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Rules and Regulations

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 0—COMMISSION ORGANIZATION

The Commission having under consideration Part 0, the Statement of Organization, Delegations of Authority, and Other Information; and

It appearing, that the Statement of Organization, Delegations of Authority, and Other Information should be added to Title 47 of the Code of Federal Regulations as Part 0 of the Commission's rules and regulations; and

It further appearing, that the format of the Statement, including part and subpart designations, should be revised to conform with the format of the code; and

It further appearing, that the overlapping provisions of §§ 0.4, 0.401, 0.402, and 0.403 should be restated as §§ 0.401 and 0.402; and

It further appearing, that other amendments of an editorial nature should be made at this time; and

It further appearing, that the amendments adopted herein are editorial in nature, that codification will aid those who rely on the Code of Federal Regulations for information with regard to the Commission's procedures, and hence that compliance with the public notice, procedural, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing, that authority for issuance of the amendments herein is contained in sections 4(i), 5(b), 5(d), and 303(r) of the Communications Act of 1934, as amended, and § 0.341(a) of the Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 7th day of August 1962, that the Statement of Organization, Delegations of Authority and Other Information is revised as set forth herein, effective August 10, 1962.

Released: August 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

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Subpart A—Organization

GENERAL

§ 0.1 Statutory authority.

The Federal Communications Commission was created by the Communications Act of 1934, as amended. This Act is printed in Title 47 of the United States Code beginning with section 151. Pamphlet copies of the Act, as revised, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C.

§ 0.2 Commissioners.

(a) The Federal Communications Commission is composed of seven members appointed by the President, sub-

ject to Senate confirmation, one of whom the President designates Chairman. The Commission will, in the case of a vacancy in the Office of the Chairman of the Commission, or in the absence or inability of the Chairman to serve, temporarily designate one of its members to act as Chairman until the cause or circumstance requiring such designation shall have been eliminated or corrected.

(b) There are two standing committees of Commissioners, the Telegraph Committee and the Telephone Committee, each composed of three Commissioners. These committees are delegated authority to act or study and report on certain telephone and telegraph matters from time to time.

(c) A Defense Commissioner and two Alternate Defense Commissioners are designated by the Commission to assume the responsibilities set forth in §§ 0.161, 0.216, and 0.217.

§ 0.3 Chairman.

(a) The Chairman of the Commission is the Chief Executive Officer of the Commission. As such he has the following duties and responsibilities:

(1) To preside at all meetings and sessions of the Commission.

(2) To represent the Commission in all matters relating to legislation and legislative reports; however, any other Commissioner may present his own or minority views.

(3) To represent the Commission in all matters requiring conferences or communications with other governmental officers, departments or agencies.

(4) To coordinate and organize the work of the Commission in such a manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. The Office of Administration, under the direct supervision of the Chairman, assists him in carrying out these duties and responsibilities.

§ 0.5 General description of Commission organization.

The Commission's staff is divided into the following principal units:

- (a) Broadcast Bureau.
- (b) Common Carrier Bureau.
- (c) Field Engineering and Monitoring Bureau.
- (d) Safety and Special Radio Services Bureau.
- (e) Office of Hearing Examiners.
- (f) Office of Administration.
- (g) Office of General Counsel.
- (h) Office of Chief Engineer.
- (i) Office of the Secretary.
- (j) Office of Opinions and Review.
- (k) Office of Reports and Information.

BROADCAST BUREAU

§ 0.10 Functions of the Bureau.

The Broadcast Bureau assists, advises, and makes recommendations to the Commission with respect to the development of a regulatory program for the broadcast services and is responsible for the performance of any work, function, or activities to carry out that program in accordance with applicable statutes, international agreements, rules and regu-

lations, and policies of the Commission. The Bureau performs the following functions:

(a) Receives, examines, files, indexes, records and processes applications in the broadcast services, makes recommendations to the Commission thereon and issues authorizations in accordance with Commission instructions and directions.

(b) Processes petitions in broadcast matters (protests and orders of designation) not specified in § 0.141.

(c) By notification in accordance with the procedures set forth in the North American Regional Broadcasting Agreement establishes priorities for United States stations under this and associated agreements. Receives and examines notifications of assignments in other North American countries, and resolves conflicts by negotiation.

(d) Participates in hearings involving applications, rule making, and other matters which pertain to the radio broadcast services, including proceedings pursuant to sections 312 and 316 of the Communications Act of 1934, as amended.

(e) Makes recommendations to the Commission concerning the promulgation of rules and standards in the broadcast services.

(f) Participates in international conferences with respect to broadcast services, and in implementation of international broadcast agreements.

(g) Studies frequency requirements in the broadcast services and makes recommendations with respect to the allocation of frequencies and the drafting of frequency assignment plans in such services.

(h) Confers with government and industry groups interested in the problems of broadcast services.

(i) Studies and establishes technical requirements for equipment in the broadcast services in accordance with standards established by the Commission.

(j) Exercises such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended.

§ 0.11 Responsibilities of the Bureau Chief.

The Chief of the Bureau, subject to the decisions and policy determinations of the Commission, plans, directs, and coordinates the broadcast services functions listed in § 0.10.

§ 0.12 Units in the Bureau.

The Broadcast Bureau is divided into the following units:

- (a) The Office of the Chief of Bureau.
- (b) Broadcast Facilities Division.
- (c) Renewal and Transfer Division.
- (d) Rules and Standards Division.
- (e) Research and Education Division.
- (f) License Division.
- (g) Office of Network Study.
- (h) Hearing Divisions.
- (i) Complaints and Compliance Division.

§ 0.13 Broadcast Facilities Division.

The Broadcast Facilities Division is responsible for all functions indicated in the statement contained in § 0.10, insofar as such functions pertain to stand-

ard (AM), FM, television, international, experimental, and auxiliary broadcast services, excluding functions stated in §§ 0.14, 0.15, 0.16, and 0.20.

§ 0.14 Renewal and Transfer Division.

The Renewal and Transfer Division is responsible for all functions indicated in the statement contained in § 0.10, insofar as such functions pertain to applications for the renewal of license, transfer of control and assignment of license or construction permits.

§ 0.15 Hearing Division.

The Hearing Division is responsible for all functions indicated in the statement contained in § 0.10, insofar as such functions pertain to applications which have been designated for hearing and other proceedings pursuant to sections 312 and 316 of the Communications Act of 1934, as amended.

§ 0.16 Rules and Standards Division.

The Rules and Standards Division is responsible for all functions indicated in the statement contained in § 0.10, insofar as such functions relate to the development or revision of rules and standards, to international conferences, and to special projects in the broadcast services.

§ 0.17 License Division.

The License Division exercises responsibility for the receipt, initial examination, filing, indexing, recording and routing of all applications in the broadcast services; the clerical functions with respect to the issuance of broadcast authorizations; and for the maintenance of a public reference room in cooperation with the Docket Division of the Office of the Secretary where public information with respect to all broadcast matters and all docketed proceedings may be examined.

§ 0.18 Research and Education Division.

The Research and Education Division compiles data and prepares reports to the Commission on the condition and status of the broadcast industry; studies the social and economic factors affecting communications; and advises the Bureau and the Commission with respect to the development and promotion of the educational broadcasting and the commercial broadcasting services.

§ 0.19 Office of Network Study.

The Office of Network Study conducts studies and compiles data relating to radio and television network operations necessary for the Commission to develop and maintain an adequate regulatory program.

§ 0.20 Complaints and Compliance Division.

The Complaints and Compliance Division is responsible for all functions indicated in the statement contained in § 0.10, insofar as such functions pertain to complaints concerning the conduct of radio and television broadcast operations and compliance with statutes, international agreements, and policies and rules of the Commission, except insofar as functions are specifically delegated to

other bureaus and staff offices of the Commission.

COMMON CARRIER BUREAU

§ 0.21 Functions of the Bureau.

The Common Carrier Bureau carries out the common carrier regulatory program of the Commission under applicable statutes, international agreements, and rules and regulations, including the regulation of common carrier rates, services and accounting, and the licensing of common carrier wire and radio services. The Bureau performs the following functions:

(a) Initiates rules and regulations, except as otherwise specifically provided in the functions of the other Bureaus or Staff offices.

(b) Collaborates with representatives of State regulatory commissions and with the National Association of Railroad and Utilities Commissioners in the conduct of cooperative studies of regulatory matters of common concern to this Commission and State commissions.

(c) Participates in international conference work involving common carrier matters.

(d) Assists, advises and makes recommendations to the Commission and represents the Commission in matters pertaining to common carrier regulation and licensing.

(e) Exercises such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended.

(f) Appraises technological developments in the art and other innovations having applications in the communications common carrier field.

§ 0.22 Responsibilities of the Bureau Chief.

Subject to the policy determinations of the Commission, the Chief of the Bureau plans, directs, and coordinates the common carrier functions of the Commission listed in § 0.21.

§ 0.23 Units in the Bureau.

The Common Carrier Bureau is divided into the following units:

(a) Office of the Bureau Chief.

(b) Telegraph Division.

(c) Telephone Division.

(d) International Division.

(e) Domestic Radio Facilities Division.

§ 0.24 The Office of the Bureau Chief.

The Office of the Chief of the Bureau includes:

(a) Office of Accounting Systems, which formulates uniform systems of accounts, regulations for preservation of records, annual report forms, and related rules and regulations, cooperates with committees of the National Association of Railroad and Utilities Commissioners dealing with the foregoing matters collects, processes, compiles and publishes common carrier statistical data, and appraises on an across-industry basis technological developments in the art and other innovations having applications in the communications common carrier field.

(b) Office of the Field Coordinator, which supervises and coordinates the

work of the Common Carrier Bureau Field Offices. The field offices are located at 90 Church Street, New York 7, New York; 180 New Montgomery Street, San Francisco, California; and 815 Olive Street, St. Louis, Missouri. They are responsible for conducting investigations and studies on any problem assigned by the Office of the Chief of the Bureau representing the Commission in contacts with the public and the carriers, and conducting compliance activities to assure that there is adherence to the Communications Act and Commission rules and regulations.

(c) Office of the Administrative Assistant which performs the administrative functions of the Bureau.

(d) License Branch which maintains files and records with respect to applications and petitions involving common carrier wire and radio services, and which issues the orders, authorizations, licenses and certificates appropriate thereto after approval of same by the Commission or staff.

§ 0.25 Telegraph Division.

The Telegraph Division is responsible for the Bureau's functions pertaining to domestic telegraph matters and telephone operations of carriers engaged principally in record communication, except for rules and applications relating to authorizations for the use of radio.

§ 0.26 Telephone Division.

The Telephone Division is responsible for the Bureau's functions pertaining to telephone matters and telegraph operations of carriers engaged principally in nonrecord communication, including international telephone rate matters, except as delegated in § 0.28 to the Domestic Radio Facilities Division.

§ 0.27 International Division.

The International Division is responsible for the Bureau's functions pertaining to international common carrier services, except international telephone rate matters.

§ 0.28 Domestic Radio Facilities Division.

The Domestic Radio Facilities Division is responsible for the Bureau's functions pertaining to the regulation of, establishment and implementation of, rules and regulations for, and policies for, and the processing of applications with respect to, the radio services and facilities of the domestic common carriers, including domestic telegraph radio carriers.

FIELD ENGINEERING AND MONITORING BUREAU

§ 0.41 Functions of the Bureau.

The Field Engineering and Monitoring Bureau is responsible for all Commission engineering activities performed in the field relating to radio stations including station inspections, surveys, monitoring, direction finding, signal measurement, and investigations; for those enforcement activities performed in the field dealing with the suppression of interference and the inspection of devices possessing electromagnetic radiation characteristics; and such other field inspections or investigations as might be

required by the Commission, or the Bureau and Staff Offices. The Bureau also performs the following functions:

(a) Develops rules and regulations which will provide such classes of commercial operators as may be required in the various radio services regulated by the Commission, and administers and enforces such rules and regulations.

(b) Prepares and conducts commercial radio operator examinations and issues commercial operators' licenses.

(c) Conducts amateur examinations, and upgrades amateur licenses in situations where the upgrading can be accomplished by endorsements.

(d) Processes data with respect to proposed new or modified antenna structures covered in Part 17 of this chapter to determine whether such proposed construction will create hazards to air navigation.

(e) Represents the Commission and participates in inter-agency committees and in international conferences with respect to matters for which the Bureau is responsible.

(f) Enforces and administers Parts 15 and 18 of this chapter relative to equipment, interference, and related problems in the industrial, scientific and medical services arising from restricted radiation devices.

(g) Exercises such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended.

§ 0.42 Responsibilities of the Bureau Chief.

The Chief of the Bureau, subject to the policy determinations of the Commission, plans, directs, and coordinates the activities of the Bureau as listed in § 0.41.

§ 0.43 Units in the Bureau.

The Bureau consists of the following units:

- (a) Office of the Chief.
- (b) Engineering Division.
- (c) Inspection and Examination Division.
- (d) Monitoring Division.

(e) Field Operating Division and its associated Field organization consisting of District offices, their Sub-offices, Marine offices, and Monitoring stations.

§ 0.44 The Office of the Bureau Chief.

The Office of the Chief of the Bureau includes an Administrative Branch which performs the administrative functions of the Bureau, and an Attorney-Advisor who advises the Chief of the Bureau and the divisions of the Bureau on legal questions relative to such matters as applications for commercial operators' licenses, interference problems, investigation and other activities of the Bureau or other special assignments.

§ 0.45 Engineering Division.

The Engineering Division is responsible for all functions indicated in § 0.41 insofar as technical engineering standards and evaluations are required, for

the determination of technical equipment and facilities requirements of the field offices and monitoring stations in performing these functions, and for the provision of such equipment and facilities; for the administration of Part 17 of this chapter governing construction, marking and lighting of antenna structures, including the processing of data concerning proposed new or modified antenna construction to insure no hazard to air navigation results from the proposed construction; and the maintenance of liaison with the Office of the Chief Engineer with respect to technical engineering matters.

§ 0.46 Inspection and Examination Division.

The Inspection and Examination Division is responsible for the inspection and examination functions of the Bureau, including responsibility for matters involving rules and regulations concerning the licensing of commercial radio operators, for recommending action on matters of non-compliance with rules, acts, or treaties by these operators, and for the development and making of recommendations with respect to the priority and frequency of station inspections.

§ 0.47 Monitoring Division.

The Monitoring Division exercises staff responsibility for standards, techniques, and facilities in monitoring and investigative procedures required to effectuate the Communications Act; administers Parts 15 and 18 of this chapter relative to equipment, interference and related problems involving the devices and equipment regulated by these parts; and maintains liaison with governmental organizations such as CIA, FAA, the military, etc., pertaining to monitoring operations.

§ 0.48 Field Operating Division.

The Field Operating Division is responsible for all field operations of the

Bureau, including the management and supervision of all field offices and monitoring stations.

(a) The Headquarters Group directly supervises the activities of the Engineers in Charge and Marine Supervisors; directs and coordinates the monitoring and direction-finding network operations in the field through the Monitoring Control Center in this Division in cases involving more than one district and in special or emergency situations; and performs those administrative activities which will insure the most effective performance of the field operations of the Bureau.

(b) The Field Group includes the district offices, their suboffices, marine offices, and monitoring stations. The district offices inspect radio stations, conduct commercial and amateur operator examinations, conduct investigations of interference situations including unlicensed radio operations, conduct engineering studies and make engineering measurements for enforcement purposes and for the information of the Commission, and process applications for interim ship licenses (small craft) and commercial radio operator licenses. The suboffices are engaged in essentially the same work as the district offices to which they are attached. The marine offices are engaged primarily in ship inspection work. The monitoring stations perform the actual surveillance of the radio spectrum: they detect and locate illegal clandestine radio stations and sources of interference, enforce radio laws and regulations, gather facts through monitoring to resolve interference problems and for studies of proposed rules and developments, and locate lost planes and ships through direction finding.

§ 0.49 Location of field offices and monitoring stations.

(a) District Offices and their suboffices are located at the following addresses:

Radio district	Address of the engineer in charge	Territory within district	
		States	Counties
1	Customhouse, Boston 9, Mass.	Connecticut.....	All counties.
		Maine.....	Do.
		Massachusetts.....	Do.
		New Hampshire.....	Do.
		Rhode Island.....	Do.
		Vermont.....	Do.
2	Federal Bldg., 641 Washington St., New York 14, N.Y.	New Jersey.....	Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren.
		New York.....	Albany, Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Suffolk, Sullivan, Ulster, and Westchester.
3	New U.S. Customhouse, Philadelphia 6, Pa.	Delaware.....	New Castle.
		New Jersey.....	Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem.
		Pennsylvania.....	Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, and York.
4	U.S. Customhouse, Gay and Water Sts., Baltimore 2, Md.	Delaware.....	Kent and Sussex.
		Maryland.....	All except District 24.
		Virginia.....	Clarke, Fairfax all except District 24, Fauquier, Frederick, Loudoun, Page, Prince William, Rappahannock, Shenandoah, and Warren.
		West Virginia.....	Barbour, Berkeley, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Upshur.
5	Federal Bldg., Norfolk 10, Va.	North Carolina.....	All except District 6.
		Virginia.....	All except Districts 4 and 24.

Radio district	Address of the engineer in charge	States	Territory within district	Counties
6	Atlanta National Bldg., 50 Whitfield St. S.W., Atlanta 3, Ga. Suboffice: P. O. Box 77, Post Office Bldg., Savannah, Ga.	Alabama..... Georgia..... North Carolina.....	All except District 8. All counties.	Do. Allamakee, Buchanan, Cedar, Clayton, Clinton, Delaware, Des Moines, Dubuque, Fayette, Henry, Jackson, Johnson, Jones, Lee, Linn, Louisa, Muscatine, Scott, Washington, and Winneshiek.
7	P. O. Box 150, Federal Bldg., Miami 1, Fla.	South Carolina..... Tennessee..... Florida.....	Do. All except District 8.	Brown, Calumet, Columbia, Crawford, Dane, Dodge, Door, Fond du Lac, Grant, Green, Iowa, Jefferson, Kenosha, Kewaunee, Lafayette, Manitowoc, Marinette, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Richland, Rock, Sauk, Sheboygan, Walworth, Washington, Waushara, and Winnebago.
8	Federal Bldg., 600 South St., New Orleans 12, La. Suboffice: U. S. Courthouse and Customhouse, Mobile, Ala.	Alabama..... Arkansas..... Florida..... Louisiana..... Mississippi..... Texas.....	Baldwin and Mobile. All counties. Escambia. All counties. Do. City of Texarkana only.	Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Gallatin, Garard, Grant, Greenup, Hadrian, Harrison, Jackson, Jessamine, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Martin, Mason, McCreary, Menifee, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Putsy, Robertson, Rockcastle, Rowan, Scott, Wayne, Whitley, Wolf, and Woodford.
9	U. S. Appraisers Bldg., 7200 Wingle St., Houston 11, Tex. Suboffice: P. O. Box 1527, Post Office Bldg., 300 Willow St., Beaumont, Tex.	Alabama..... Arkansas..... Florida..... Louisiana..... Mississippi..... Texas.....	Do. All counties.	All counties except District 19.
10	States General Life Ins. Bldg., 708 Jackson St., Dallas 2, Texas. 849 South Broadway, Los Angeles 14, Calif. Suboffice: Fox Theatre Bldg., 1245 7th Ave., San Diego 1, Calif.	Oklahoma..... Texas..... Arizona..... California..... Nevada..... Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
11	849 South Broadway, Los Angeles 14, Calif. Suboffice: Fox Theatre Bldg., 1245 7th Ave., San Diego 1, Calif.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
12	Customhouse (353 Battery St.), San Francisco 26, Calif.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
13	New U. S. Courthouse, 620 S.W. Main St., Portland 5, Ore.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
14	Federal Office Bldg. (First Ave. and Marion), Seattle 4, Wash.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
15	New Customhouse (10th between California and Stout Sts.), Denver 2, Colo.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
16	Federal Courthouse Bldg., 6th and Market Sts., St. Paul 2, Minn.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.
17	Federal Office Bldg., 311 Walnut St., Kansas City 6, Mo.	Idaho..... Oregon..... Washington..... Idaho..... Montana..... Washington..... Colorado..... Wyoming..... Nebraska.....	All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties. All counties.	All counties except District 16. All counties except District 4. All except District 2. All except District 3.

(b) The Marine Offices are located at the following addresses:

Marine Office, 221 N. Howard Ave., Spradlin Bldg., Tampa 6, Florida.
Marine Office, 356 West 5th Street, San Pedro, California.

(c) The Primary Monitoring Stations are located at the following addresses:

Federal Communications Commission, P.O. Box 5165, Portland 30, Oregon.
Federal Communications Commission, P.O. Box 98, Powder Springs, Georgia.
Federal Communications Commission, P.O. Box 2215, Santa Ana, California.
Federal Communications Commission, P.O. Box 1035, Waipahu, Hawaii.

(d) The Secondary Monitoring Stations are located at the following addresses:

Federal Communications Commission, P.O. Box 810, Fairbanks, Alaska.
Federal Communications Commission, P.O. Box 5098, Fort Lauderdale, Florida.
Federal Communications Commission, P.O. Box 251, Chillicothe, Ohio.
Federal Communications Commission, P.O. Box 6310, Denison, Texas; (Ambrose).
Federal Communications Commission, P.O. Box 44, Belfast, Maine; Searsport, Maine.

Federal Communications Commission, P.O.
Box 191, Spokane 10, Washington.
Federal Communications Commission, P.O.
Box 1101, Douglas, Arizona.
Federal Communications Commission, P.O.
Box 719, Anchorage, Alaska.

SAFETY AND SPECIAL RADIO SERVICES BUREAU

§ 0.61 Functions of the Bureau.

The Safety and Special Radio Services Bureau assists, advises and makes recommendations to the Commission with respect to the development of a safety and special services regulatory program and is responsible for carrying out that program except insofar as functions are specifically delegated to other bureaus or staff offices of the Commission. The Bureau performs the following functions:

(a) Issues authorizations for radio stations in the safety and special radio services.

(b) Initiates rule making proceedings in the safety and special radio services.

(c) Participates in international conferences with respect to safety and special radio services.

(d) Studies frequency requirements in the safety and special radio services and makes recommendations with respect to the allocation of frequencies and the drafting of frequency assignment plans for safety and special radio services.

(e) Collaborates with Federal and State governmental agencies and industry groups interested in the problems of safety and special radio services.

(f) Studies technical requirements for equipment in accordance with standards established by the Office of the Chief Engineer.

(g) Plans and executes a safety and special services enforcement program, including educational campaigns conducted in collaboration with Field Engineering and Monitoring Bureau.

(h) Performs all other functions or activities essential to the regulation of safety and special radio services: *Provided, however*, That all matters coming within the scope of Title II of the Communications Act of 1934, as amended, are within the jurisdiction of the Common Carrier Bureau.

(i) Exercises such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended.

§ 0.62 Responsibilities of the Bureau Chief.

The Chief of the Bureau, subject to the policy determinations of the Commission, plans, directs and coordinates the safety and special radio services functions of the Commission as listed in § 0.61.

§ 0.63 Units in the Bureau.

The Safety and Special Radio Services Bureau is divided into the following units:

- (a) The Office of the Chief of Bureau.
- (b) The Aviation Division.
- (c) The Marine Division.
- (d) The Public Safety and Amateur Division.
- (e) The Industrial Division.
- (f) The Land Transportation Division.

§ 0.64 The Office of the Bureau Chief.

The Office of the Chief of the Bureau is composed of the immediate offices of the Chief and Assistant Chief of the Bureau, the Law and Enforcement Office, and the Office of the Administrative Assistant. The Law and Enforcement Office performs legal work affecting the Bureau as a whole, advises the Chiefs of the Divisions on legal matters of unusual complexity, executes special assignments for the Chief of the Bureau in respect to matters of legal, policy or legislative character, and is responsible for planning and executing the enforcement program of the Bureau. The Office of the Administrative Assistant is responsible for the administrative program, and the forms and procedural program of the Bureau.

§ 0.65 Aviation Division.

The Aviation Division is responsible for all functions indicated in the statement contained in § 0.61, insofar as such functions pertain to aviation radio and safety matters, except for enforcement matters (§ 0.64).

§ 0.66 Marine Division.

The Marine Division is responsible for all functions indicated in the statement contained in § 0.61 insofar as such functions pertain to marine radio and safety services, to scheduled weather transmission, and to the Alaskan services, except for enforcement matters (§ 0.64).

§ 0.67 Industrial Division.

The Industrial Division is responsible for all functions indicated in the statement contained in § 0.61 insofar as such functions pertain to industrial radio services, except for enforcement matters (§ 0.64).

§ 0.68 Public Safety and Amateur Division.

The Public Safety and Amateur Division is responsible for all functions indicated in the statement contained in § 0.61 insofar as such functions pertain to the public safety and amateur services, except for enforcement matters (§ 0.64).

§ 0.69 Land Transportation Division.

The Land Transportation Division is responsible for all functions indicated in the statement contained in § 0.61 insofar as such functions pertain to the land transportation and citizens radio services, except for enforcement matters (§ 0.64).

OFFICE OF HEARING EXAMINERS

§ 0.81 Office of Hearing Examiners.

The Office of Hearing Examiners consists of a Chief Hearing Examiner, an Assistant Chief Hearing Examiner, and as many other Hearing Examiners qualified and appointed pursuant to the requirements of section 11 of the Administrative Procedure Act as the Commission may find necessary. It is responsible for hearing and conducting all adjudicatory cases designated for any evidentiary adjudicatory hearing other than those designated to be heard by the Commission en banc, and for such other hearings as the Commission may assign.

§ 0.82 Responsibilities of the Chief Hearing Examiner.

The Chief Hearing Examiner and, in his absence, an Acting Chief Hearing Examiner, appointed by the Chief Hearing Examiner, have the following administrative responsibilities.

(a) To coordinate and supervise administratively the activities of the Office of Hearing Examiners.

(b) To prepare and maintain hearing calendars, showing the time and place of the commencement of hearings.

(c) To receive, correlate and approve recommendations of the Hearing Examiners of the Commission on matters relating to changes in rules and regulations governing hearing procedures, and recommend to the Commission desirable changes in said rules and regulations to promote the simplified and expeditious conduct of proceedings.

(d) To require and prepare reports, statistical data and other information requested or required by the U.S. Civil Service Commission or other offices or agencies of the U.S. Government concerned with the proper operation of the Office of Hearing Examiners.

(e) To serve, upon instruction of the Commission or the Chairman, as liaison for the Commission and the Office of Hearing Examiners in the making of appropriate arrangements for the securing of advice or information from representatives of other agencies, bar associations, and other interested persons in connection with the formulation and improvement of administrative procedures and practices applicable to the Commission's proceedings.

(f) To exercise such authority as may be assigned to him by the Commission pursuant to section 5(d) of the Communications Act, as amended.

OFFICE OF ADMINISTRATION

§ 0.91 Functions of the Office.

The Office of Administration is under the direction of the Executive Officer and has the following duties and responsibilities:

(a) To review, in cooperation with the heads of the several bureaus and offices, the program and procedures of the Commission and make recommendations thereon to the Chairman for use by the Commission in adjusting the program and procedures as may be necessary to administer the Communications Act most effectively in the public interest, at the least cost to the government, and with the minimum burden on the industry.

(b) To plan, direct, coordinate, and manage the administrative affairs of the agency with respect to the functions of personnel, budget, planning, and administrative services.

(c) Under the general direction of the Defense Commissioner, and with the advice and assistance of the heads of the several bureaus and offices, to coordinate the defense activities (other than CONELRAD and radio-frequency management activities of the Chief Engineer) of the Commission and to keep the Defense Commissioner informed as to significant developments in this area.

§ 0.92 Units in the Office.

The Office of Administration is divided into the following units:

- (a) Budget and Fiscal Division.
- (b) Organization and Methods Division.
- (c) Personnel Division.
- (d) Administrative Services Division.
- (e) Division of Defense Coordination.

§ 0.93 Division of Defense Coordination.

(a) The Division of Defense Coordination is under the direction of the Defense Coordinator, who is designated by the Commission to serve under the general direction of the Executive Officer, and who has the following duties and responsibilities:

- (1) To coordinate the formulation, revision, and activation of plans for emergency mobilization of the Commission's personnel and other resources.
- (2) To coordinate plans to assure the continuity of the Commission's essential functions in the event of disaster.
- (3) To coordinate plans for the protection of personnel, property, and records of the Commission.
- (4) To formulate criteria for the selection of personnel for assignment to emergency duties.

(5) To select emergency relocation sites, subject to approval by the Commission, to direct the equipment of such sites, and to provide for the continuous manning thereof.

(6) To arrange for the training and emergency utilization by other agencies of FCC personnel not immediately required by the Commission in the event of disaster.

(7) To serve as agency representative of the Commission for liaison and coordination of defense activities (other than CONELRAD and radio frequency management activities of the Chief Engineer) with staff representatives of the Office of Emergency Planning, other federal agencies, and local civil defense authorities.

(8) To arrange for training FCC personnel in self-preservation and other civil defense procedures.

(9) To arrange for the assignment of appropriate technical personnel of the Commission (if available) to advise and assist other agencies in defense problems of mutual concern.

(10) To arrange for the appointment and training of executive reservists and to keep them informed as to policy actions of the Commission with respect to mobilization readiness.

(11) To coordinate the activities of the Commission's Damage Assessment Unit and the Commission's Damage Assessment Officer assigned to the Office of Emergency Planning.

(12) To plan for annual exercises and interim tests to determine the state of operational readiness of the Commission in the event of mobilization.

(13) To perform such other duties related to the Commission's defense activities as may be assigned to him.

(b) The Commission will also designate an alternate Defense Coordinator to serve in the absence of the Defense Coordinator.

OFFICE OF GENERAL COUNSEL**§ 0.111 Functions of the Office.**

The Office of the General Counsel has the following duties and responsibilities:

- (a) To advise and represent the Commission in matters of litigation.
- (b) To advise and make recommendations to the Commission with respect to proposed legislation and to coordinate the preparation of Commission views thereon for submission to Congress.
- (c) To participate in international conferences and in the implementation of international agreements.
- (d) To interpret the statutes, international agreements, and international regulations affecting the Commission.
- (e) To prepare and make recommendations and interpretations concerning procedural rules of general applicability; review all rules for consistency with other rules, uniformity, and legal sufficiency.

(f) To conduct research in legal matters as directed by the Commission.

(g) In cooperation with the Chief Engineer, to participate in, render advice to the Commission, and coordinate the staff work with respect to general frequency allocation proceedings and other proceedings not within the jurisdiction of any single Bureau, and to render advice with respect to rule making matters and proceedings affecting more than one Bureau.

(h) To perform all legal functions with respect to experimental operations under Part 5 of this chapter; the operation of restricted radiation devices under Parts 15 and 18 of this chapter; and type approval and type acceptance of radio equipment.

(i) To exercise such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended.

§ 0.112 Units in the Office.

The Office of General Counsel is divided into the following units:

- (a) Immediate Office of the General Counsel.
- (b) Litigation Division.
- (c) Legislation Division.
- (d) Administrative Law and Treaties Division.
- (e) Regulatory Division.

§ 0.113 Immediate Office of the General Counsel.

The Immediate Office of the General Counsel directs and coordinates the functions of the Office.

§ 0.114 Litigation Division.

The Litigation Division advises and represents the Commission in all matters of litigation to which the Commission is a party, advises the Commission as to legal questions involved in proposed actions and policies in the light of past and pending litigation, and conducts research in legal matters as directed by the General Counsel.

§ 0.115 Legislation Division.

The Legislation Division advises and makes recommendations to the Commission with respect to proposed legislation

and coordinates the preparation of Commission views thereon for submission to Congress, interprets statutes affecting the Commission, and conducts research in legal matters as directed by the General Counsel.

§ 0.116 Administrative Law and Treaties Division.

The Administrative Law and Treaties Division participates in international conferences and in the implementation of international agreements, interprets international agreements and international regulations affecting the Commission, conducts research in legal matters as directed by the General Counsel, interprets the Communications Act and other statutes relating to the Commission's activities, and prepares legal opinions and memoranda for the Commission.

§ 0.117 Regulatory Division.

The Regulatory Division prepares and makes recommendations and interpretations concerning procedural rules of general applicability; reviews all rules for consistency with other rules, uniformity, and legal sufficiency; advises the Commission with respect to action to be taken in matters concerning the enforcement of its rules and the Communications Act; performs all legal functions with respect to experimental operations under Part 5 of this chapter, the operation of restricted radiation devices under Parts 15 and 18 of this chapter, and type approval and type acceptance of radio equipment; conducts research in legal matters as directed by the General Counsel; and in cooperation with the Chief Engineer, participates in general frequency allocation proceedings and other proceedings not within the jurisdiction of any single Bureau, advises the Commission and coordinates staff work with respect thereto, and renders advice with respect to rule making matters and proceedings affecting more than one Bureau.

OFFICE OF CHIEF ENGINEER**§ 0.121 Functions of the Office.**

The Office of the Chief Engineer has the following duties and responsibilities:

(a) To plan and direct broad programs to develop information on the progress of communication techniques and equipment, radio wave propagation, and new uses for communications, and to advise the Commission and bureaus in such matters.

(b) To represent the Commission on various national and international organizations devoted to the progress of communications and the development of information and standards relative thereto.

(c) To advise and represent the Commission on the allocation of radio frequencies, including international agreements pertaining to frequency allocations and usage.

(d) In cooperation with the General Counsel, to participate in, render advice to the Commission, and coordinate the staff work with respect to general frequency allocation proceedings and other

proceedings not within the jurisdiction of any single bureau, and to render advice with respect to rule making matters and proceedings affecting more than one bureau.

(e) To collaborate with the bureaus in the formulation of the technical requirements of the rules and regulations, and to advise the Commission on such matters.

(f) To administer Part 5 of this chapter, including licensing, record keeping, and rule making.

(g) To perform all engineering and management functions of the Commission with respect to formulating rules and regulations, technical standards, and general policies for Parts 15 and 18 of this chapter, and for type approval, type acceptance and certification of radio equipment for compliance with the Commission's rules.

(h) To maintain liaison with other agencies of government and with technical experts representing foreign governments, and to deal with members of the public and of the industries concerned.

(i) To collaborate in the development and execution of plans for the national security and defense, including direction of the CONELRAD program.

(j) To calibrate and standardize technical equipments and installations used by the Commission.

(k) To perform such other duties as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended, and Executive Order 10312, as amended.

§ 0.122 Units in the Office.

The Office of Chief Engineer is comprised of the following units:

(a) Immediate Office of the Chief Engineer.

(b) Technical Research Division.

(c) Laboratory Division.

(d) Frequency Allocation and Treaty Division.

(e) Project CONELRAD.

§ 0.123 Immediate Office of the Chief Engineer.

The Chief Engineer advises the Commission and bureaus on technical matters and directs and coordinates the functions of the Office.

§ 0.124 Technical Research Division.

The Technical Research Division analyzes, coordinates, and disseminates to the Commission and the various operating bureaus, technical and scientific data relating to advanced engineering phases of communications; conducts technical studies in radio wave propagation, equipment, and other engineering matters; develops practical applications for the results of the Division's technical research activities including the development of technical rules and specifications relating to all radio services; studies the technical aspects of proposed new uses for radio; analyzes data; issues certificates of type acceptance of radio frequency equipment and issues lists of type approved and type accepted equipment; provides for experimental uses of

frequencies and administers Part 5 of this chapter; performs engineering and management functions with respect to formulating rules, technical standards and general policy for Parts 15 and 18 of this chapter; performs rule making for that part of Part 2 of this chapter relative to equipment; and provides Commission representation at national and international conferences.

§ 0.125 Laboratory Division.

The Laboratory Division studies new phenomena, proposed new systems, and new equipment looking toward the greater use of radio, the reduction of interference, and the establishment of appropriate rules and regulations; participates in various intergovernmental, national, and international organizations looking toward the standardization of equipment and measuring units and methods as well as the more efficient use of the radio spectrum or the reduction of interference; designs and assembles apparatus for special tests and studies, and performs special tests and studies concerning propagation, equipment or systems, and evaluates the results of such tests or studies with regard to the Commission's problems, often looking toward new or modified rules; makes type approval tests on equipment including those equipments under Parts 3, 4, 8, 18 and 19 of this chapter requiring type approval, and makes recommendations regarding type approval; provides information and comments on test procedures and test results to assist the Technical Research Division in its evaluation of material supporting certifications and applications for type acceptance; conducts special tests of equipments for the Technical Research Division in connection with the certification and type acceptance program; studies equipment problems of data procurement and enforcement and develops, designs, and constructs equipment for use in connection with the Commission's Field Engineering and Monitoring Bureau activities as well as other Commission activities; standardizes and calibrates equipment and installation for the Field Engineering and Monitoring Bureau; and makes tests of radio devices for other government departments.

§ 0.126 Frequency Allocation and Treaty Division.

The Frequency Allocation and Treaty Division makes continuing studies of new technical developments affecting frequency requirements and of utilization of the frequencies between the several radio services to establish their allocation requirements; proposes adjustments in the Table of Frequency Allocation when necessary; provides Commission representation on, and coordination with, the Interdepartment Radio Advisory Committee and, as may be required, on other national and international telecommunication bodies; coordinates frequency allocation policy matters involving government users of radio with the Office of Emergency Planning; maintains the Commission's master frequency record of assignments made; notifies United States frequency

assignments to the International Frequency Registration Board of the International Telecommunication Union; performs staff functions relating to international communications conferences and agreements having to do with frequency allocation and assignment; and communicates as necessary with administrations in foreign countries, through appropriate channels, concerning matters which relate to assignment of radio frequencies and to control of radio interference.

§ 0.127 Project CONELRAD.

Project CONELRAD provides technical advice, assistance, research and development concerning CONELRAD to the North American Air Defense Command; provides CONELRAD technical liaison with the communications industry; prepares and puts into effect plans with respect to radio stations except those owned and operated by any department or agency of the United States Government, to minimize the use of electromagnetic radiations from such stations, in event of attack or imminent threat thereof, as an aid to the navigation of hostile aircraft, guided missiles, and other devices capable of direct attack upon the United States; in accordance with Executive Order 10312, as amended, prepares and puts into effect, in terms of its own responsibility, plans to achieve the technical capability for national and regional programming of the Emergency Broadcasting System and its integral parts and coordinates such plans with the nationwide radio broadcasting networks; and maintains close liaison with personnel in government and non-government radio stations, civil defense authorities, federal, state, and local government officials in connection with the planning and implementation of CONELRAD.

OFFICE OF THE SECRETARY

§ 0.131 Functions of the Office.

The Office of the Secretary has the following duties and responsibilities:

(a) To maintain minutes and records of official Commission action and sign official Commission correspondence and documents.

(b) Upon obtaining the approval of the chief of the bureau or head of the staff office primarily responsible for the particular part or section of the rules involved, to make nonsubstantive, editorial revisions of the Commission's rules and regulations.

(c) To maintain dockets of all Commission hearing proceedings.

(d) To maintain library and reference facilities.

(e) To direct and supervise the development and execution of a technical assistance program in cooperation with the Foreign Operations Administration and other Government agencies.

(f) To make settlement with foreign administrations for radiotelegraph traffic to and from ships under U.S. registration through foreign coastal stations.

(g) To receive and record incoming and outgoing Commission mail and maintain central correspondence files.

(h) To maintain messenger service.

§ 0.132 Units in the Office.

The Office of the Secretary is divided into the following units:

- (a) Docket Division.
- (b) Minute Division.
- (c) Library Division.
- (d) Technical Assistance Division.
- (e) International Telecommunications Settlements Division.
- (f) Mail and Files Division.

§ 0.133 Docket Division.

The Docket Division maintains the official dockets of all Commission hearing cases.

§ 0.134 Minute Division.

The Minute Division maintains official minutes of all Commission actions and notations of Commission meetings; submits to the Office of the Federal Register all official Commission documents which require publication; maintains the Commission's official copy of the rules and regulations with history and background; and acts as provided for in § 0.131(b).

§ 0.135 Library Division.

The Library Division catalogues and maintains books, periodicals, and other reference material; provides reading and reference room facilities and service; and provides library research and reference service to Commissioners and staff members.

§ 0.136 Technical Assistance Division.

The Technical Assistance Division develops in cooperation with the Foreign Operations Administration, technical assistance programs with respect to communications in accordance with Commission policies, and maintains liaison with the Foreign Operations Administration and other government agencies concerning technical assistance.

§ 0.137 International Telecommunications Settlements Division.

This Division makes settlements with foreign administrations for radiotelegraph traffic to and from ships under United States registration through foreign coastal stations.

§ 0.138 Mail and Files Division.

This Division receives and records incoming and outgoing Commission mail, maintains central correspondence files, and operates an intra-agency messenger service.

OFFICE OF OPINIONS AND REVIEW**§ 0.141 The Office of Opinions and Review.**

This office consists of legal, engineering, accounting, and other personnel and is headed by a Chief. This office assists the Commission, individual Commissioners, and any designated reviewing authority within the Commission pursuant to a delegation under section 5(d) (1) of the Communications Act, in the disposition of matters arising in cases of adjudication (as defined in the Administrative Procedure Act and such other cases as by Commission policy are handled in the same manner) which have been designated for hearing.

OFFICE OF REPORTS AND INFORMATION**§ 0.151 The Office of Reports and Information.**

The Office of Reports and Information is responsible for releasing public announcements of the Commission; is the central depository of this material for reference and call; prepares certain informational publications and material, including annual reports, and is the contact point for the press, industry and public in the matter of general information relating to the Commission and its activities.

DEFENSE COMMISSIONER**§ 0.161 Responsibilities of the Defense Commissioner.**

The Defense Commissioner is designated by the Commission to direct the defense activities of the Commission and has the following duties and responsibilities:

(a) To keep the Commission informed as to any defense activities that involve formulation or revision of Commission policy.

(b) To take such measures as will assure continuity of the Commission's functions under any foreseeable circumstances with a minimum of interruption.

(c) In the event of enemy attack, or the imminent threat thereof, or other disaster resulting in the inability of the Commission to function at its offices in Washington, D.C., to assume all of the duties and responsibilities of the Commission and the Chairman, until relieved or augmented by other members of the Commission as set forth in §§ 0.216 and 0.217.

(d) To perform such other duties and assume such other responsibilities related to the Commission's defense activities as may be necessary for the continuity of functions and the protection of personnel and property of the Commission.

§ 0.162 Responsibilities of the Bureaus and Staff Offices.

The heads of each of the several bureaus and staff offices, in rendering advice and assistance to the Executive Officer in the performance of his duties with respect to defense activities, will have the following duties and responsibilities:

(a) To keep the Executive Officer informed of the instigation, progress, and completion of programs, plans or activities with respect to defense in which they are engaged or have been requested to engage.

(b) To render such assistance and advice to other agencies as may be consistent with the functions of their respective Bureaus or Staff Offices and the Commission policy with respect thereto.

(c) To perform such other duties related to the Commission's defense activities as may be assigned to them.

Subpart B—Delegations of Authority**GENERAL****§ 0.201 General provisions.**

(a) There are three basic categories of delegations made by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended:

(1) *Delegations to act in non-hearing matters and proceedings.* The great bulk of delegations in this category are made to bureau chiefs and other members of the Commission's staff. This category also includes delegations to individual commissioners and to boards or committees of commissioners, such as the Telegraph and Telephone Committees.

(2) *Delegations to rule on interlocutory matters in hearing proceedings.* Delegations in this category are made to the Review Board and to the Chief Hearing Examiner.

NOTE: Interlocutory matters which are delegated neither to the Review Board nor to the Chief Hearing Examiner are ruled on by the presiding officer by virtue of the authority vested in him to control the course and conduct of the hearing. This authority stems from section 7 of the Administrative Procedure Act and section 409 of the Communications Act rather than from delegations of authority made pursuant to section 5(d) of the Communications Act. (See §§ 0.218 and 0.231.)

(3) *Delegations to review an initial decision.* Delegations in this category are made to individual commissioners, to panels of commissioners, or to the Review Board.

(b) Delegations are arranged in this subpart under headings denoting the person, panel, or board to whom authority has been delegated, rather than by the categories listed in paragraph (a) of this section.

(c) Procedures pertaining to the filing and disposition of interlocutory pleadings in hearing proceedings are set forth in §§ 1.41-1.46 of this chapter. Procedures pertaining to appeals from rulings of the presiding officer are set forth in § 1.47. Procedures pertaining to reconsideration of the presiding officer's rulings are set forth in § 1.48. Procedures pertaining to reconsideration and review of actions taken pursuant to delegated authority are set forth in §§ 1.81-1.87. Procedures pertaining to exceptions to initial decisions are set forth in §§ 1.153-1.155.

(d) The Commission, by vote of a majority of the members then holding office, may delegate its functions either by rule or by order, and may at any time amend, modify, or rescind any such rule or order.

(1) Functions of a continuing or recurring nature are delegated by rule. The rule is published in the FEDERAL REGISTER and is included in this subpart.

(2) Functions pertaining to a particular matter or proceeding are delegated by order. The order is published in the FEDERAL REGISTER and associated with the record of that matter or proceeding, but neither the order nor any reference to the delegation made thereby is included in this subpart.

§ 0.202 Authority of person, panel, or board to which functions are delegated.

(a) The person, panel, or board to which functions are delegated shall, with respect to such functions, have all the jurisdiction, powers, and authority conferred by law upon the Commission, and shall be subject to the same duties and obligations.

(b) Except as provided in § 1.82 of this chapter, any action taken pursuant to delegated authority shall have the same force and effect and shall be made, evidenced, and enforced in the same manner as actions of the Commission.

REVIEW BOARD

§ 0.206 Review Board.

(a) The Review Board is a permanent body with continuing functions. The main function of the Board is to review matters referred to it by the Commission in hearing proceedings. The Board also takes original action on certain interlocutory matters which arise during the course of hearing proceedings. The hearing matters referred to the Board on a regular basis are listed in § 0.207. Other hearing matters may be referred to the Board for review on a case by case basis, either at the time of designation for hearing or upon consideration of exceptions. The Commission may, from time to time, assign the Board additional duties not inconsistent with these functions.

(b) Any matter referred to the Board on a regular basis or otherwise may, on its own motion or upon its consideration of the motion of any party, be certified by the Board to the Commission, with a request that the matter be reviewed by the Commission, if in the Board's judgment the matters at issue are of such a nature as to warrant Commission review of any decision which the Board might otherwise have made. If a majority of the members of the Commission then holding office vote to grant the Board's request, the matter shall be reviewed by the Commission.

(c) Whenever the Commission determines that a matter pending before the Board involves a novel or important issue of law or policy, it may, on its own motion, by the vote of a majority of the members then holding office, direct that any matter before the Board be certified to the Commission for decision. However, no petition requesting the Commission to take such action will be entertained.

(d) The Review Board shall decide each matter before it by majority vote in accordance with the Communications Act of 1934, as amended, rules and regulations, case precedent, and established policies of the Commission. In reviewing initial decisions referred to it, the Review Board is authorized to perform all of the review functions which would otherwise have been performed by the Commission under §§ 1.151-1.155 and § 1.157 of this chapter.

(e) The Review Board is composed of three or more Commission employees. Members of the Board are designated by the Commission, serve indefinitely on a full-time basis, and are responsible

only to the Commission. Neither the Commission nor any of its members will discuss the merits of any matter pending before the Board with the Board or any of its members.

(f) A minimum of three members will participate in each case referred to the Board. A majority of the members who participate in a case shall constitute a quorum. Any member assigned to a case who is not present at oral argument may, after reading the transcript of oral argument, participate in the Board's decision. However, so far as practicable, all of the members of the Board assigned to a case shall hear oral argument.

(g) Except in interlocutory matters, each opinion of the Review Board will be signed by one of its members, who shall be responsible for its preparation.

(h) Actions taken by the Review Board shall be recorded in writing and filed in the official minutes of the Commission.

§ 0.207 Authority delegated to the Review Board on a regular basis.

(a) *Review of initial decisions.* Unless the Commission specifies to the contrary at the time of designation for hearing or otherwise, the Review Board shall review initial decisions of hearing examiners in the following proceedings:

(1) Television translator proceedings.
(2) Standard (AM) and FM broadcast proceedings, except as follows:

(i) Revocation, renewal, cease and desist, and forfeiture proceedings.

(ii) Proceedings which involve section 319(c) of the Communications Act of 1934, as amended.

(iii) Proceedings which involve initial application for construction permit for a Class II-A station on clear channel frequencies.

(3) Proceedings on applications of communications common carriers filed under Title III of the Communications Act.

(4) Proceedings involving complaints against communications common carriers for recovery of overcharges.

(5) Safety and Special Radio Services proceedings.

(6) Proceedings involving suspension of operator licenses or permits.

(b) *Original action on interlocutory matters.* The Review Board shall take original action on the following interlocutory matters in proceedings conducted by hearing examiners:

(1) Petitions to amend, modify, enlarge, or delete issues upon which the hearing was ordered.

(2) Petitions to intervene.

(3) Requests for leave to file additional pleadings provided for in § 1.13 of this chapter.

(4) Petitions by adverse parties requesting dismissal of an application.

(5) Joint requests for approval of agreements filed pursuant to § 1.316 of this chapter, and, if further hearing is not required on issues other than those arising out of the agreement, to terminate the proceeding and make appropriate disposition of all applications.

(6) Petitions for waiver of § 1.362 of this chapter insofar as that section requires that local notice of hearing be

given within a certain time, at a certain place, or in a certain manner.

(7) Dismissal of applications with prejudice for failure to comply with the local notice requirements of § 1.362 of this chapter.

(8) Dismissal of cease and desist, suspension, and revocation proceedings.

(9) Petitions for acceptance of late written appearances pursuant to § 1.77(c), and petitions for acceptance of late written statements pursuant to § 1.78(b) of this chapter.

(10) Termination of hearing proceedings in accordance with § 1.78(c) of this chapter.

(11) All pleadings filed in cases or matters which are before the Board.

(c) *Action on appeals from interlocutory rulings.* The Review Board shall act on appeals from interlocutory rulings of the hearing examiner.

COMMISSION

§ 0.211 Delegation to Chairman.

The responsibility for the general administration of internal affairs of the Commission is delegated to the Chairman of the Commission. The Chairman will keep the Commission advised concerning his actions taken under this delegation of authority. This authority includes:

(a) Actions of routine character as to which the Chairman may take final action.

(b) Actions of non-routine character which do not involve policy determinations. The Chairman may take final action on these matters but shall specifically advise the Commission on these actions.

(c) Actions of an important character or those which involve policy determinations. In these matters the Chairman will develop proposals for presentation to the Commission.

(d) To act within the purview of section 403(a) of the Federal Tort Claims Act, as amended, 28 U.S.C. 2672, upon tort claims directed against the Commission where the amount of damages does not exceed \$2,500.

§ 0.212 Board of Commissioners.

Whenever the Chairman or Acting Chairman of the Commission determines that a quorum of the Commission is not present or able to act, he may convene a Board of Commissioners. The Board shall be composed of all Commissioners present and able to act.

§ 0.213 Authority delegated.

Such Board of Commissioners is authorized to act with respect to all work, business, or functions of the Federal Communications Commission arising under the Communications Act of 1934, as amended, except that portion of the work, business, or functions of the Federal Communications Commission specifically delegated to individual Commissioners or employees. This authority shall not extend to the institution of investigations upon the Commission's own motion, or to rendering a final decision in such matters; to investigations specifically required by the Communications Act of 1934, as amended; or to any hearing in adjudicatory matters as defined

in the Administrative Procedure Act. Actions taken by the Board shall be recorded in the same manner as action taken by the entire Commission.

§ 0.214 Delegation to Telegraph Committee.

(a) A Telegraph Committee, composed of three Commissioners, designated as such by the Commission or a majority thereof, will act, except as otherwise ordered by the Commission, upon all applications or requests submitted under sections 214 or 319 of the Communications Act of 1934, as amended, by carriers engaged principally in record communication, for certificates or authorization for the construction, acquisition, operation, or extension of telegraph wire, cable, or radio facilities, for temporary or emergency telegraph service, for supplementing existing telegraph facilities, or for discontinuance, reduction, or impairment of telegraph service, except those covered by §§ 0.251 and 0.253.

(b) Actions taken by the Telegraph Committee shall be recorded each week in writing and filed in the official minutes of the Commission.

§ 0.215 Delegation to Telephone Committee.

(a) A Telephone Committee, composed of three Commissioners, designated as such by the Commission, or a majority thereof, will act, except as otherwise ordered by the Commission, upon all applications or requests submitted under sections 214 or 319 of the Communications Act of 1934, as amended, by carriers engaged principally in telephone communication, for certificates or authorizations for the construction, acquisition, operation, or extension of telephone or telegraph wire, cable, or radio facilities, for temporary or emergency telephone service, for supplementing existing telephone or telegraph facilities, or for discontinuance, reduction, or impairment of telephone or telegraph service, except those covered by §§ 0.251 and 0.253.

(b) Actions taken by the Telephone Committee shall be recorded each week in writing and filed in the official minutes of the Commission.

§ 0.216 Emergency Relocation Board.

(a) An Emergency Relocation Board, to be convened at the Commission's relocation headquarters, is authorized to place in effect the provisions of § 0.217, in the event of the inability of the Commission to function at its offices in Washington, D.C., resulting from disaster or the threat of imminent disaster from enemy attack or from natural causes, either:

(1) At the time of or under circumstances specified in a directive from the President.

(2) In the absence thereof, upon receipt of a warning signal indicating that an attack on the capital is likely.

(3) In the absence of either a directive or warning signal, immediately following an actual attack.

(b) The Board shall comprise such commissioners as may be present and able to act or, if no commissioner is

present and able to act, the occupant of the following positions, in the order listed, who is present and able to act:

(1) The Chief Field Engineering and Monitoring Bureau.

(2) The General Counsel.

(3) The Chief Engineer.

(4) The Chief, Safety and Special Radio Services Bureau.

(5) The Chief, Broadcast Bureau.

(6) The Chief, Common Carrier Bureau.

(7) The Executive Officer.

(8) The Assistant Chief, Field Engineering and Monitoring Bureau.

(9) The Associate General Counsel.

(10) The Associate Chief Engineer.

(11) The Assistant Chief, Safety and Special Radio Services Bureau.

(12) The Assistant Chief, Broadcast Bureau.

(13) The Assistant Chief, Common Carrier Bureau.

(14) The Chief of Division, ranking in the same order as indicated in subparagraphs (1) to (6) of this paragraph.

§ 0.217 Authority delegated.

(a) During any period in which the Commission is unable to function because of the circumstances set forth in § 0.216 (a), all work, business or functions of the Federal Communications Commission arising under the Communications Act of 1934, as amended, is assigned and referred to the Emergency Relocation Board.

(b) The Board, acting by a majority thereof, shall have the power and authority to hear and determine, order, certify, report or otherwise act as to any of the said work, business or functions so assigned or referred to it, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations.

(c) Any order, decision or report made or other action taken by the said Board in respect of any matters so assigned or referred shall have the same effect and force, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission.

(d) Actions taken by the Board shall be recorded each week in writing and filed in the official minutes of the Commission.

§ 0.218 Authority of, and delegated to, an individual commissioner or commissioners.

(a) One or more members of the Commission may be designated to preside in a hearing proceeding. The commission or commissioners designated to preside at such a hearing shall fix the time and place of the hearing and shall act upon all motions, petitions or other matters which may arise while the proceeding is in hearing status.

(b) One or more members of the Commission may be designated to review an initial decision issued in any hearing case.

CHIEF HEARING EXAMINER

§ 0.224 Authority delegated.

The Chief Hearing Examiner shall act on the following matters in proceedings conducted by hearing examiners:

(a) Initial specifications of the time and place of hearings where not otherwise specified by the Commission and excepting actions under authority delegated by § 0.255.

(b) Designation of the hearing examiner to preside at hearings.

(c) Orders directing the parties or their attorneys to appear at a specified time and place before the hearing examiner for an initial prehearing conference in accordance with § 1.111(a) of this chapter. (The hearing examiner named to preside at the hearing may order an initial prehearing conference although the Chief Hearing Examiner may not have seen fit to do so and may order supplementary prehearing conferences in accordance with § 1.111(b) of this chapter.)

(d) Petitions requesting a change in the place of hearing where the hearing is scheduled to begin in the District of Columbia or where the hearing is scheduled to begin at a field location and all appropriate proceedings at that location have not been completed. (See 47 CFR 1.112.)

(e) Petitions of applicants requesting permission to file written appearances beyond expiration of the 20-day period provided for in § 1.140(c) of this chapter.

(f) Dismissal of applications with prejudice in accordance with the provisions of § 1.40(c) of this chapter.

(g) Petitions filed by an applicant requesting that its application or the proceedings thereon be dismissed, except as such petitions are acted on by the Review Board under § 0.207(b).

(h) In the absence of the hearing examiner who has been designated to preside in a proceeding, to discharge the hearing examiner's functions.

(i) All pleadings (such as motions for extension of time) which are related to matters to be acted upon by the Chief Hearing Examiner.

§ 0.225 Record of action taken.

Actions taken by the Chief Hearing Examiner shall be recorded each week and filed in the official minutes of the Commission.

HEARING EXAMINER

§ 0.231 Authority of Hearing Examiner.

After a hearing examiner has been designated to preside at a hearing and until he has issued an initial decision or certified the record to the Commission for decision, or the proceeding has been transferred to another hearing examiner, all motions, petitions and other pleadings shall be acted upon by such hearing examiner, except the following:

(a) Those which are to be acted upon by the Review Board under § 0.207(b).

(b) Those which are to be acted upon by the Chief Hearing Examiner under § 0.224.

§ 0.232 Record of actions taken.

Except for actions taken during the course of the hearing and upon the record thereof, actions taken by a Hearing Examiner pursuant to § 0.231 shall be recorded each week in writing and filed in the official minutes of the Commission.

CHIEF OF BROADCAST BUREAU

§ 0.241 Matters delegated.

The Chief of the Broadcast Bureau is delegated authority to act upon applications, requests, and other matters which are not in hearing status relating to broadcast services as follows:

(a) Formal applications for broadcast services:

(1) For construction permits for new or changed standard, FM, noncommercial educational FM, television, television translator and UHF television booster broadcast facilities or modification thereof, for licenses or modification thereof or for renewal of licenses for such facilities for the normal license term, which applications comply fully with the requirements of the Communications Act and the provisions of this chapter, accord with Commission policy and standards, are not mutually exclusive with any other application, and concerning which no petition to deny pursuant to § 1.359 of this chapter or other substantial objection has been filed.

(2) For assignment of broadcast licenses or permits or for transfer of control of broadcast licensees or permittees, which applications comply fully with the requirements of the Communications Act and the provisions of this chapter, accord with Commission policy and standards, and concerning which no petition to deny pursuant to § 1.359 of this chapter or other substantial objection has been filed.

(3) For new or modified experimental, developmental, and auxiliary broadcast services covered by Part 4 of this chapter, or for renewal of authority for such facilities.

(4) For reinstatement of expired construction permits.

(5) For new or modified Subsidiary Communications Authorizations, or for renewal of authority for such facilities.

(b) Designate for hearing, upon appropriate issues, mutually exclusive applications for new or modified standard, FM, noncommercial FM and television facilities.

(c) Requests for temporary authority:

(1) For temporary waiver of technical operating requirements relating to overall system performance or elements thereof and rules requiring that specified items of equipment be employed.

(2) For operation with temporary antenna system.

(3) For operation with auxiliary transmitter as main transmitter.

(4) For operation with new or modified equipment pending repair of existing equipment or pending receipt and action upon a formal application.

(5) For operation with reduced power or to make other changes in operation of authorized equipment for technical reasons.

(6) For special operation necessary to facilitate equipment, program and service tests or to comply with technical requirements specified in authorizations, orders, rules or releases of the Commission.

(7) For operation with licensed, new, or modified equipment at a temporary

site with a temporary antenna system when in case of an emergency it becomes impossible to continue operating at the regularly authorized site.

(8) For special operation of stations in the experimental, developmental and auxiliary broadcast services covered by Part 4 of this chapter.

(9) For temporary authority in emergency cases, at times outside of the regular office hours of the Commission, which require immediate action during such hours.

(d) Miscellaneous applications, requests and actions:

(1) For temporary operation, for a lesser period of time than specified by §§ 3.71, 3.261 and 3.651 of this chapter, or to remain silent for temporary periods.

(2) For extension of time within which a transfer of control or assignment of license may be effectuated.

(3) For authority for FM broadcast stations to transmit multiplex facsimile in accordance with § 3.266 of this chapter.

(4) For authority to rebroadcast when authorization is required under Parts 3 and 4 of this chapter.

(5) For any permit required by the provisions of section 325(b) of the Communications Act.

(6) For cancellation of licenses, construction permits or other authorizations.

(7) For inspection of records under § 0.406, and withdrawal of papers in accordance with § 1.14 of this chapter.

(8) For extension of time within which to file briefs and comments with respect to rule making.

(9) For conducting equipment and program tests.

(10) For operation during daytime for specified periods with the nighttime facilities in order to check measurements and operation.

(11) For extensions of time within which to comply with technical requirements specified in authorizations, orders, and rules or releases of the Commission.

(12) For television site survey.

(13) For standard broadcast special field test authorizations.

(e) Applications or requests concerning experimental or developmental broadcast stations involving:

(1) Assignment from time to time of the frequency or frequencies, power, emission, and type of equipment to be employed by any experimental or developmental broadcast station, so as to provide the maximum results from the experimentation with the minimum interference.

(2) Addition, modification, or coordination of programs of research or experimentation of any experimental or developmental broadcast station, so as to provide the maximum results from the experimentation which can be reasonably expected of the licensee or licensees.

(f) To withdraw authorizations for equipment and service or program tests where the terms of the construction permit have not been met.

(g) Requests for modification of tower painting and lighting specifications.

(h) To issue, in accordance with recommendations of the Chief Engineer,

CONELRAD authorizations in accordance with §§ 1.68 and 2.407 of this chapter.

(i) To dismiss applications without prejudice (1) where an applicant has failed to answer official correspondence or a request from the Commission for additional material as provided in § 1.312 of this chapter, or (2) where an application is not timely filed under the Commission's rules in order to receive comparative consideration with an application or applications with which it is mutually exclusive.

(j) To give written consent to applicants who request authority to make minor changes in effecting transfers of control or assignment of licenses previously authorized by the Commission.

(k) To advise licensees to cease operation in the event renewal applications are not filed with the Commission prior to the expiration date of the particular license.

(l) To defer action on those renewal license applications received subsequent to the fifteenth day of the month prior to the expiration date of the particular license.

(m) To grant, for good cause shown, requests for temporary authority to continue operation for a period not to exceed 90 days, where an application for renewal of license has been filed subsequent to the expiration of the particular license.

(n) To dismiss or return applications or petitions which are not acceptable under Commission rules.

(o) To extend the time to file oppositions to petitions relating to broadcast applications not designated for hearing.

(p) To administer, interpret, and apply orders or rules of practice and procedure promulgated by the Commission relating to financial and statistical data of stations in the broadcast service and broadcast networks and chains, including applications for extension of time in which to file financial and statistical statements and reports.

(q) To declare a construction permit for a broadcast facility automatically forfeited if the station authorized by the construction permit is not ready for operation within the time specified therein or within such further time as the Commission may have allowed for completion, and if no application for extension of construction permit has been granted by the Commission or timely filed by the permittee, and to place a notation of the forfeiture in the records of the Commission as of the expiration date of the construction permit.

(r) With respect to international broadcasting, to act upon requests for the use of frequencies and frequency hours for transmission to specific target areas subject to the conditions set forth in Part 3 of this chapter.

(s) To determine whether an application for modification constitutes a major change in facilities, and whether an amendment to an application constitutes a major amendment; and, if so, to so designate such change or amendment.

(t) To direct standard broadcast stations to refrain from pre-sunrise operation with their daytime facilities pursuant to § 3.87 of this chapter.

(u) To dismiss petitions and other pleadings which have clearly been rendered moot.

(v) To extend the time to file responses to official correspondence.

§ 0.242 Authority to issue orders; record of actions taken.

In matters pertaining to the authority delegated in § 0.241, the Chief of the Broadcast Bureau is authorized to make orders, including orders in letter form, for the signature of the Secretary of the Commission. All minutes of all actions taken by the Chief of the Broadcast Bureau pursuant to the authority delegated in § 0.241 shall be maintained for public inspection in the Broadcast Bureau. The authorizations and orders issued by the Broadcast Bureau in accordance with its assigned functions and the delegations of authority shall bear the seal of the Commission and the signature of the Secretary.

COMMON CARRIER BUREAU

§ 0.251 Matters delegated.

The Chief of the Common Carrier Bureau is delegated authority to act upon the following applications, requests, and other matters which are not in hearing status, involving the use of radio, insofar as they apply to common carrier services (except marine and aeronautical), where the estimated construction cost is less than \$2,000,000:

(a) From existing licensees for instruments of authorization, for the fixed public or fixed public press radio services, except applications in the international services involving:

(1) New points of communication, not already authorized to a station of the licensee at some other location or not already authorized by an outstanding construction permit or special temporary authorization; unless the application for a new point of communication is for the transmission or control of transmission or reception of addressed program or facsimile material.

(2) Changes in transmitter location other than local in character.

(3) The establishment of a new type of service.

(b) For the domestic public radio services, and for the fixed public services, in the possessions of the United States and in the State of Hawaii.

(c) For developmental stations which render or propose to render a common carrier service.

(d) For special temporary authorizations, including those filed at times outside of the regular office hours of the Commission in emergency cases.

(e) For operation with new or modified equipment pending repair of existing equipment, or pending receipt of and action upon formal applications; operation with licensed, new or modified equipment at a temporary location with a temporary antenna system in case of an emergency when, due to causes beyond the control of the licensee, it becomes impossible to continue operating at the licensed location; and, special operations necessary to facilitate equipment and service tests, or to comply with technical requirements specified in

authorizations, orders, rules or releases of the Commission.

(f) For a change in location, type or model, design or number of transmitters; representations of compliance with technical requirements specified in authorizations, orders, rules or releases of the Commission (except formal applications).

(g) For equipment and service tests, or extensions thereof.

(h) To determine whether an application for modification constitutes a major change in facilities, and whether an amendment to an application constitutes a major amendment; and, if so, to so designate such change or amendment.

§ 0.252 Authority concerning position of officer.

The Chief of the Common Carrier Bureau is delegated authority to act upon applications under section 212 of the Communications Act for authority to hold the position of officer or director of more than one carrier subject to the Act, and to act upon applications for a finding that a carrier owns more than fifty percent of the stock of another or other carriers, or that a person owns fifty percent or more of the stock of two or more carriers.

§ 0.253 Authority concerning section 214 of the Act.

The Chief of the Common Carrier Bureau is delegated authority to act upon the following applications or requests under section 214 of the Communications Act:

(a) For a certificate authorizing the construction, acquisition, operation, or extension of lines, or for an authorization for temporary or emergency service or the supplementing of existing facilities involving an estimated construction or purchase cost of less than \$2,000,000, or an annual rental of less than \$100,000.

(b) For modification of a certificate or authorization under this section of the act where such amendment or modification involves an estimated construction or purchase cost of less than \$2,000,000 or an annual rental of less than \$100,000.

(c) For authority to discontinue, reduce, or impair telephone service where the applications are filed pursuant to the provisions of §§ 63.63, 63.65, and 63.66 of this chapter.

(d) For an authorization for temporary or emergency closure of telegraph offices, for any closure of a telegraph office at a military establishment, for closure of railroad-operated agency offices, for closure of company-operated main offices where substitute service is to be provided by telephone, teleprinter or facsimile-operated agency office in the same community and for any reduction in the hours of telegraph service in a community or part of a community in those cases where applicable Commission policy has been established.

(e) For informal requests for authority to discontinue, reduce or impair telegraph service filed pursuant to the provisions of §§ 63.63, 63.64, and 63.66 through 63.69 of this chapter.

(f) For reconsideration and dismissal of applications to discontinue, reduce or impair service where authority has been granted but will not be used by applicant because of conditions arising subsequent to the filing of the application.

§ 0.254 Authority concerning section 220 of the Act.

The Chief of the Common Carrier Bureau is delegated authority to interpret the regulations and to act upon the administration of such regulations promulgated by the Commission pursuant to section 220 of the Communications Act, relating to accounts, records and memoranda to be kept by carriers subject to the jurisdiction of the Commission.

§ 0.255 Authority concerning section 221(a) of the Act.

The Chief of the Common Carrier Bureau is delegated authority:

(a) To determine upon consideration of all relevant factors whether hearings shall be held on applications filed under section 221(a) of the Communications Act where no request therefor has been made by a telephone company, an association of telephone companies, a State Commission or local government authority;

(b) To fix the time and place for hearings he determines shall be held under paragraph (a) of this section or where a request therefor has been made by a telephone company, an association of telephone companies, a State Commission or local government authority; and to give reasonable notice in writing to the Governor of each of the States in which the physical property affected, or any part thereof, is situated, to the State Commission having jurisdiction over telephone companies, and to such other persons as he may deem advisable; and

(c) To act in all other cases upon applications filed under section 221(a) where the proposed expenditure for consolidation, acquisition or control is less than \$500,000.

§ 0.256 Authority concerning tariff regulations.

The Chief of the Common Carrier Bureau is delegated authority to act upon all matters arising in connection with the administration of tariff regulations promulgated by the Commission pursuant to section 203 of the Communications Act, and, in connection with the administration of that section insofar as it relates to the modification of requirements thereof or made pursuant thereto, as authorized in particular instances by subsection (b) thereof, and to the rejection of tariffs as authorized by subsection (d) thereof.

§ 0.257 Authority concerning records and papers.

The Chief of the Common Carrier Bureau is delegated authority to act upon the following matters insofar as they apply to records or papers involving common carriers:

(a) Requests for inspection of records under the provisions of § 0.406.

(b) Requests for withdrawal of papers in accordance with § 1.14 of this chapter.

§ 0.258 Authority concerning extension of time and waivers.

The Chief of the Common Carrier Bureau is delegated authority to act upon the following requests:

(a) For the extension of time in which to file annual, monthly and special reports required by the Commission pursuant to section 219 of the Communications Act.

(b) For the extension of the time prescribed in § 43.51 of this chapter for the filing of documents specified therein.

(c) For the extension of time within which briefs and comments may be filed with respect to proposed common carrier rule making.

(d) For extension of time previously ordered by the Commission within which the transfer of control or assignment of license be effectuated insofar as these apply to fixed public, fixed public press, domestic public or common carrier experimental radio services.

(e) For extension of time within which to comply with technical requirements specified in authorizations, orders, and rules or releases of the Commission insofar as these apply to fixed public, fixed public press, domestic public or common carrier experimental radio services.

(f) For waiver of or exception to any rule, regulation or requirement relating to the services under his jurisdiction and to act upon petitions or requests relating to the assignment of frequencies to common carrier operations but requiring action under § 2.103 of this chapter, when he finds that the operation for which permission is sought (1) is of a non-recurring nature and does not warrant a rule making proceeding with a view to establishing it on regular basis, (2) will not exceed 90 days, and (3) will cause no harmful interference to any service operating in accordance with the Table of Frequency Allocations. This delegation does not apply to requests for renewals of any authority to operate granted hereunder.

§ 0.259 Authority delegated jointly to Chiefs of Common Carrier and Safety and Special Radio Services Bureaus.

Authority is delegated jointly to the Chief of the Common Carrier Bureau and the Chief of the Safety and Special Radio Services Bureau to act upon applications in the maritime and aeronautical mobile services involving common carrier matters, in the public coastal service in Alaska, and in the fixed public services in Alaska. (For record of actions taken under this section, see § 0.293.)

§ 0.260 Orders in letter form.

Where appropriate, in acting upon matters referred to in the delegations of authority, the Chief of the Common Carrier Bureau is authorized to make orders in letter form for the signature of the Secretary of the Commission.

§ 0.261 Record of actions taken.

The application and authorization files in the License Branch and the appropriate central files of the Common Carrier Bureau are designated as the Commission's official records of actions by the Chief of the Bureau pursuant to the authority delegated to him. In case of joint authority of the Chiefs of Common Carrier Bureau and Safety and Special Radio Services Bureau, § 0.293 applies. The authorizations issued by the Chief, Common Carrier Bureau, in accordance with his assigned functions shall bear the seal of the Commission and the signature of the Secretary of the Commission.

§ 0.262 Authority concerning issuance of hearing orders in comparative proceedings.

The Chief of the Common Carrier Bureau is delegated authority to designate for hearing all mutually exclusive applications for radio facilities filed pursuant to Parts 6 and 21 of this chapter.

FIELD ENGINEERING AND MONITORING BUREAU

§ 0.271 Matters delegated to the Bureau Chief, and Chief, Field Operating Division.

(a) The Chief of the Field Engineering and Monitoring Bureau is delegated authority to act upon the following matters which are not in hearing status:

(1) Except as otherwise provided in § 1.67 of this chapter, with respect to the construction, marking and lighting of antenna towers and supporting structures, to exercise the functions of the Commission as set forth in Part 17 of this chapter: *Provided, however,* That in cases in which the Federal Aviation Agency recommends denial of any application, the Chief of the Field Engineering and Monitoring Bureau advises the Bureau concerned in order that it may submit the application to the Commission for appropriate action.

(2) Waiver of rules, regulations and orders of the Commission relating to the proper time for filing of renewals of commercial and amateur radio operator licenses.

(3) Temporary operation by radio station licensees, except licensees of standard and FM broadcast stations, with a licensed operator of lower grade than normally required or for waiver of other technical requirements for operators.

(4) With respect to the operation of industrial, scientific, and medical equipment subject to Part 18 of this chapter, to issue, in accordance with section 312 (c) of the act, (i) orders to show cause why a cease and desist order pursuant to section 312(b) should not be issued; and (ii) cease and desist orders, in those instances in which the allegations of the show cause order are, by regulation of the Commission, deemed to have been admitted.

(5) To suspend commercial operator licenses and to designate the matter for hearing, as provided for in § 1.72 of this chapter.

(6) To act on requests for a waiver of the English language provisions of

§§ 13.22 and 13.23 of this chapter in the case of Spanish-speaking applicants in Puerto Rico and vicinity, and to issue licenses bearing appropriate restrictions to those applicants found qualified.

(7) To dismiss without prejudice applications for new and renewal commercial radio operator licenses in cases where prior to designation of such applications for hearing an applicant has failed to answer official correspondence or a request for additional information from the Commission.

(8) To act on requests for a provisional radio operator certificate.

(9) To act on requests by holders of a pilot certificate issued by the Civil Aeronautics Administration or the Federal Aviation Agency for a waiver of the United States citizenship requirement under section 303(1) of the Communications Act of 1934, as amended.

(10) To act on requests for waiver of the written examination requirements of §§ 13.21 and 13.22 of this chapter and to authorize oral examination in lieu thereof.

(11) To reject certifications of industrial heating equipment as provided in § 18.118(a) of this chapter and to accept certifications of industrial heating equipment as provided in § 18.118(d) of this chapter.

(b) The Chief of the Field Engineering and Monitoring Bureau or the Chief, Field Operating Division are authorized to declare that a state of general communications emergency exists and to act on behalf of the Commission pursuant to the provision of § 12.156 of this chapter with respect to the operation of amateur stations during a state of general communications emergency.

§ 0.272 Record of actions taken.

(a) Actions taken by the Chief or Acting Chief of the Field Engineering and Monitoring Bureau in accordance with the delegations listed in § 0.271 shall be recorded each week in writing and filed in the official minutes of the Commission.

(b) The authorizations issued by the Bureau in accordance with its assigned functions and the delegations of authority transferred hereby shall bear the seal of the Commission and the signature of the Secretary of the Commission.

ENGINEERS IN CHARGE

§ 0.281 Matters delegated to the Engineers in Charge.

The Engineers in Charge at each headquarters office of the 24 districts of the Field Engineering and Monitoring Bureau are delegated authority to act upon the following applications, requests or other matters which are not in hearing status:

(a) For new, modified replacement, duplicate or renewal commercial radio operator license and provisional radio operator certificate.

(b) For temporary permission to operate standard and FM broadcast stations with licensed operators of lesser grade than normally required by the Commission's rules or for waiver of other technical requirements of operators at such stations.

(c) In cases of informal requests from broadcast stations to extend temporary authority for operation without any of the following: modulation monitor, frequency monitor, plate ammeter, plate voltmeter, base current meter, common point meter and transmission line meter from FM and television stations.

(d) Relating to the time within which an applicant for amateur or commercial radio operator license may take an examination after having failed a previous examination (§§ 12.49 and 13.27 of this chapter).

(e) For periodic survey as required by section 385 of the Communications Act of 1934, as amended, and issuance of Communications Act radiotelephony certificates in accordance with § 8.501(b) of this chapter.

(f) Applications, in any acceptable form, filed at Commission field offices located in Alaska, for special temporary operator license authorization, in lieu of regular commercial radio operator license, when it is shown that there is a need for such authorization for use in connection with the protection of life or property during an emergency period.

(g) Requests for interim ship station and for interim radar ship station licenses as provided by Part 8 of this chapter governing stations on shipboard in the maritime services.

(h) For special operation necessary to facilitate equipment, program and service tests or to comply with technical requirements specified in authorizations, orders, rules or releases of the Commission.

(i) Operation during daytime for specified periods with the nighttime facilities in order to check measurements and operation.

(j) For ship radio inspection and certification of the ship radio license, pursuant to the requirements of section 362 (b) of the Communications Act of 1934, as amended.

(k) For a Safety Radiotelegraphy Certificate or a Safety Radiotelephony Certificate in accordance with the terms of Regulations 11 and 12, Chapter I, of the Safety Convention.

(l) For inspection or periodical survey as required by Article 11 of the Great Lakes Agreement and certification prescribed by Articles 12 and 13 thereof.

(m) Issuance of notices and orders to operators of industrial heating equipment, as provided in §§ 18.120 and 18.121 of this chapter.

(n) Requests for permission to resume operation of industrial heating equipment on a temporary basis, as provided in §§ 18.120 and 18.121 of this chapter, and requests for extensions of time within which to file final reports, as provided by § 18.122(b) of this chapter.

§ 0.282 Record of actions taken.

All actions taken under § 0.281 shall be recorded in the field office where such action has been taken, and except for actions taken under § 0.281 (c), (d), (h) and (i), a report thereof shall be sent to the Washington, D.C., Office of the Field Engineering and Monitoring Bureau quarterly.

§ 0.284 Authority delegated to Radio Engineers at sub-offices, Marine Supervisors at marine offices, and to engineers engaged in ship inspection duties at radio district offices.

(a) The Radio Engineer at each sub-office of a district headquarters office of the Field Engineering and Monitoring Bureau is delegated authority to act upon all matters contained in § 0.281, except paragraph (b).

(b) The Marine Supervisor at each marine office of the Field Engineering and Monitoring Bureau is delegated authority to act upon matters set forth in § 0.281 (a), (d), (e), (g), (j), and (k).

(c) Engineers engaged in ship inspection duties at radio district offices of the Field Engineering and Monitoring Bureau are delegated authority to act upon matters set forth in § 0.281 (e), (j), and (l).

§ 0.285 Matters delegated to FCC representatives assigned to Regional Boards for Civil and Defense Mobilization during a wartime emergency period.

Engineers in Charge of Field Engineering and Monitoring Bureau district offices at Boston, Massachusetts; Baltimore, Maryland; Atlanta, Georgia; Detroit, Michigan; Dallas, Texas; Denver, Colorado; San Francisco, California and Seattle, Washington are designated as FCC representatives to Regional Boards for Civil and Defense Mobilization. Assistant Engineers in Charge of the same offices are designated as alternates. These Boards will be activated in wartime emergency periods or during Civil Defense exercises. These FCC representatives will give advice and assistance to Regional Directors of OCDM and to other Federal agencies within the respective OCDM region on matters relating to the functions and responsibilities of the FCC. They will also coordinate FCC operations within the region in the event of a regional "cut-off" situation. For the purpose of delegating authority to FCC representatives to act for the Commission, a regional "cut-off" situation shall be considered as existing when either no communication to higher authority within the FCC can be effected, or such communication as exists could not be expected to provide an answer from higher authority within the FCC in time to authorize urgent actions that the FCC representative determines cannot be delayed until such answer is received. The delegations of authority set forth in paragraphs (a), (b), and (c) of this section are made to these Engineers in Charge or to their alternates, to enable them to carry out their responsibilities.

(a) When communication is available to higher authority within the FCC. When instructions can be obtained from higher authority within the FCC, delegation of authority to FCC representatives assigned to Regional Boards for Civil and Defense Mobilization shall comprise that set forth in § 0.281. Action under this delegation must be consistent with any defense rules, such as CONELRAD rules, that supersede rules

for normal conditions; wartime plans and emergency orders that may be adopted by the Commission; emergency legislation; Executive Orders; and any pertinent actions of other Government agencies taken pursuant to authority delegated to them under section 606 of the Communications Act, as amended.

(b) During a temporary "cut-off" period when communication to higher authority within the FCC is disrupted. When instructions cannot be obtained from higher authority within the FCC and when immediate action must be taken, delegation of authority to FCC representatives assigned to Regional Boards for Civil and Defense Mobilization shall comprise the following in addition to the delegations included in paragraph (a) of this section.

(1) Matters delegated to the Bureau Chief and Chief, Field Operating Division by § 0.271.

(2) Matters delegated to the Chief, Broadcast Bureau by § 0.241.

(3) Matters delegated to the Chief, Safety and Special Radio Services Bureau by §§ 0.259, 0.291 and 0.292, except for the authority to act on requests for waiver of rules governing the availability of frequencies below 25 megacycles in the Aviation and Maritime Services.

(4) Matters delegated to the Chief, Common Carrier Bureau by §§ 0.251, 0.253, 0.258(d), 0.258(e), 0.258(f), 0.259, 0.260 and 0.261.

(5) Matters delegated to the Office of the Chief Engineer by §§ 0.241(h), 0.331, and 0.332: *Provided, however*, That action taken pursuant to §§ 0.241(h) and 0.331(c) shall be coordinated with the FCC CONELRAD Supervisors and/or Coordinating Engineers, prior to taking action if possible, or at the earliest opportunity.

(6) Authority to act on requests for temporary authorizations for new or modified radio station operations, subject to the provisions of the Communications Act of 1934, as amended.

(7) Authority to act on requests for temporary authorizations for all classes of radio operators, subject to the provisions of the Communications Act of 1934, as amended.

(8) Authority to waive temporarily any provisions of this chapter applicable to radio stations and radio operators, subject to the provisions of the Communications Act of 1934, as amended: *Provided, however*, That such authority shall not include acting on requests for waiver of rules governing the availability of frequencies below 25 megacycles in the Aviation and Maritime Services, nor shall such authority include acting on requests to waive any of the CONELRAD rules.

(c) General. (1) All authorizations granted pursuant to authority contained in paragraph (b) of this section shall be for periods not exceeding 30 days and shall be reported to higher Commission authority at the earliest opportunity. Such authorizations shall be subject to review and cancellation or revision, without hearing, by the FCC representatives assigned to Regional Boards for Civil and Defense Mobilization or by higher

Commission authority when the need for such action arises.

(i) Written authorizations granted pursuant to authority contained in paragraph (b) of this section shall show plainly on their face that they are temporary authorizations, not to exceed 30 days from date of issue, and subject to review and cancellation or revision without hearing.

(ii) Where immediate oral authorizations are necessary, the applicant shall be orally informed of the limitations enumerated above in this subparagraph and the oral authorization shall be followed as soon as possible by a written authorization bearing the same date of issue as the date of oral authorization. If the "cut-off" period exceeds 30 days in duration, such authorizations may be renewed for additional periods of 30 days each.

(2) Actions taken under any delegation of authority must take into full account, and be in conformance with, any defense rules that supersede rules for normal conditions; wartime emergency plans and orders of the Commission; emergency legislation; Executive Orders; and any pertinent actions of other Government agencies taken pursuant to authority delegated to them under section 606 of the Communications Act, as amended.

(3) No actions shall be taken under any delegation of authority until full consideration is given to the effect of such actions on the continuance of vital radio communications, both government and non-government, on a world-wide or nation-wide basis and in adjacent regions. If the FCC representative assigned to the Regional Board for Civil and Defense Mobilization determines that interference to radio operations outside of a "cut-off" region may result by authorizing new or modified radio facilities (for example, a change of frequency or power of a radio station), he shall withhold such authorization unless directed to grant the temporary authorization by higher authority.

(4) Coordination shall be effected, where possible, with the FCC representatives assigned to Regional Boards for Civil and Defense Mobilization in adjacent regions before acting to authorize temporary requests for radio operations.

(5) New obligations incurred pursuant to delegation of authority specified in this section for personal service, procurement, contract agreements, and similar items shall not exceed the amount authorized by the Commission's Budget Officer in periodic emergency allotment authorizations.

§ 0.286 Record of actions taken.

Actions taken under § 0.285(b) by FCC representatives assigned to Regional Boards for Civil and Defense Mobilization shall be reported to Chief, Field Engineering and Monitoring Bureau at the earliest opportunity.

SAFETY AND SPECIAL RADIO SERVICES BUREAU

(See also § 0.259 on authority delegated jointly to Chiefs of Common Carrier Bureau and Safety and Special Radio Services Bureau.)

§ 0.291 Matters delegated.

The Chief of the Safety and Special Radio Services Bureau is delegated authority to act upon the following applications, requests, and other matters which are not in hearing status:

(a) Consistent with and pursuant to the rules governing the Disaster Communications Service and the Maritime, Aviation, Public Safety, Industrial, Amateur, Land Transportation, and Citizens Radio Services, except those rendering a common carrier service, on all applications for construction permits, modification of construction permits, extension of construction permits, station licenses, modification of station licenses, transfer of control or assignment of construction permits or station licenses, renewal of station licenses, amateur operator licenses, renewal or modification of amateur operator licenses and special temporary authorizations, except applications for construction permits for new public coast stations at locations other than Alaska.

(b) On the following matters insofar as they involve the Disaster Communications Service or the Maritime, Aviation, Public Safety, Industrial, Amateur, Land Transportation, or Citizens Radio Services:

(1) Requests for extensions of time for equipment or service tests or within which to comply with technical requirements specified in authorizations, orders and rules or releases of the Commission.

(2) Requests for inspections of Commission's records under the provisions of § 0.406.

(3) Requests for withdrawal of papers in accordance with § 1.14 of this chapter.

(4) Requests for extension of time within which briefs and comments may be filed with respect to proposed rule making.

(5) To make the finding of emergency involving danger to life or property or due to damage to equipment, as provided by section 308(a) of the Communications Act of 1934, as amended.

(6) Cancellation of station licenses, construction permits or other authorizations upon the request of the licensee or permittee or upon abandonment of the station.

(7) Petitions or requests seeking waiver of or exception to any rule, regulation or requirement, and to act upon petitions or requests relating to the assignment of frequencies to the various safety and special radio services but requiring action under § 2.102 of this chapter, when he finds that the operation for which permission is sought (i) is of a nonrecurring nature and does not warrant rule making proceedings with a view to establishing it on a regular basis, (ii) will not exceed 180 days, and (iii) will cause no harmful interference to any service operating in accordance with the Table of Frequency Allocations. This delegation does not apply to requests for renewals of any authority to operate granted hereunder: *Provided, however*, That none of the foregoing limitations shall apply to petitions or requests for waiver of or exception to any requirement set forth in §§ 12.27, 12.44, 12.81,

and 12.90 of this chapter, or to the requirements with regard to types of emission set forth in § 12.111.

(8) To issue, in accordance with section 312(c) of the Act, (i) orders to show cause why an order of revocation pursuant to section 312(a), or a cease and desist order pursuant to section 312(b) should not be issued; and (ii) orders of revocation or cease and desist orders, as the case may be, in those instances in which hearing is waived and the allegations of the show cause order are, by regulation of the Commission, deemed to have been admitted.

(9) To grant the authorizations provided for in § 2.102(c) of this chapter.

(10) To cancel novice, technician, or conditional class amateur licenses as provided in § 12.45 of this chapter.

(11) To act upon all requests (to the extent that they relate to qualifications for the various amateur operator licenses) for waiver of the requirement of Part 12 of this chapter where it is alleged that, by reason of a protracted or permanent physical disability, the applicant is unable to meet the requirements of such rules.

(12) To issue, in accordance with section 316 of the Act, orders to modify ship radiotelephone stations by deleting therefrom any frequency when the use thereof has resulted in harmonic emissions found to be capable of causing interference to other radio services, and if a hearing thereon is requested, to designate such matters for hearing.

(13) To grant, in the absence of unusual circumstances:

(i) A non-renewable, 4-year waiver of the type acceptance requirement of § 8.139 of this chapter for any radiotelephone transmitter that fails to qualify for the "same vessel" exception to that requirement solely because the set was formerly used in a U.S. Government or foreign station and, therefore, has never been licensed by the Commission.

(ii) A 4-year waiver and renewals thereof of the spurious emission limitations of § 8.136 of this chapter for any radiotelegraph transmitter that fails to qualify for the "same vessel" exception to those limitations solely because the set was formerly used in a U.S. Government or foreign station and, therefore, has never been licensed by the Commission.

(iii) A 6-month waiver of the type acceptance requirement of § 8.139 of this chapter in cases substantially the same as those in which the Commission en banc has taken similar action.

(c) Consistent with the provisions of section 309(f) of the Communications Act of 1934, as amended, to grant or deny requests for temporary authorizations and to issue orders stating the reasons therefor, but only prior to the time a petition to deny the application involved has been filed or the application has been designated for hearing.

§ 0.292 Other matters delegated.

The Chief of the Safety and Special Radio Services Bureau is delegated authority to act upon the following applications, requests and other matters:

(a) Requests for assignment of call letters to new radio stations and for

changes in the call letters of existing stations.

(b) Applications or requests for exemption, pursuant to the provisions of section 352(b) and 383 of the Communications Act, Regulation 4, Chapter I of the Safety Convention, Regulation 5 or 6, Chapter IV of the Safety Convention, and Regulation 12(b), Chapter V of the Safety Convention, or Article 6 of the Great Lakes Agreement:

(1) For emergency and renewal exemption of vessels;

(2) For initial exemption of vessels subject to Title III, Part III of the Act;

(3) For initial exemption of vessels of less than 100 gross tons subject to Title III, Part II of the Act or the Safety Convention;

(4) For exemption from Title III, Part II, of the Act of vessels operated in the Gulf of Mexico which participate in oil well drilling operations when the circumstances are substantially the same as those in precedent cases decided by the Commission en banc; and

(5) For initial exemption, in those cases wherein the sole reason for such exemption is to avoid requirements for more than one basic safety radio system on an individual vessel, from the radio-telegraph requirements of the Safety Convention or Title III, Part II of the Act, or both, of:

(i) Individual ocean-going vessels, transiting the St. Lawrence Seaway and not navigated solely on the Great Lakes, during the periods while such vessels are navigated on the Great Lakes and provided that exemption is conditioned upon compliance with the provisions of the Great Lakes Agreement;

(ii) Individual vessels transiting the St. Lawrence Seaway that are navigated only between United States Great Lakes ports and Canadian ports outside the Great Lakes, provided that such vessels are not navigated beyond a line running from Cape Gaspe, Province of Quebec, to Heath Point, Anticosti Island, and thence northward to Natashquan Point, Province of Quebec, and provided further that while so navigated the vessels comply with the provisions of the Great Lakes Agreement.

(c) Applications or requests for approval of schedules of transmissions by coast stations of information for the general benefit of mariners to a plurality of mobile stations or to designated fixed locations.

(d) Make determination and notification of incurrence of forfeitures under the provisions of sections 364, 386, and 507 of the Communications Act.

(e) Applications made pursuant to section 504(b) of the Communications Act of 1934, as amended, for mitigation or remission of forfeitures imposed under sections 364, 386, and 507 of the Act.

(f) Issue orders suspending the licenses of amateur operators in accordance with section 303(m) (1) of the act and if a hearing thereon is requested, to designate such matters for hearing.

(g) Requests pursuant to the provisions of §§ 7.104(b) (1) and 7.189(c) (1) of this chapter for waiver or exception to the requirements of those sections con-

cerning 2182 kc/s coast station facilities and watch.

(h) To dismiss applications without prejudice in cases where, prior to designation of such application for hearing, an applicant has failed to answer official correspondence or a request for additional information from the Commission.

§ 0.293 Record of actions taken.

The history card pertaining to a certain station is designated to be the official record of the action taken by the Chief, Safety and Special Radio Services Bureau, in pursuance of the authority delegated to him in §§ 0.291 and 0.292, or jointly to him and the Chief of the Common Carrier Bureau (§ 0.259). In cases where no history card is prepared, the application and authorization file pertaining to the station in question is designated to be the official record of the action taken by the Chief of the Bureau, or by him jointly with the Chief of the Common Carrier Bureau. The authorizations issued by the Chief, Safety and Special Radio Services Bureau, shall bear the seal of the Commission and the signature of the Secretary.

OFFICE OF ADMINISTRATION

§ 0.301 Authority delegated.

The Chief of the Office of Administration or his designee is delegated authority in the following matters:

(a) Procurement, receipt, inspection, storage, issue of equipment and supplies.

(b) Negotiation concerning the disposal of excess and surplus personal and real property.

(c) Upon approval of the General Counsel, execution of contracts, easements or leases, in the name of the Commission.

GENERAL COUNSEL

§ 0.322 Matters delegated to the General Counsel.

(a) The General Counsel is delegated authority to act, in the absence of the Chairman, within the purview of section 403(a) of the Federal Tort Claims Act, as amended, 28 U.S.C. 2672, upon tort claims directed against the Commission where the amount of damages does not exceed \$2,500.

(b) The General Counsel is delegated authority to act in matters which are not in hearing status, insofar as authority to act upon them is not delegated to any other bureau or office on (1) requests for inspection of records under the provision of § 0.406 and (2) requests for extension of time within which briefs and comments may be filed.

§ 0.323 Record of actions taken.

Action taken in accordance with § 0.322 shall be recorded each week and filed in the official minutes of the Commission.

CHIEF ENGINEER

§ 0.331 Authority delegated.

The Chief Engineer is delegated authority to act upon the following matters which are not in hearing status:

(a) With respect to type approval of radio frequency equipment and certification of radio frequency equipment as ac-

ceptable for licensing, to exercise all functions of the Commission pertaining to the:

(1) Examination of all applications for type approval of radio frequency equipment as provided for in this chapter; performance of tests, analysis of data, and determination of compliance with the provisions of this chapter; issuance of type approval certificates for radio frequency equipment which complies with the provisions of this chapter; and issuance of lists of type approved equipment.

(2) Examination of all applications for certification of radio frequency equipment as acceptable for licensing as provided for in this chapter; notification to the applicant that an examination of the certified technical information and data submitted in accordance with the provisions of this chapter indicates that the equipment does or does not appear to be acceptable for licensing in the particular radio service or services involved; and issuance of lists of radio frequency equipment certified as acceptable for licensing.

(b) With respect to stations operating in the Experimental Radio Service that are not engaged in the development of an established service and administered by a single Bureau, to act upon the following matters:

(1) Applications to assign frequencies, power, emission, and types of equipment and to approve the apparatus to be employed by these radio stations so as to provide the maximum results from the experimentation which can reasonably be expected of the licensee.

(2) Applications from existing licensees which involve a change in frequency, power, or type of emission.

(3) Applications which involve only a change in location, type, model, design or number of transmitters.

(4) Requests by licensees or permittees for cancellation of their station licenses, construction permits or other authorizations.

(5) Applications for license or modification of license to cover construction permit.

(6) Applications for renewal of licenses.

(7) Applications for extension of the expiration date of construction permits.

(8) For addition, modification, or coordination of programs of research or experimentation so as to provide the maximum results from the experimentation which can be reasonably expected of the licensee or licensees.

(9) Requests for operation with a modified antenna system where formal application is not required.

(10) Requests for extension of time within which to comply with technical requirements specified in authorizations, orders, rules, or releases of Commission.

(11) Representation of compliance with technical requirements specified in authorizations, orders, rules, or releases of the Commission (except formal applications).

(12) Requests to operate at a temporary location with a temporary antenna system.

(13) Request for special conditions of operation necessary to comply with technical requirements specified authorizations, orders, rules, or releases of the Commission.

(14) Request for special temporary authority in emergency cases, at times outside of the regular office hours of the Commission and requiring immediate action during those hours.

(15) Request for exemption from station identification requirements.

(c) With respect to CONELRAD:

(1) To exempt standard, FM and TV broadcast stations, including Basic Key and Relay Key stations from the requirements of installing the necessary equipment to receive notification of Radio Alerts or Radio All Clears by means of reception of radio broadcast messages, and maintaining this equipment in a state of readiness for reception, including arrangements for human listening watch or automatic alarm devices or both (§ 3.931 of this chapter).

(2) To revoke, when the public interest so requires, all exemptions granted by him in accordance with paragraph

(c)(1) of this section and also all exemptions which the Commission has granted in connection with § 3.931 of this chapter before January 20, 1954. Any such revocation shall be effective as soon as the licensee is notified.

§ 0.332 Authority delegated to the Chief Engineer upon securing concurrence of the General Counsel.

(a) The Chief Engineer, upon securing concurrence of the General Counsel, is delegated authority with respect to stations operating in the experimental radio services, other than experimental and developmental stations operating in established services under the jurisdiction of a single Bureau, to act upon the following matters:

(1) Applications for construction permits for new stations.

(2) All requests for withdrawal of papers in accordance with § 1.14 of this chapter.

(3) Applications for consent to assignment and transfer of control of station authorizations.

(4) The extension of time previously ordered by the Commission within which transfers of control or assignment of licenses be effectuated.

(b) The Chief Engineer, or his designee, upon securing concurrence of the General Counsel, is delegated authority to execute in the name of the Commission all agreements pertaining to the loan of United States Government property to radio station licensees for national defense purposes.

§ 0.333 Authority to issue orders; record of actions taken.

In matters pertaining to authority granted in §§ 0.331 and 0.332, the Chief Engineer is authorized to make orders in letter form for the signature of the Secretary of the Commission. The application and authorization files and other appropriate files of the Office of the Chief Engineer are designated as the official minute entries of action taken pursuant to the aforesaid delegated au-

thority. The authorization issued by the Office of the Chief Engineer in accordance with its assigned functions and the delegations of authority shall bear the signature of the Secretary of the Commission.

SECRETARY

§ 0.341 Matters delegated to Secretary.

(a) The Secretary is delegated authority to make nonsubstantive, editorial revisions of the Commission's rules and regulations upon approval of the Bureau or head of the staff office primarily responsible for the particular part or section involved.

(b) The Secretary is delegated authority, upon securing the approval of the Field Engineering and Monitoring Bureau, to delete or modify, from time to time, as need may appear, the location of radio operator examination points as set forth in § 0.413 and in the appendix to Part 12 of this chapter.

(c) Actions taken in accordance with this section shall be recorded each week in writing and filed in the official minutes of the Commission.

Subpart C—How and Where To Obtain Information, File Applications, and Submit Requests

§ 0.401 Location of Commission offices; hours; meetings.

(a) The main office of the Commission is located in the New Post Office Building, 13th Street and Pennsylvania Avenue, Washington 25, D.C. The mailing address is:

Federal Communications Commission
Washington 25, D.C.

(b) The Commission's laboratory is located north of Laurel, Maryland. The mailing address is:

FCC Laboratory
Box 31
Laurel, Maryland

(c) The locations of the field offices of the Field Engineering and Monitoring Bureau are shown in § 0.49; those of the Common Carrier Bureau in § 0.24(b).

(d) The offices of the Commission are open from 8:30 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

(e) Unless otherwise directed, meetings of the Commission are held at its main office in Washington, D.C.

§ 0.402 Public information.

Any person desiring to obtain information may do so by writing or coming in person to any of the Commission's offices. A broader range of information and more comprehensive information facilities are available at the Commission's main office in Washington, D.C., however, and inquiries of a general nature should ordinarily be submitted to that office.

§ 0.404 Public reference rooms.

Public reference rooms are maintained by the Commission where the public may inspect any material which is available for public inspection in accordance with § 0.406. Unless otherwise indicated, these rooms are located in the New Post Office Building, 13th Street

and Pennsylvania Avenue NW., Washington 25, D.C. They are as follows:

(a) The Broadcast and Docket Reference Room. Here the public may inspect all broadcast applications and files relating thereto, lists designated in § 0.406 (g), (h), and (i), dockets relating to all Commission matters which have been designated for hearing or which are the subject of rule making proceedings, any other docketed matters, and undocketed petitions for rule making.

(b) The public may inspect all safety and special applications and files relating thereto at the offices of the Divisions of the Safety and Special Radio Services Bureau which process such applications. The categories of radio stations in the Safety and Special Radio Services, and the Divisions concerned therewith, are listed in § 1.541 of this chapter. In addition, a complete file concerning amateur radio operators is available for inspection in the Amateur License Reference Room.

(c) Information concerning applications filed by commercial radio operators may be obtained at 718 Jackson Place NW., Washington 25, D.C.

(d) The Common Carrier Reference Rooms. Here the public may inspect the following:

(1) All annual and other reports filed by common carriers pursuant to section 219(a) of the Communications Act.

(2) The schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the Communications Act.

(3) All contracts, agreements, or arrangements between carriers filed pursuant to section 211(a) of the Communications Act.

(4) All applications for common carrier authorizations, both radio and non-radio, and files relating thereto.

(e) The Experimental Branch of the Technical Research Division of the Office of the Chief Engineer. Here the public may inspect experimental license files.

(f) The Frequency Registration and Notification Branch of the Frequency Allocations and Treaty Division, Office of Chief Engineer. Here the public may inspect the frequency records of the Commission.

(g) The Equipment and Systems Branch of the Technical Research Division of the Office of the Chief Engineer. Here the public may inspect the Radio Equipment List (list of type-approved and type-accepted equipment).

§ 0.405 General information office.

The Office of Reports and Information is located in the New Post Office Building. Here the public may obtain copies of public notices of Commission actions, formal documents adopted by the Commission and other public releases, as they are issued. Back issues of public releases are available for inspection in this Office. Copies of fact sheets which answer recurring questions about the Commission's functions may be obtained from this Office.

§ 0.406 Inspection of records.

Subject to the provisions of sections 4(j), 213(f), 412, and 606 of the act, the files of the Commission shall be open to public inspection as follows:

(a) Tariff schedules required to be filed under section 203 of the act, all documents filed in connection therewith, and all communications relating thereto; valuation reports, including exhibits filed in connection therewith unless otherwise ordered by the Commission, with reasons therefor, pursuant to section 213 of the act; and annual and monthly reports required to be filed under section 219 of the act.

(b) Contracts, agreements, or arrangements between carriers, filed pursuant to section 211(a) of the act, except such contracts relating to foreign wire or radio communications which are marked "not for public inspection" by the Commission: *Provided, however*, That the Commission will give appropriate consideration to a petition filed by any person showing that any such contract, agreement, or arrangement relates to foreign wire or radio communication; that its publication would place American communication companies at a disadvantage in meeting the competition of foreign communication companies; and that public interest would be served by keeping its terms confidential.

(c) All applications and amendments thereto filed under Title II and Title III of the Act, including all documents and exhibits filed with and made a part thereof, and all communications protesting or endorsing any such applications, authorizations, and certifications issued upon such applications; all pleadings, depositions, exhibits, transcripts of testimony, reports, of examiners or presiding officers, exceptions, briefs, proposed reports, or findings of fact and conclusions; all minutes and orders of the Commission. The information filed under § 1.341 of this chapter and network and transcription contracts filed pursuant to § 1.342 of this chapter shall not be open to public inspection. The Commission may, however, either on its own motion, or on motion of an applicant, permittee or licensee, for good cause shown, designate any of the material in this paragraph as "not for public inspection."

(d) All petitions for issuance, amendment, or repeal of any rule or regulation, including all documents and exhibits filed with or made part thereof and all communications protesting or endorsing any such petitions; all pleadings, depositions, exhibits, transcripts of testimony, reports of examiners or presiding officers, exceptions, briefs, proposed reports, or finding of fact and conclusions; all minutes and orders of the Commission. The Commission may, however, either on its own motion, or on motion by petitioner or those filing comments, for good cause shown, designate any of the material in this paragraph as "not for public inspection."

(e) The Master Frequency Records (Standard Form 128) are available for public inspection in the offices of the Frequency Registration and Notification Branch of the Frequency Allocations and Treaty Division, Office of Chief Engineer.

(f) For provisions relating to inspection of files relating to Presidential licenses for submarine cables, see § 1.455 of this chapter.

(g) Lists of frequency assignments to radio stations authorized by the Commission are recapitulated periodically by means of a machine record system. All stations licensed by the Commission are included, except the following: Aircraft, Amateur, Citizens (except Class A), Civil Air Patrol, and Disaster. The resulting documents, the FCC Service Frequency Lists, consists of several volumes arranged by nature of service, in frequency order, including station locations, call signs and other technical particulars of each assignment. These documents are available for public examination at each of the Commission's Field Engineering and Monitoring Bureau field offices (see § 0.49), and in Washington, D.C., at the Commission's Broadcast and Docket Reference Room, and in the offices of the Frequency Registration and Notification Branch of the Frequency Allocations and Treaty Division, Office of Chief Engineer. They may be purchased from the Seabrooke Printing Co., 514 10th Street NW., Washington 4, D.C.

(h) Pursuant to the North American Regional Broadcast Agreement and the U.S./Mexican Agreement, appropriate countries are notified of standard broadcast station assignments as they are made. The information thus supplied by notice includes frequency, station location, call letters, power and other technical particulars. Every six months, a recapitulative list containing this information for all existing standard broadcast stations, arranged in frequency order, is prepared by the Commission. This is the so-called NARBA List. These lists are available for public examination at each of the Commission's Field Engineering and Monitoring Bureau field offices (see § 0.49), and in Washington, D.C., at the Commission's Broadcast and Docket Reference Room. They may be purchased from the Seabrooke Printing Co., 514 10th Street NW., Washington 4, D.C.

(i) Periodically the Commission prepares lists containing information about authorized broadcast stations and pending applications for such stations. These lists, which are prepared by an addressing machine, contain frequency, station locations, and other particulars. They are available for public examination at the Commission's Broadcast and Docket Reference Room, Washington, D.C., and may be purchased from Cooper-Trent, Inc., 1130 19th Street NW., Washington 6, D.C.

(1) For standard broadcast stations the lists are arranged as follows:

(i) Authorized stations arranged in frequency order, alphabetically by state and city, and by call letters.

(ii) Pending applications for new stations and major changes in existing facilities arranged in frequency order and alphabetically by state and city.

(2) For FM broadcast stations the lists are arranged as follows:

(i) Authorized stations arranged by call letters and alphabetically by state and city.

(ii) Pending applications for new stations and major changes in existing facilities arranged alphabetically by state and city.

(3) For television broadcast stations only one list is prepared. This list contains authorized stations and pending applications for new stations and major changes in existing facilities, and is arranged alphabetically by state and city.

(4) For television broadcast translator stations only one list is prepared. This list contains authorized stations and pending applications for new stations and major changes in existing facilities and is arranged alphabetically by state and city.

(j) Lists of type-approved and type-accepted equipment (the Radio Equipment Lists) are prepared periodically by the Commission. These documents are available for public examination at each of the Commission's Field Engineering and Monitoring Bureau field offices (see § 0.49) and in Washington, D.C., in the offices of the Equipment and Systems Branch of the Technical Research Division of the Office of the Chief Engineer.

(k) In the discretion of the Commission, other files, including those excepted in paragraphs (a), (b), and (c) of this section, upon written request describing in detail the documents to be inspected and the reasons therefor.

§ 0.407 Certified copies; requests for; costs.

Copies of any documents subject to inspection under the provisions of § 0.406, with the exception of FCC Service Frequency Lists described in § 0.406(g), will be prepared and certified by the Secretary, under seal, on written request, specifying the exact documents, the number of copies desired, and the date on which the same will be required. Such request must be made so as to permit a reasonable time for the preparation of such copies and any cost incurred in the preparation of such copies must be prepaid by the person making application therefor: *Provided, however*, That, if requests are received from representatives of foreign governments or from persons residing in foreign countries, the criteria established by the Department of Commerce for the control of export of technical data will be taken into account before such certified copies will be made available.

§ 0.408 Reports of violations.

Reports of violations of the Communications Act or of the Commission's rules and regulations may be submitted direct to the Commission in Washington or to any field office.

§ 0.409 Place of filing of applications for radio authorizations.

Class of station	Method of filing	Number of copies
(a) Alaskan fixed public and Alaskan public coastal.	Via engineer-in-charge, Radio District No. 14, Seattle, Wash.	3.
(b) Amateur.	See § 0.413.	As specified in form. Do.
(c) Interim ship station licenses.	See § 0.414.	Do.
(d) All others.	Directly to Secretary, Federal Communications Commission, Washington 25, D.C.	Do.

RULES AND REGULATIONS

§ 0.410 Applications for ship radio inspection and periodical survey.

Applications for ship radio inspection or for periodical survey shall be forwarded to the radio district office nearest the desired port of inspection or place of survey.

§ 0.411 Applications for exemption from compulsory ship radio requirements.

Applications for exemption filed under the provisions of section 352(b) or 383 of the Communications Act; Regulation 4, Chapter I of the Safety Convention; Regulation 5 or 6, Chapter IV of the Safety Convention; Regulation 12(b), Chapter V of the Safety Convention; or Article 6 of the Great Lakes Agreement, shall be filed at the Commission's office in Washington, D.C.

§ 0.412 Non-radio common carrier applications.

All such applications shall be filed at the Commission's office in Washington, D.C.

§ 0.413 Applications for amateur station and operator license and/or commercial operator license.

(a) Application for amateur station and operator license shall be filed in the appropriate engineering field office listed in § 0.49 except that applications for modification covering change of location or for renewal of licenses shall be submitted to the Secretary, Federal Communications Commission, Washington 25, D.C. Only one copy of the application is required.

(b) Application for commercial operator license shall be filed with any engineering field office listed in § 0.49 under whose supervision the applicant desires to be examined.

(c) Schedules of radio operator examinations are available at the Commission's district offices listed in § 0.49. Examinations are given frequently under these schedules at the Commission's Washington examination office at 718 Jackson Place NW., Washington 25, D.C., and at each of the Commission's field offices listed in § 0.49. Examinations are also given frequently, by appointment, at the Commission's offices at the following points: Savannah, Georgia; San Diego, California; San Pedro, California; Tampa, Florida; Mobile, Alabama; Anchorage, Alaska; and Beaumont, Texas.

(1) Examinations are also given at less frequent intervals at the places named below, which are visited for that purpose by Commission examiners from the district offices. For current schedules, exact time, place, and other details, inquiry should be addressed to the office conducting examinations at the chosen point.

QUARTERLY POINTS

Birmingham, Ala.	Indianapolis, Ind.
Charleston, W. Va.	Knoxville, Tenn.
Cincinnati, Ohio.	Little Rock, Ark.
Cleveland, Ohio.	Louisville, Ky.
Columbus, Ohio.	Memphis, Tenn.
Corpus Christi, Tex.	Milwaukee, Wis.
Davenport, Iowa.	Nashville, Tenn.
Des Moines, Iowa.	Oklahoma City, Okla.
Fort Wayne, Ind.	Omaha, Nebr.
Fresno, Calif.	Phoenix, Ariz.
Grand Rapids, Mich.	

Pittsburgh, Pa.
St. Louis, Mo.
Salt Lake City, Utah.
San Antonio, Tex.
Schenectady, N.Y.

Sioux Falls, S. Dak.
Syracuse, N.Y.
Tulsa, Okla.
Williamsport, Pa.
Winston-Salem, N.C.

SEMIANNUAL

Albuquerque, N. Mex.
Boise, Idaho.
Hartford, Conn.
Jackson, Miss.
Jacksonville, Fla.

Portland, Maine.
Roanoke, Va.
Spokane, Wash.
Tucson, Ariz.
Wichita, Kans.
Wilmington, N.C.

ANNUAL

Amarillo, Tex.
Bakersfield, Calif.
Bangor, Maine.
Billings, Mont.
El Paso, Tex.
Fairbanks, Alaska.
Great Falls, Mont.
Hilo, Hawaii.

Jamestown, N. Dak.
Klamath Falls, Oreg.
Lihue, Hawaii.
Marquette, Mich.
Rapid City, S. Dak.
Walluku, Hawaii.

(2) Arrangements have also been made, with the cooperation of other Federal agencies, for Extra Class and General Class examinations in outlying areas, as follows:

Alaska: Stations of the Alaska Communications System.

Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the engineer in charge (Honolulu).

§ 0.414 Applications for interim ship station licenses.

Formal applications for ship station licenses for use of radiotelephone or radar transmitting apparatus or both and applications for modification of such licenses shall, when accompanied by requests for interim ship station licenses, be filed in accordance with § 8.35 of this chapter and presented in person by applicants or their agents at the nearest field office of the Commission as shown in § 0.49 (a) and (b) or at the Commission's main office in Washington, D.C.: *Provided*, That, as an alternative procedure, an applicant, in Alaska, for such a ship station license may submit an application by mail to the Commission's Field Engineering Office at Anchorage, Alaska, when accompanied by a written request for an interim ship station license. Applications for renewal of ship station licenses are not subject to the provisions of this section.

§ 0.415 Miscellaneous submittals or requests.

Persons desiring to make requests or submittals of a general nature should communicate with the Office of the Secretary of the Commission. Those who wish to apply for employment should communicate with the Personnel Officer. Both offices are in Washington, D.C.

§ 0.416 Where to obtain forms.

All forms for use in submitting applications for radio authorizations, together with instructions and information as to filing such forms, may be obtained at the Washington offices of the Commission or at any of the engineering field offices listed in § 0.49.

§ 0.417 Printed publications.

The Commission's printed publications may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C. These include, among other things, the Commission's rules and regulations, its annual reports to the Congress, and the FCC Reports.

[F.R. Doc. 62-8015; Filed, Aug. 9, 1962; 8:50 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Announcement CN-EX-13, Amdt. 2]

PART 482—COTTON

Subpart—1961-62 Cotton Export Program—Payment-in-Kind Regulations

REDEMPTION OF COTTON EXPORT PAYMENT CERTIFICATES

In order to provide that Cotton Export Payment Certificates earned under this subpart may be used in payment for upland cotton purchased from Commodity Credit Corporation under sales announcements providing for acceptance of such certificates, and to provide that such certificates may be used in repayment of upland cotton loans which are outstanding under CCC cotton loan programs, paragraph (c) of § 482.411 of the 1961-62 Cotton Export Program—Payment-in-Kind Regulations (Announcement CN-EX-13) dated April 20, 1961, (26 F.R. 3516) as amended, is hereby further amended to read as follows:

§ 482.411 Cotton Export Payment Certificates.

(c) *Redemption.* The certificate will be redeemable by CCC at face value (1) in payment for upland cotton purchased under CCC sales announcements providing for acceptance of such certificate, (2) in repayment of upland cotton loans which are outstanding under CCC cotton loan programs, or (3) for cash, if it has not been used to obtain cotton under subparagraph (1) or (2) of this paragraph and if it is presented to the New Orleans office for payment not earlier than 60 days after issuance and not later than the expiration date of the certificate. CCC will offer to execute agreements with commercial banks under which such banks may present certificates to the New Orleans office through Federal Reserve banks or branch banks for cash redemption, and certificate holders may arrange with the commercial banks which execute such agreements with CCC to have their certificates presented for cash redemption through banking channels.

(Secs. 4, 5, 62 Stat. 1070, as amended; sec. 203, 70 Stat. 188; 15 U.S.C. 714b, 714c, 7 U.S.C. 1853)

Effective date: This amendment shall be applicable to all unexpired Cotton Export Payment Certificates issued under this subpart which have not been redeemed by CCC prior to the date of publication of this amendment in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 7, 1962.

RAYMOND A. IOANES,
Vice President,
Commodity Credit Corporation.

[F.R. Doc. 62-8021; Filed, Aug. 9, 1962;
8:50 a.m.]

PART 485—NONFAT DRY MILK

Subpart—Nonfat Dry Milk Export Payment-in-Kind Program—Terms and Conditions (SM-7)

REPORTING AND RECORD-KEEPING REQUIREMENTS

The Nonfat Dry Milk Export Payment-in-Kind Program—Terms and Conditions (SM-7) (27 F.R. 6037) is amended by adding, before the signature of the Vice President of the Commodity Credit Corporation, the following language which was inadvertently omitted: "The reporting and record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942."

Signed at Washington, D.C., on August 6, 1962.

RAYMOND A. IOANES,
Vice President,
Commodity Credit Corporation.

[F.R. Doc. 62-7991; Filed, Aug. 9, 1962;
8:47 a.m.]

Title 7—AGRICULTURE

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

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

Subpart B—Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States

REVISION OF LINTERS FACTOR

The amendment of § 61.102(c) of the Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes within United States (7 CFR Part 61), hereinafter set forth, is hereby promulgated to be effective upon publication in the FEDERAL REGISTER, pursuant to authority contained in the Agricultural Marketing Act of 1946, as amended (60 Stat. 1087; 7 U.S.C. 1621-1627).

Statement of consideration leading to revision of linters factor. Both a quan-

tity index and a quality index are used in determining the grade of cottonseed. The table of premiums and discounts for total linters content of cottonseed contained in § 61.102(c) for determining the quantity index of cottonseed is being amended because of the change in the price relationship between linters and cottonseed oil, meal, and hulls.

The Department finds that it is impracticable, unnecessary, and contrary to the public interest to issue a notice of proposed rule making on this amendment or to postpone the effective date of the amendment until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that: (1) the marketing season for cottonseed for crushing purposes has already begun in the southernmost sections of the Cotton Belt and it is imperative that the revision be effective for grading purposes as soon as possible; and (2) no preparation is required by the industry to comply with the amendment.

Paragraph (c) of § 61.102 is revised to read as follows:

§ 61.102 Determination of quantity index.

(c) The premium or discount for total linters content of cottonseed to be used in paragraphs (a) and (b) of this section will be according to the following table:

Total linters content of cottonseed (percent) ¹	Premium or discount (quantity index units) ²	Total linters content of cottonseed (percent) ¹	Premium or discount (quantity index units) ²
20.0	+12.75	10.0	-2.25
19.0	+11.25	9.0	-4.75
18.0	+9.75	8.0	-7.25
17.0	+8.25	7.0	-9.75
16.0	+6.75	6.0	-12.25
15.0	+5.25	5.0	-14.75
14.0	+3.75	4.0	-17.25
13.0	+2.25	3.0	-20.75
12.0	+0.75	2.0	-23.75
11.5	0.0	1.0	-26.75
11.0	-0.75		

¹ Total linters content to the nearest 0.1 percent will be used in calculating premiums and discounts.

² Premiums and discounts are calculated on the basis of the following formulas:

Percent linters on cottonseed	Premium or discount factor
11.6 and over	Premium = (percent linters minus 11.5) x 1.5.
11.5	None.
11.4-10.0	Discount = (11.5 minus percent linters) x 1.5.
9.9-5.0	Discount = (10.0 minus percent linters) x 2.5 + 2.25.
4.9-0	Discount = (5.0 minus percent linters) x 3.0 + 14.75.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: August 4, 1962.

G. R. GRANGE,
Deputy Administrator,
Marketing Service.

[F.R. Doc. 62-7996; Filed, Aug. 9, 1962;
8:48 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 5]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Quotas for Foreign Countries, and Import Fees

Basis and purpose and statement of bases and considerations. In Sugar Regulation 811 for 1962 (26 F.R. 11963; 27 F.R. 3733, 4585, 5255, 6863), the Secretary made the determination that 9,700,000 short tons, raw value of sugar were needed to meet the requirements of consumers in the continental United States for the calendar year 1962. In amendment 4 to that regulation (27 F.R. 6863) effective July 18, 1962, the Secretary established sugar quotas, pursuant to the Sugar Act of 1948, as amended by Public Law 87-535, in terms of short tons of sugar, raw value, for domestic producing areas and the Republic of the Philippines for the calendar year 1962; and, established prorrations and allocations for certain foreign countries other than the Republic of the Philippines and authorized the purchase and importation of 300,000 short tons of sugar, raw value, from foreign countries as a group, for the six-month period ending December 31, 1962.

The Sugar Act of 1948, as amended, and as further amended and extended by Public Law 87-535, approved July 13, 1962, and Public Law 87-539, approved July 19, 1962, is hereinafter referred to as the "Act".

The purposes of this amendment are: (1) To establish allocations for the six months ended December 31, 1962, of 65,000 short tons, raw value, for the Dominican Republic and of 10,000 short tons, raw value, for Argentina pursuant to the authority contained in section 202(c) (4) (B) of the Act and the President's Proclamation 3485, effective July 27, 1962 (27 F.R. 7371); (2) to establish an allocation for the six-month period ended December 31, 1962, of 5,000 short tons, raw value, for Ireland that may be filled with direct-consumption sugar pursuant to the authority contained in section 202(c) (3) and section 207(e) (2) of the Act and (3) to increase from 300,000 to 541,743 short tons, raw value, of sugar the quantity that may be authorized for purchase and importation from foreign countries as a group, for importation on or before September 30, 1962, pursuant to approvals of such importations issued on or before August 15, 1962.

In addition the amendment makes other technical changes necessitated by the establishment of the allocations heretofore discussed and clarifies the provisions relating to the rate of import fee applicable to sugar covered by applications for set-aside of quota provided for in Part 817 of this chapter.

This is the season of high consumption and industrial use, including food