From Los Angeles, Calif., VOR; to Ontario, Calif., VOR; MEA 14,500; MAA 24,000.
From Ontario, Calif., VOR; to Hector, Calif., VOR; MEA 14,500; MAA 24,000.
From Hector, Calif., VOR; to Las Vegas, Nev., VOR; MEA 19,000; MAA 24,000.
From Las Vegas, Nev., VOR; to Mormon Mesa, Nev., VOR; MEA 14,500; MAA 24,000.

Section 610.1553 *VOR Federal airway 1553* is amended to read in part:

From Sacramento, Calif., VOR; to Lake Tahoe, Calif., VOR; MEA 14,500; MAA 24,000.
From Lake Tahoe, Calif., VOR; to Reno, Nev., VOR; MEA 14,500; MAA 24,000.

Section 610.1553 *VOR Federal airway 1553* is amended by adding:

From Oakland, Calif., VOR; to Sacramento, Calif., VOR; MEA 14,500; MAA 24,000.

Section 610.1655 *VOR Federal airway 1655* is added to read:

From Jacksonville, Fla., VOR; to Savannah, Ga., VOR; MEA 15,000; MAA 23,000.

Section 610.1668 *VOR Federal airway 1668* is amended to read:

From Medicine Bow, Wyo., VOR; to Chadron, Nebr., VOR; MEA 14,500; MAA 24,000.

Section 610.1704 *VOR Federal airway 1704* is amened to read in part:

From Redmond, Oreg., VOR; to John Day, Oreg., VOR; MEA 14,500; MAA 24,000.
From John Day, Oreg., VOR; to Baker, Oreg., VOR; MEA 14,500; MAA 24,000.
From Baker, Oreg., VOR; to McCall, Idaho, VOR; MEA 14,500; MAA 24,000.

Section 610.1715 *VOR Federal airway 1715* is amended by adding:

From Santa Fe, N. Mex.; to Cimarron, N. Mex., VOR; MEA 15,500; MAA 24,000.
From Cimarron, N. Mex., VOR; to Tobe, Colo., VOR; MEA 14,500; MAA 24,000.

Section 610.1738 *VOR Federal airway 1738* is amended to read:

From Sacramento, Calif., VOR; to Lake Tahoe, Calif., VOR; MEA 14,500; MAA 24,000.
From Lake Tahoe, Calif., VOR; to Fallon, Nev., VOR; MEA 14,500; MAA 24,000.
From Fallon, Nev., VOR; to Mount Moses, Nev., VOR; MEA 14,500; MAA 24,000.
From Mount Moses, Nev., VOR; to Elko, Nev., VOR; MEA 14,500; MAA 24,000.

Section 610.1755 *VOR Federal airway 1755* is added to read:

From John Day, Oreg., VOR; to The Dalles, Oreg., VOR; MEA 14,500; MAA 24,000.
From The Dalles, Oreg., VOR; to Seattle, Wash., VOR; MEA 14,500; MAA 24,000.

Section 610.1756 *VOR Federal airway 1756* is added to read:

From Zuni, N. Mex., VOR; to Socorro, N. Mex., VOR; MEA 14,500; MAA 24,000.

(Secs. 313, 307, 72 Stat. 752, 749; 49 U.S.C. 1354, 1348)

These rules shall become effective February 8, 1962.

Issued in Washington, D.C., on January 5, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-341; Filed, Jan. 12, 1962; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8410 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Eastland Woolen Mills, Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108–40 *Federal Trade Commission Act.* Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* § 13.1212–90 *Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845–80 *Wool Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130; 15 U.S.C. 45, 68) [Cease and desist order, Eastland Woolen Mills, Inc. (Corinna, Maine), et al., Docket 8410, Sept. 28, 1961]

In the Matter of Eastland Woolen Mills, Inc., a Corporation, Max Striar, Louis Striar, Bernard Striar, Individually and as Officers of the Said Corporation, and as Partners Doing Business as Striar Textile Mill, and Ski-Land Woolen Mill

Consent order requiring manufacturers with headquarters in Corinna, Maine, to cease violating the Wool Products Labeling Act and the Federal Trade Commission Act by labeling and invoicing as "50% Wool—50% Reprocessed Wool" and tagging as "100% Reprocessed Wool", fabrics which contained substantial quantities of nonwoolen fibers, and by failing to disclose on fabric labels the true generic names and percentage of the constituent fibers.

The order to cease and desist is as follows:

It is ordered, That respondents Eastland Woolen Mills, Inc., a corporation, and Max Striar, Louis Striar and Bernard Striar, individually, and as officers of said corporation, and, as partners, doing business as Striar Textile Mill and Ski-Land Woolen Mill, or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen fabrics or other "wool products", as such products are defined in and subject to said Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix to, or place on, each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Eastland Woolen Mills, Inc., a corporation, and Max Striar, Louis Striar and Bernard Striar, individually and as officers of said corporation, and as partners doing business as Striar Textile Mill and Ski-Land Woolen Mill, or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of fabrics or other products in commerce, as "commerce" is defind in the Federal Trade Commission Act, forthwith cease and desist from: Misbranding such products by misrepresenting the character or amount of constituent fibers contained in such products on invoices or shipping memoranda applicable thereto or in any other manner.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued September 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-394; Filed, Jan. 12, 1962; 8:45 a.m.]

[Docket 8276 c.o., 8276]

PART 13—PROHIBITED TRADE PRACTICES

E. J. Korvette, Inc., et al.

Subpart—Advetrtising falsely or misleadingly: § 13.155 *Prices:* § 13.155–40 *Exaggerated as regular and customary;* § 13.235 *Source or origin:* § 13.235–35 *History.* Subpart—Combining or conspiring; § 13.490 *To sell products deceptively.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, E. J. Korvette, Inc. (New York, N.Y.), et al., Docket 8276, Oct. 24, 1961]

Identical orders consented to by a New York City department store chain, three men's retail clothing stores in California, and six New York City men's clothing manufacturers, and issued in default against four New York City men's clothing manufacturers, requiring them to cease engaging in a common course of action under which said chain arranged for the manufacturers to sew labels of the three fashionable California men's retail clothing stores into garments it purchased direct from the manufacturers and then falsely advertised the merchandise as previously stocked and offered for sale by the three retailers at stated "Original Prices" and that purchasers would save the differences between those amounts and advertised lower prices; and

Further consent order requiring said chain specifically to cease misrepresenting the sources, history, prices, and savings afforded purchasers of men's wearing apparel it sold under the above-described plan or otherwise.

Two identical orders (combining here all respondents) were issued separately against two groups of respondents as follows:

It is ordered, That respondent, E. J. Korvette, Inc., a corporation, its officers, agents, representatives and employees, respondent Richel, Inc., a corporation, doing business as Gus S. May, or doing business under any other trade name, its officers, agents, representatives and employees, respondent Ray Blumenthal, Jr., an individual doing business as Ray's Shop for Men, or doing business under any other trade name, his agents, representatives and employees, respondent Monte Factor, Ltd., a corporation, its officers, agents, representatives and employees, respondent Bank Street Clothes, Inc., a corporation, its officers, agents, representatives and employees, respondent Al Meirow, an individual doing business as Al Meirow, or doing business under any other trade name, his agents, representatives and employees, respondent Damon Creations, Inc., a corporation, its officers, agents, representatives and employees, respondents David Rappaport and Emanuel Rappaport, co-partners doing business as Lord Stuart Company, or doing business under any other trade name, their agents, representatives and employees, respondent Atlantic Shirt Co., Inc., a corporation, its officers, agents, representatives and employees, and respondent Lido Shirt Corporation, a corporation, its officers, agents, representatives and employees; and respondent corporations Blacker Bros., Inc., Kasinoff-Herman, Inc., Townsman Clothes, Inc., and Leslie Lloyds Clothes, Incorporated, and their respective officers, agents, representatives and employees, directly or through any corporate or other device, in or in connection with the advertising, offering for sale, sale or distribution of apparel merchandise and related products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, or combination between said respondents and any other respondent or respondents in the instant case, or between said respondents and any others not parties hereto, to:

1. Engage in, maintain or perpetuate any activities, acts, or practices or to attempt to engage in, maintain or perpetuate any activities, acts or practices in purchasing, selling, manufacturing, or distributing said merchandise or products, whereby the origin, prior places of sale, past or present prices, or the quality or any other characteristic of said merchandise or products, is misrepresented, by any means or in any manner, or where the intent, purpose, or effect of same is to deceive, to mislead or to make any false claims concerning the origin, prior places of sale, prices, quality or other characteristics of said merchandise or products.

Corporate respondent E. J. Korvette, Inc., was additionally ordered as follows:

It is further ordered, That respondent E. J. Korvette, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of apparel merchandise and related products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication:

(a) That any of said merchandise or products so advertised, offered for sale, sold, or distributed has been owned, was a part of the stock of, had been offered for sale by, or had been purchased by, any corporation, firm or individual when such is not the fact;

(b) That any of said merchandise or products previously has been offered for sale or sold in any place or geographical location, when such is not the fact;

(c) That any amount is the price at which any of said merchandise or products previously has been offered for sale or sold by any corporation, firm or individual, when such is not the fact; or

(d) That any saving is afforded in the purchase of said merchandise or products from the retail price of any corporation, firm or individual, which previously had sold or offered to sell same, unless the price, at which said merchandise or products are offered by respondent, constitutes a reduction from the price at which said merchandise or products previously have been offered for sale or sold by said corporation, firm or individual in the recent regular course of business.

2. Misrepresenting, in any manner, savings available to purchasers at retail of any of said merchandise or products from respondent, or the amount by which the price of any of said merchandise or products is educed from the retail price at which said merchandise or products previously have been offered for sale by respondent or another person in the recent regular course of business.

By two separate "Decision of the Commission", etc., reports of compliance were required from each of the two groups of respondents as follows:

It is ordered, That the respondents ordered to cease and desist in the initial decisions herein shall, within sixty (60) days after service upon them of these orders, file with the Commission reports in writing setting forth in detail the manner and form in which they have complied with the orders to cease and desist contained in the aforesaid initial decisions.

Issued: October 24, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary*.

[F.R. Doc. 62-395; Filed, Jan. 12, 1962; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

Swiss Cheese, Blue Cheese, and Certain Italian Style Cheeses; Rulings on Proposed Amendments Concerning Artificial Coloring and Bleaching

In the matter of amending the definitions and standards of identity for swiss cheese, blue cheese, gorgonzola cheese, provolone cheese, caciocavallo siciliano cheese, parmesan cheese, romano cheese, and asiago fresh cheese:

The Commissioner of Food and Drugs has considered the objections filed with respect to the final order issued in the above-entitled matter, published in the FEDERAL REGISTER of September 9, 1961 (26 F.R. 8487), and has concluded that the objections received did not afford a basis for a public hearing. Therefore, the order became effective November 8, 1961.

(Sec. 701, 52 Stat. 1055 as amended; 21 U.S.C. 371)

Dated: January 9, 1962.

GEO. P. LARRICK, *Commissioner of Food and Drugs*.

[F.R. Doc. 62-414; Filed, Jan. 12, 1962; 8:47 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Colorado River Indian Irrigation Project, Arizona

There was published in the FEDERAL REGISTER on November 8, 1961 (26 F.R. 10516) a notice of intention to amend §§ 221.6 and 221.7 of 25 CFR to provide for an increase of the annual operation and maintenance assessment rate from \$8.50 to \$9.00 per acre on the Colorado

River Indian Irrigation Project, Arizona, and for an increase of the assessment rate for excess water from $1.75 to $2.00 per acre-foot.

Interested persons were given an opportunity to submit their comments, suggestions, or objections with respect to the proposed amendments to the Phoenix Area Director within thirty days of the date of publication of the notice in the FEDERAL REGISTER. Only one objection was received. Its contents have been considered. However, in the opinion of the Area Director the increases in assessment rates are necessary.

1. Section 221.6 is hereby amended to read as follows:

§ 221.6 Charges.

Pursuant to the provisions of the acts of Congress approved August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385–387), the annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed at $9.00 per irrigable acre, whether water is used or not. Payment of this charge will entitle the water user to but not in excess of, eight acre-feet of water per acre per annum on certain sandy areas as described in a schedule on file at the Colorado River Indian Agency, and available for inspection by interested parties, and to five acre-feet of water per annum per irrigable acre on all other lands. With the approval of the Superintendent, additional water, reasonably sufficient to carry away alkali salts, may be allowed on certain alkali tracts at no additional charge for the purpose of reclaiming lands by the usual methods, such as flooding and leaching. The foregoing charges and allotments of water shall become effective for the calendar year 1962 and continue in effect thereafter, until further notice.

2. Section 221.7 is hereby amended to read as follows:

§ 221.7 Excess water charges.

Additional water, if and when available, in excess of basic allowances, may be delivered upon written request to the Superintendent by landowners or users at the rate of $2.00 per acre-foot, or fraction thereof.

(60 Stat. 238; Order 2252, F.R. Doc. 46-16562, 11 F.R. 10296; Order 551, Amdt. 1)

JAMES B. RING,
Acting Area Director.

[F.R. Doc. 62-396; Filed, Jan. 12, 1962; 8:45 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 536—AREA OF PRODUCTION

Definitions; Revision

On pages 8460 and 8461 of the FEDERAL REGISTER of September 8, 1961, there was published a notice of proposed rule making to revise the regulations governing the definition of "area of production" as that term is used in section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)). Interested persons were given 15 days in which to submit written data, views or arguments with respect to the proposed regulations. No comments have been received. Accordingly, the proposed regulations are hereby adopted as set forth below without change, effective February 12, 1962.

Signed at Washington, D.C., this 5th day of January 1962.

CLARENCE T. LUNDQUIST,
Administrator.

AUTHORITY: §§ 536.1 to 536.4 issued under 52 Stat. 1060; 29 U.S.C. 201 et seq. Additional authority is cited in parentheses following sections affected.

§ 536.1 "Area of production" as used in section 7(c) of the Fair Labor Standards Act.

(a) An employer shall be regarded as engaged in the first processing of any agricultural or horticultural commodity during seasonal operations within the "area of production" within the meaning of section 7(c) of the Fair Labor Standards Act if he is so engaged in an establishment which is located in the open country or in a rural community and in which such first processing is performed on commodities 95 percent of which come from normal rural sources of supply located not more than the following air-line distances from the establishment:

(1) With respect to grain, soybeans, eggs, or tobacco—50 miles;

(2) With respect to any other agricultural or horticultural commodities—20 miles.

(b) For the purpose of this section:

(1) "Open country or rural community" shall not include any city, town, or urban place of 2,500 or greater population or any area within:

(i) One air-line mile of any city, town, or urban place with a population of 2,500 up to but not including 50,000 or

(ii) Three air-line miles of any city, town, or urban place with a population of 50,000 up to but not including 500,000, or

(iii) Five air-line miles of any city with a population of 500,000 or greater, according to the latest available United States Census.

(2) The commodities shall be considered to come from "normal rural sources of supply" within the specified distances from the establishment if they are received (i) from farms within such specified distances, or (ii) from farm assemblers or other establishments through which the commodity customarily moves, which are within such specified distances and located in the open country or in a rural community, or (iii) from farm assemblers or other establishments not located in the open country or in a rural community provided it can be demonstrated that the commodities were produced on farms within such specified distances.

(3) The period for determining whether 95 percent of the agricultural or horticultural commodities are received from normal rural sources of supply shall be the last preceding calendar month in which operations were carried on for two workweeks or more, except that until such time as an establishment has operated for such a calendar month the period shall be the time during which it has been in operation.

(4) The percentage of commodities received from normal rural sources of supply within the specified distances shall be determined by weight, volume or other physical unit of measure, except that dollar value shall be used if different commodities received in the establishment are customarily measured in physical units that are not comparable.

(Sec. 7(c), 52 Stat. 1063, 29 U.S.C. 207(c))

§ 536.2 "Area of production" as used in section 13(a)(10) of the Fair Labor Standards Act.

(a) An individual shall be regarded as employed within the "area of production" within the meaning of section 13(a)(10) of the Fair Labor Standards Act in handling, packing, drying, storing, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products:

(1) If the establishment where he is employed is located in the open country or in a rural community and 95 percent of the commodities on which such operations are performed by the establishment come from normal rural sources of supply located not more than the following air-line distances from the establishment:

(i) With respect to operations on fresh fruits and vegetables—15 miles;

(ii) With respect to the storing of cotton and any operations on commodities not otherwise specified in this subparagraph—20 miles;

(iii) With respect to the compressing and compress-warehousing of cotton, and operations on tobacco, grain, soybeans, poultry or eggs—50 miles.

(b) For the purposes of this section:

(1) "Open country or rural community" shall not include any city, town, or urban place of 2,500 or greater population, or any area within:

(i) One air-line mile of any city, town, or urban place with a population of 2,500 up to but not including 50,000, or

(ii) Three air-line miles of any city, town, or urban place with a population of 50,000 up to but not including 500,000, or

(iii) Five air-line miles of any city with a population of 500,000 or greater, according to the latest available United States Census.

(2) The commodities shall be considered to come from "normal rural sources

of supply" within the specified distances from the establishment if they are received (i) from farms within such specified distances, or (ii) from farm assemblers or other establishments through which the commodity customarily moves, which are within such specified distances and located in the open country or in a rural community, or (iii) from farm assemblers or other establishments not located in the open country or in a rural community provided it can be demonstrated that the commodities were produced on farms within such specified distances.

(3) The period for determining whether 95 percent of the commodities are received from normal rural sources of supply shall be the last preceding calendar month in which operations were carried on for two workweeks or more, except that until such time as an establishment has operated for such a calendar month the period shall be the time during which it has been in operation.

(4) The percentage of commodities received from normal rural sources of supply within the specified distances shall be determined by weight, volume or other physical unit of measure, except that dollar value shall be used if different commodities received in the establishment are customarily measured in physical units that are not comparable.

(Sec. 13(a)(10), 52 Stat. 1067, 29 U.S.C. 213(a)(10))

§ 536.3 "Area of production" as used in section 13(a)(17) of the Fair Labor Standards Act.

(a) An employee employed by an establishment commonly recognized as a country elevator and having not more than five employees (including such an establishment which sells products and services used in the operation of a farm) shall be regarded as employed within the "area of production", within the meaning of section 13(a)(17) of the Fair Labor Standards Act, if the establishment by which he is employed is located in the open country or in a rural community and 95 percent of the agricultural commodities received by the establishment for storage or for market come from normal rural sources of supply within the following air-line distances from the establishment:

(1) With respect to grain and soybeans—50 miles;

(2) With respect to any other agricultural commodities—20 miles.

(b) For the purpose of this section:

(1) "Open country or rural community" shall not include any city, town, or urban place of 2,500 or greater population or any area within:

(i) One air-line mile of the city, town, or urban place with a population of 2,500 up to but not including 50,000, or

(ii) Three air-line miles of any city, town, or urban place with a population of 50,000 up to but not including 500,000, or

(iii) Five air-line miles of any city with a population of 500,000 or greater, according to the latest available United States Census.

(2) The commodities shall be considered to come from "normal rural sources of supply" within the specified distances from the establishment if they are received (i) from farms within such specified distances, or (ii) from farm assemblers or other establishments through which the commodity customarily moves, which are within such specified distances and located in the open country or in a rural community, or (iii) from farm assemblers or other establishments not located in the open country or in a rural community provided it can be demonstrated that the commodities were produced on farms within such specified distances.

(3) The period for determining whether 95 percent of the commodities are received from normal rural sources of supply shall be the last preceding calendar month in which operations were carried on for two workweeks or more, except that until such time as an establishment has operated for such a calendar month the period shall be the time during which it has been in operation.

(4) The percentage of commodities received from normal rural sources of supply within the specified distances shall be determined by weight, volume or other physical unit of measure, except that dollar value shall be used if different commodities received in the establishment are customarily measured in physical units that are not comparable.

(Sec. 13(a)(17), added to sec. 13, 52 Stat. 1067, 29 U.S.C. 213, by sec. 9, Pub. Law 87-30)

§ 536.4 Petition for amendment of regulations.

Any interested person or association wishing a revision of any section of this part may submit in writing to the Administrator a petition for amendment thereof, setting forth the changes desired and the reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the regulations is set forth, the Administrator will either schedule a hearing with notice to interested parties or will make other provisions for affording interested parties an opportunity to present their views in support of or opposition to the proposed change.

[F.R. Doc. 62-397; Filed, Jan. 12, 1962; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER P—RECORDS

PART 288—SCHEDULE OF FEES AND CHARGES FOR COPYING, CERTIFICATION, AND SEARCH OF RECORDS

The Assistant Secretary of Defense (Comptroller) approved the following revision of Part 288 on August 31, 1961, to be placed into operation as soon as practicable but in no event later than ninety (90) days after the approval date.

AUTHORITY: §§ 288.1 to 288.6 issued under Title V, Independent Offices Appropriation Act of 1950 (5 U.S.C. 140) as amended.

§ 288.1 Purpose.

Part 289 of this chapter prescribed Department of Defense policies and procedures for developing an equitable and uniform system of charges for services and/or property which convey special benefits to recipients above and beyond those accruing to the public at large. This Part 288 designates certain types of common services relating to copying, certification and search of records that are rendered by the Department of Defense for which a prescribed fee shall be collected. In addition, this Part 288 establishes an amended schedule of fees that shall be collected for these services (Exhibit A, § 288.6).

§ 288.2 Applicability.

The provisions of this part are applicable to all components of the Department of Defense.

§ 288.3 Fees.

(a) *Services and fees.* The types of services rendered by the Department of Defense and its component agencies for which a prescribed fee shall be collected, subject to the exemptions indicated in § 288.3(b) are listed in § 288.6. The specific charges for such services are also indicated in § 288.6. No refunds of fees shall be made by reason of change in regulation, directive or fee schedule, or overpayments of one dollar ($1.00) or less.

(b) *Exemptions.* No fees shall be imposed for the following types of services when requests are received from the sources specified, provided the furnishing of such services is consistent with established policy, does not interfere with the mission of the furnishing agency, and the cost of the services can be provided with available funds. As used in this part, the term Armed Forces includes the Army, Navy, Air Force, Marine Corps and their civilian components.

(1) Any service requested by members of the Armed Forces when the document or information requested is required by such personnel in their capacity as members of the Armed Forces of the United States.

(2) Any service requested by members of the Armed Forces, who are in a casualty status, or by their next of kin or legal representatives; and requests for information from any source relating to a casualty.

(3) Any service requested by members (or retired members) of the Armed Forces for copies of or information from their own medical or dental records.

(4) Any service requested by members (or retired members) of the Armed Forces or their dependents for copies of or information from the medical or dental records of such dependents.

(5) The address of record of an active duty member or former member of the Armed Forces when it can be furnished informally through local director