

3. Section 6 is amended—

(A) By deleting from the second sentence of the first paragraph the words "physical or mechanical."

(B) By deleting paragraphs (a) and (b) and by inserting in lieu thereof the following:

"(a) *Storage of Top Secret Information and Material.* As a minimum, Top Secret defense information and material shall be stored in a safe or safe-type steel file container having a three-position dial-type combination lock, and being of such weight, size, construction, or installation as to minimize the possibility of unauthorized access to, or the physical theft of, such information and material. The head of a department or agency may approve other storage facilities which afford equal protection, such as an alarmed area, a vault, a vault-type room, or an area under continuous surveillance.

"(b) *Storage of Secret and Confidential Information and Material.* As a minimum, Secret and Confidential defense information and material may be stored in a manner authorized for Top Secret information and material, or in steel file cabinets equipped with steel lockbar and a changeable three-combination dial-type padlock or in other storage facilities which afford equal protection and which are authorized by the head of the department or agency.

"(c) *Storage or Protection Equipment.* Whenever new security storage equipment is procured, it should, to the maximum extent practicable, be of the type designated as security filing cabinets on the Federal Supply Schedule of the General Services Administration."

(C) By relettering the paragraphs (c) through (g) as (d) through (h), respectively.

4. Paragraphs (c) and (d) of section 8 are amended to read as follows:

"(c) *Transmitting Secret Information and Material.* Secret information and material shall be transmitted within and between the forty-eight contiguous States and the District of Columbia, or

wholly within Alaska, Hawaii, the Commonwealth of Puerto Rico, or a United States possession, by one of the means established for Top Secret information and material, by authorized courier, by United States registered mail, or by the use of protective services provided by commercial carriers, air or surface, under such conditions as may be prescribed by the head of the department or agency concerned. Secret information and material may be transmitted outside those areas by one of the means established for Top Secret information and material, by commanders or masters of vessels of United States registry, or by the United States registered mail through Army, Navy, Air Force, or United States civil postal facilities; provided that the information or material does not at any time pass out of United States Government control and does not pass through a foreign postal system. For the purposes of this section registered mail in the custody of a transporting agency of the United States Post Office is considered within United States Government control unless the transporting agent is foreign controlled or operated. Secret information and material may, however, be transmitted between United States Government or Canadian Government installations, or both, in the forty-eight contiguous States, the District of Columbia, Alaska, and Canada by United States and Canadian registered mail with registered mail receipt. Secret information and material may also be transmitted over communications circuits in accordance with regulations promulgated for such purpose by the Secretary of Defense.

"(d) *Transmitting Confidential Information and Material.* Confidential information and material shall be transmitted within the forty-eight contiguous States and the District of Columbia, or wholly within Alaska, Hawaii, the Commonwealth of Puerto Rico, or a United States possession, by one of the means established for higher classifications, or by certified or first-class mail. Outside

those areas Confidential information and material shall be transmitted in the same manner as authorized for higher classifications."

5. Section 13 is amended to read as follows:

"SEC. 13. '*Restricted Data, Material Formerly Designated as 'Restricted Data,' Communications Intelligence and Cryptography.*' (a) Nothing in this order shall supersede any requirements made by or under the Atomic Energy Act of August 30, 1954, as amended. '*Restricted Data,*' and material formerly designated as '*Restricted Data,*' shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and the regulations of the Atomic Energy Commission.

"(b) Nothing in this order shall prohibit any special requirements that the originating agency or other appropriate authority may impose as to communications intelligence, cryptography, and matters related thereto."

6. A new section 19 is added reading as follows:

"SEC. 19. *Unauthorized Disclosure by Government Personnel.* The head of each department and agency is directed to take prompt and stringent administrative action against any officer or employee of the United States, at any level of employment, determined to have been knowingly responsible for any release or disclosure of classified defense information or material except in the manner authorized by this order, and where a violation of criminal statutes may be involved, to refer promptly to the Department of Justice any such case."

7. Sections 19 and 20 are renumbered as sections 20 and 21, respectively.

JOHN F. KENNEDY

THE WHITE HOUSE,
September 20, 1961.

[F.R. Doc. 61-9164; Filed, Sept. 20, 1961;
4:41 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Agriculture

Effective upon publication in the FEDERAL REGISTER, subparagraph (3) of paragraph (e) of § 6.111 is amended as set out below.

§ 6.111 Department of Agriculture.

(e) *Agricultural Stabilization and Conservation Service.* * * *

(3) State Executive Directors.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 61-9059; Filed, Sept. 21, 1961;
8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 35—EXPORT GRAPES AND PLUMS

Notice is hereby given of the issuance of the regulations (7 CFR Part 35), applicable to Emperor variety grapes, pursuant to the provisions of the Export Grape and Plum Act, as amended (74 Stat. 734; 75 Stat. 220; 7 U.S.C. 591-599), and to the authority set forth in section 7, 74 Stat. 734; 7 U.S.C. 597, for carrying out the provisions of said Act. Notice with respect to the proposed regulations was given in the FEDERAL REGISTER issue of August 23, 1961 (26 F.R. 7834).

After consideration of all relevant matters presented, including the proposal set forth in such notice, it is hereby found that the said regulations, as hereinafter set forth, are in accordance with the provisions of and will tend to effectuate the declared purposes of the Export Grape and Plum Act.

It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond that hereinafter set forth (5 U.S.C. 1001-1011) in that the 1961-62 shipping sea-

son for Emperor variety grapes will begin on or about such effective date, and to be of maximum benefit it is essential that such regulation apply to as many export shipments of Emperor grapes as possible during such season. Section 2 of the Act provides that grapes may be shipped in fulfillment of contracts made prior to the effective date hereof providing such grapes are shipped within 2 months of the date of the contract. Opportunity is thus provided for exporters to fulfill prior obligations and compliance with the provisions hereof will not require advance preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

The regulations are as follows:

DEFINITIONS

Sec.	Act.
35.1	Act.
35.2	Person.
35.3	Secretary.
35.4	Carrier.
35.5	Package.
35.6	Shipment.
35.7	Certificate.
35.8	Date of export.

REGULATIONS

35.11	Minimum requirements.
35.12	Inspection and certification.

EXEMPTIONS

35.13	Minimum quantity.
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WITHHOLDING CERTIFICATES

35.14	Notice.
35.15	Opportunity for hearing.
35.16	Suspension of inspection.
35.17	Service of notice or order.

AUTHORITY: §§ 35.1 to 35.17 issued under 74 Stat. 734; 75 Stat. 220; 7 U.S.C. 591-599.

DEFINITIONS

§ 35.1 Act.

"Act" or "Export Grape and Plum Act" means "An Act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes" (74 Stat. 734; 75 Stat. 220; 7 U.S.C. 591-599).

§ 35.2 Person.

"Person" means an individual, partnership, association, corporation, or any other business unit.

§ 35.3 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture to whom authority has heretofore been delegated or to whom authority may hereafter be delegated to act in his stead.

§ 35.4 Carrier.

"Carrier" means any common or private carrier, including, but not being limited to, trucks, rail, airplanes, vessels, tramp or chartered steamers, whether carrying for hire or otherwise.

§ 35.5 Package.

"Package" means any container of Emperor variety grapes.

§ 35.6 Shipment.

"Shipment" means one or more lots of Emperor variety grapes shipped or offered for shipment by any one person in a single conveyance to a foreign country regardless of the number of consignees, receivers, or ports of destination in that country.

§ 35.7 Certificate.

"Certificate" or "Certificate of Inspection" means any of the official forms of inspection certificate, bearing the statement "meets Export Grape and Plum Act," issued by the Federal or Federal-State Inspection Service in accordance with regulations governing the inspection of fresh fruits, vegetables, and other products (7 CFR Part 51).

§ 35.8 Date of export.

"Date of export" means the date of loading on board the exporting carrier on which movement of the grapes from the United States is effected. The date of the on board bill of lading (or loading tally sheet) shall be considered to be the date the grapes were loaded on board, unless an "on board" date is shown.

REGULATIONS

§ 35.11 Minimum requirements.

No person shall ship, or offer for shipment, and no carrier shall transport, or receive for transportation, any shipment of Emperor variety grapes to any foreign destination unless:

(a) Such grapes in sawdust packs meet each minimum requirement of the U.S. No. 1 Sawdust Pack Grape Grade as specified in the U.S. Standards for Sawdust Grapes (European or Vinifera Type) (§§ 51.2150-51.2178 of this title).

(b) Such grapes in other than sawdust packs meet each applicable minimum requirement of the U.S. No. 1 Table Grape Grade as specified in the United States Standards for Grades of Table Grapes (European or Vinifera Type) (§§ 51.880-51.912 of this title; 26 F.R. 8002).

(c) Each package of such grapes, other than consumer sized packages of five pounds or less in master containers, is marked plainly and conspicuously with (1) the name and address of the grower or packer; (2) the variety; and (3) the name of the U.S. grade, as "U.S. No. 1 Sawdust Pack Grapes" or "U.S. No. 1 Table Grapes" or higher grade, if the

fruit meets each applicable minimum requirement of such grade.

§ 35.12 Inspection and certification.

(a) Each person shipping, or offering for shipment, Emperor variety grapes to any foreign destination shall cause them to be inspected within 14 days prior to date of export by the Federal or Federal-State Inspection Service in accordance with regulations governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this chapter) and certified as meeting the requirements of the Act and this part.

(b) The Federal or Federal-State certificate of inspection shall include the following statement: "Meets Export Grape and Plum Act." No carrier shall transport or receive for transportation Emperor variety grapes to any foreign destination unless a copy of the certificate of inspection issued thereon is surrendered to such carrier when such grapes are so received. The shipper shall deliver a copy of such certificate covering the shipment to the export carrier. Such grapes may be inspected at points other than port of exportation. Whenever such grapes are inspected and certified at any point other than port of exportation, the shipper shall deliver a copy of such certificate to the agent of the first carrier that thereafter transports such grapes and such agent shall deliver such copy to the proper official of the carrier on which the grapes are to be exported.

(c) A copy of the Certificate of Inspection shall be filed by the export carrier for a period of not less than three (3) years following date of export.

(d) Persons exporting grapes under the provisions of section 2 of the Act shall first submit to the Federal or Federal-State Inspection Service a certificate in duplicate stating the names and addresses of the contracting parties, the date of contract, the quantity of grapes to be delivered, the U.S. grade specified, the expected date of shipment, and the name and address of the export carrier. The certificate of inspection shall indicate that the grapes are eligible for export under section 2 of the Act.

(e) If the inspector has reason to believe that samples of a lot of Emperor variety grapes have been obtained for a determination as to compliance with tolerance for spray residue, established under the Federal Food, Drug and Cosmetic Act, as amended (52 Stat. 1040; 21 U.S.C. 301 et seq.), he shall not issue a certificate on the lot unless it complies with such tolerances.

EXEMPTIONS

§ 35.13 Minimum quantity.

Any person may, without regard to the provisions of this part, ship or offer for shipment, and any carrier may, without regard to the provisions of this part, transport or receive for transportation to any foreign destination, a shipment of 25 packages or less of Emperor variety grapes, not exceeding 1,250 pounds gross weight.

WITHHOLDING CERTIFICATES

§ 35.14 Notice.

If the Secretary is considering withholding the issuance of certificates under the Act for a period of not exceeding 90 days to any person who ships, or offers for shipment, Emperor variety grapes to any foreign destination in violation of any provisions of the Act or this part, he shall cause notice to be given to the person accused of the nature of the charges against him and of the specific instances in which violation of the Act or the regulations in this part is charged.

§ 35.15 Opportunity for hearing.

The person accused shall be entitled to a hearing, provided he makes written request therefor and files a written responsive answer to the charges made not later than 10 days after service of such notice upon him. The right to hearing shall be restricted to matters in issue. At such hearing, he shall have the right to be present in person or by counsel and to submit evidence and argument in his behalf. Failure to request a hearing within the specified time or failure to appear at the hearing when scheduled shall be deemed a waiver of the right to hearing. Such person may, in lieu of requesting an oral hearing, file a sworn written statement with the Secretary not later than 10 days after service of such notice upon him.

§ 35.16 Suspension of inspection.

Any order to withhold the issuance of a certificate, as provided in section 6 of the Act, will be effective from the date specified in the order but no earlier than the date of its service upon the person found to have been guilty. Such order will state the inclusive dates during which it is to remain in effect, and during this period no inspector employed or licensed by the Secretary shall issue any Certificate of Inspection to such person.

§ 35.17 Service of notice or order.

Service of any notice or order required by the Act or prescribed by the regulations in this part shall be deemed sufficient if made personally upon the person served, by registered mail, or by leaving a copy of such notice or order with an employee or agent at such person's usual place of business or abode or with any member of his immediate family at his place of abode. If the person named is a partnership, association, or corporation, service may similarly be made by service on any member of the partnership or any officer, employee, or agent of the association or corporation.

Dated: September 19, 1961, to become effective October 9, 1961.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 61-9103; Filed, Sept. 21, 1961; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 534; Amdt. 340]

PART 507—AIRWORTHINESS DIRECTIVES

Vickers Viscount 745D and 810 Series Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive applying to inspection and retirement of Vickers Viscount 745D and 810 Series aircraft fuselage components was published in 26 F.R. 169.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Comments were received from operators concerning cabin pressure provisions of the Preliminary Technical Leaflet and calculation of previous flight pressures stated in paragraph (f)(1) of the proposal. The proposed directive was based on PTL's 221 and 94 which were not designated as Issue 1. Subsequent to issuance of the proposed directive in the FEDERAL REGISTER, Issue 2 of the PTL's was published providing certain revised procedures for maintaining and evaluating cabin differential pressure operating records as a basis for determining safe life of fuselage components. Accordingly, the reference statement of the directive is being changed to incorporate the later issues which embody the provisions submitted by the airlines for consideration.

It has been determined since issuance of the proposed directive that the allowance of 180 days after the effective date of the directive for accomplishment of the modifications required in paragraphs (f)(1) and (2) thereof would lead to over-extending the allowable fuselage safe life and jeopardize airworthiness. Therefore, it has been found necessary in the interest of safety to reduce the compliance period with respect to the modifications required in paragraphs (f)(1) and (2) to 30 days after the effective date of this directive.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

VICKERS. Applies to all Viscount Model 745D and 810 Series aircraft.

Compliance required as indicated, unless already accomplished.

Vickers-Armstrongs has issued PTL's No. 221 Issue 2 (700 Series) and No. 94 Issue 2 (800/810 Series) to make available in single documents the respective approved life of Viscount fuselage components and the inspections and modifications necessary on the fuselage to attain the approved life. Compliance with the provisions of PTL 221 June 2 (for Model 745D) and PTL 94 Issue 2 (for Model 810) aircraft is required as outlined below.