message.

[F.R. Doc. 61-4935; Filed, May 25, 1961; 8:51 a.m.]