

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER A—GENERAL

[CGFR 63-6]

PART 2—GENERAL DUTIES AND JURISDICTION

Navigable Waters of the United States in 11 States

The purpose for this document is to publish the determinations made by the Commandant, United States Coast Guard, with respect to certain navigable waters of the United States in Florida, Hawaii, Louisiana, Michigan, North Carolina, South Carolina, and Texas; as well as determinations that certain waters are considered to be nonnavigable waters of the United States which are in Georgia, New York, Oklahoma, and Oregon. In the administration and enforcement of various navigation and vessel inspection laws, rules and regulations, it was necessary to determine whether or not certain bodies of waters are in fact navigable waters of the United States and subject to laws administered by the Coast Guard. The information in this document is intended also to further the development, use and enjoyment of all the navigable waters within the United States, and to clarify responsibility with respect to laws, rules and regulations intended to promote safety of life and property on these waters as further described in 33 CFR 2.10-5 and 2.15-1.

Because the rules in this document are interpretations, it is hereby found that the Coast Guard is exempt from compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedures thereon and effective date requirements).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), and 167-17 dated June 25, 1955 (20 F.R. 4976), to promulgate regulations in accordance with Title 5, U.S. Code, section 1002, and Title 14, U.S. Code, section 633, cited with the regulations below, the following regulations are prescribed and shall be in effect on and after the date of publication in the FEDERAL REGISTER:

Subpart 2.30—Navigable Waters of the United States—Florida

1. Subpart 2.30 is amended by adding after § 2.30-10 a new section reading as follows:

§ 2.30-15 Ochlockonee River.

The Ochlockonee River to and including Lake Talquin.

Subpart 2.33—Navigable Waters of the United States—Hawaii

2. Subpart 2.33 is amended by adding after § 2.33-5 a new section reading as follows:

§ 2.33-10 Honolulu Harbor.

Honolulu Harbor, Oahu, Hawaii, and its approaches including Keehi Lagoon, Kalihi Channel and Kapalama Basin.

Subpart 2.40—Navigable Waters of the United States—Louisiana

3. Subpart 2.40 is amended by adding after § 2.40-5 new sections reading as follows:

§ 2.40-10 Caddo Lake.

Caddo Lake.

§ 2.40-15 Twelve Mile Bayou.

Twelve Mile Bayou from its junction with the Red River at Shreveport to and including Caddo Lake.

Subpart 2.44—Navigable Waters of the United States—Michigan

4. Subpart 2.44 is amended by adding after § 2.44-25 new sections reading as follows:

§ 2.44-30 Intermediate Lake.

Intermediate Lake and connecting waters to the East Arm of Grand Traverse Bay, including Bellaire Lake, Clam Lake, Torch Lake, Round Lake, and Elk Lake.

§ 2.44-35 Bellaire Lake.

Bellaire Lake.

§ 2.44-40 Elk Lake.

Elk Lake.

§ 2.44-45 Round Lake.

Round Lake.

Subpart 2.55—Navigable Waters of the United States—North Carolina

5. Subpart 2.55 is amended by adding after § 2.55-35 a new section reading as follows:

§ 2.55-40 Great Pee Dee River.

Great Pee Dee River from its junction with the Waccamaw River in South Carolina to the point where it becomes known as the Yadkin River in the vicinity of Badin Lake, North Carolina.

Subpart 2.63—Navigable Waters of the United States—South Carolina

6. Section 2.63-10 is amended to read as follows:

§ 2.63-10 Great Pee Dee River.

The Great Pee Dee River from its junction with the Waccamaw River in South Carolina to the point where it becomes known as the Yadkin River in the vicinity of Badin Lake, North Carolina.

Subpart 2.66—Navigable Waters of the United States—Texas

7. Subpart 2.66 is amended by inserting after § 2.66-1 new sections reading as follows:

§ 2.66-2 Caddo Lake.

Caddo Lake.

§ 2.66-3 Clinton Lake.

Clinton Lake.

§ 2.66-4 Cypress Bayou.

Cypress Bayou from Clinton Lake to Jefferson, Texas.

(Sec. 3, 60 Stat. 238, sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Subpart 2.99—Non-Navigable Waters of the United States

8. Section 2.99-55 is amended by adding a new paragraph (b) reading as follows:

§ 2.99-55 Georgia.

(b) Stone Mountain Lake.

9. Subpart 2.99 is amended by inserting after § 2.99-160 a new section reading as follows:

§ 2.99-170 New York.

(a) Meadow Lake in Flushing Meadow Park, New York City.

10. Section 2.99-190(a) is amended to read as follows:

§ 2.99-190 Oklahoma.

(a) Neosho River (also known as Grand River) from the upper end of Grand Lake (also known as Lake of the Cherokees) to its source.

11. Subpart 2.99 is amended by inserting after § 2.99-190 a new section reading as follows:

§ 2.99-195 Oregon.

(a) Ten Mile Creek including Ten Mile Lake.

(Sec. 3, 60 Stat. 238, sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: February 13, 1963.

[SEAL] D. MCG. MORRISON,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 63-1814; Filed, Feb. 18, 1963; 8:52 a.m.]

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Ben's Lake, Florida

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.175b is hereby prescribed to govern the use of Ben's Lake, Florida, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.175b Ben's Lake, a tributary of Choctawhatchee Bay, Fla., at Eglin Air Force Base; restricted area.

(a) *The area.* All waters of Ben's Lake including the channel connecting it with Choctawhatchee Bay.

(b) *The regulations.* (1) No vessel shall enter the area or navigate therein without the permission of the Commander, Eglin Air Force Base, Florida, or his authorized representative.

(2) These regulations shall be enforced by the Commander, Eglin Air Force Base, Florida, or such agencies as he may designate.

[Regs., Jan. 30, 1963, 285/111 (Ben's Lake, Fla.)—ENGOW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-1745; Filed, Feb. 18, 1963;
8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 6—UNITED STATES GOVERN- MENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

Miscellaneous Amendments

1. In Part 6, § 6.20(a) is amended to read as follows:

§ 6.20 Deduction of insurance premiums from compensation, retirement pay, or pension.

(a) The authorization must be in writing over the signature of the insured, or his legal representative, and, whenever practicable on such forms as may be prescribed by the Veterans Administration. If insured is incompetent and has no legal representative and has a wife to whom benefits are being paid pursuant to section 3202(f) of Title 38, United States Code, and § 13.57 of this chapter, she may authorize payment of insurance premiums through the deduction system. If insured is incompetent and has no legal representative and an institutional award has been made in his behalf, the authorization may be executed by the Director of the field station in which the insured is hospitalized or receiving domiciliary care, and, in appropriate cases, by the chief officers of State hospitals or other institutions to whom similar awards may have been approved.

2. Section 6.23 is revised to read as follows:

§ 6.23 Termination of the authorization to deduct insurance premiums from compensation, retirement pay, or pension.

Deduction of insurance premiums on United States Government life insurance shall cease and the authorization shall terminate if the disability compensation, death compensation, dependency and indemnity compensation, retirement pay, disability pension, or death pension becomes insufficient to provide the premium or if such compensation, retirement pay, or pension is no longer due and payable to the insured. If authorization was executed by the Director of a Veterans Administration hospital or domiciliary or chief officer of a State hospital or other institution to make deductions from an institutional award, the authorization will cease and terminate at the termina-

tion of the institutional award, and, if subsequent premiums are to be paid by deduction from monthly benefit payments, another authorization must be executed by the insured or his legal representative or his wife. (See § 6.20 (a).) The insurance shall lapse after the termination or cancellation of the authorization to deduct premiums from compensation, retirement pay, or pension, unless the premium be otherwise paid within the grace period. The insured will be notified, by letter directed to his last address of record, of the termination of the authorization to deduct premiums; but the failure to give such notice or the failure to receive such notice shall not prevent lapse of the insurance.

3. Section 6.121 is revised to read as follows:

§ 6.121 Definitions of total permanent disability.

Total permanent disability as referred to in a United States Government life insurance policy is any impairment of mind or body which continuously renders it impossible for the disabled person to follow any substantially gainful occupation and which is founded upon conditions which render it reasonably certain that the total disability will continue throughout the life of the disabled person. The total permanent disability benefits may relate back to a date not exceeding 6 months prior to receipt of due proof of total permanent disability, and any premium paid after receipt of due proof of total permanent disability and within the 6 months shall be refunded without interest. The provisions of this section shall not be applicable to the special endowment at age 96 plan policy.

4. Immediately preceding § 6.156, the centerhead is deleted.

5. Section 6.156 is revoked.

§ 6.156 Assignment for insurance purposes. [Revoked]

6. In § 6.164, the 5th undesignated paragraph of the Total Disability Provision beginning "Total disability as referred to herein * * *" is amended to read as follows:

§ 6.164 Total disability provision for United States Government life insurance authorized by section 311 of the World War Veterans' Act, 1924, as amended July 3, 1930, and section 748 of Title 38, United States Code.

Total disability as referred to herein is any impairment of mind or body which continuously renders it impossible for the disabled person to follow any substantially gainful occupation. The monthly income payments may relate back to a date not exceeding 6 months prior to receipt of due proof of such total disability but not prior to the first day of the fifth consecutive month of continuous total disability. Without prejudice to any other cause of disability, the loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total dis-

ability, and monthly income payments for any of these specifically enumerated causes of total disability may be paid from the first day of the fifth consecutive month of such continuous total disability. However, such anatomical and functional loss shall not be deemed to be a total disability under a total disability provision originally issued subsequent to December 15, 1936.

7. In section 6.170, paragraph (c) is revoked.

§ 6.170 Renewal of United States Government life insurance on the five-year level premium term plan.

(c) [Revoked]

8. In Part 8, § 8.8(a) is amended to read as follows:

§ 8.8 Deduction of insurance premiums from compensation, retirement pay, or pension.

(a) The authorization must be in writing over the signature of the insured, or his legal representative, and, whenever practicable, on such forms as may be prescribed by the Veterans Administration. If insured is incompetent and has no legal representative and has a wife to whom benefits are being paid pursuant to section 3202(f) of Title 38, United States Code, and § 13.57 of this chapter, she may authorize payment of insurance premiums through the deduction system. If insured is incompetent and has no legal representative and an institutional award has been made in his behalf, the authorization may be executed by the Director of the field station in which the insured is hospitalized or receiving domiciliary care, and in appropriate cases by the chief officers of State hospitals or other institutions to whom similar awards may have been approved.

9. Section 8.11 is revised to read as follows:

§ 8.11 Termination of the authorization to deduct insurance premiums from compensation, retirement pay, or pension.

Deduction of insurance premiums on National Service life insurance shall cease and the authorization shall terminate if the disability compensation, death compensation, dependency and indemnity compensation, retirement pay, disability pension, or death pension becomes insufficient to provide the premium, or if such compensation, retirement pay, or pension is no longer due and payable to the insured. If authorization was executed by the Director of a Veterans Administration hospital or domiciliary or chief officer of a State hospital or other institution to make deductions from an institutional award, the authorization will cease and terminate at the termination of the institutional award, and, if subsequent premiums are to be paid by deduction from monthly benefit payments, another authorization must be executed by the insured or his legal representative or his wife. (See § 8.8(a).) The insurance shall lapse after the termination or cancellation of the authorization to deduct premiums from such compensation, re-

tirement pay, or death pension, unless the premium be otherwise paid within the grace period. The insured will be notified, by letter directed to his last address of record, of the termination of the authorization to deduct premiums; but the failure to give such notice or the failure to receive such notice shall not prevent lapse of the insurance.

10. Section 8.44 is revoked.

§ 8.44 National Service life insurance issued pursuant to section 602(d) (3) (A), National Service Life Insurance Act, as amended. [Revoked]

11. Section 8.65 is revised to read as follows:

§ 8.65 Examination in connection with total disability benefits.

Physical examination in connection with claim for total disability benefits may be made by a medical officer of the United States Army, Navy, Air Force, or Public Health Service, or may be made at Government expense by a full-time or part-time salaried physician at a regional office or hospital of the Veterans Administration. If an insured is unable to travel, because of physical or mental condition, the Manager of a regional office or Director of a hospital may, on his own initiative or at the request of the Insurance activity concerned, authorize at Government expense examination at the residence of the insured. The Administrator of Veterans Affairs may require such further medical examination or such additional medical evidence as may be deemed necessary and proper to establish the physical and mental condition of the insured.

12. In § 8.98, paragraph (D) is amended to read as follows:

§ 8.98 Total disability income provision for National Service life insurance, authorized by the National Service Life Insurance Act of 1940, as amended August 1, 1946.

(D) The disability income payments will be paid from the first day of the seventh consecutive month of continuous total disability, except that if the total disability is not due to one of the specific causes listed in (A)(2), (A)(3), and (A)(4) above, the disability income payments will not relate back to a date more than 6 months prior to receipt at the Veterans Administration of the required proof. Any disability income payments due the insured and not paid during his lifetime will be paid to the person entitled to the proceeds of this policy.

13. Immediately preceding § 8.104, the centerhead is deleted.

14. Section 8.104 is revoked.

§ 8.104 Assignment of armed forces leave bonds for insurance purposes. [Revoked]

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

These regulations are effective February 19, 1963.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 63-1787; Filed, Feb. 18, 1963; 8:51 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 96—AIR TRANSPORTATION

Miscellaneous Amendments

The regulations of the Post Office Department in Part 96 are amended as follows:

Subpart A—Domestic Air Transportation

§ 96.1 [Amendment]

I. In § 96.1 *Air carriers responsibilities*, make the following changes for the purpose of clarification:

A. In paragraph (b), amend subparagraph (1) to read as follows:

(b) *For giving mail priority.* Air carriers are required to give the following priority to mail:

(1) From each point served, the normal mail load for each trip must be given priority of transportation over all other traffic on each trip designated for the transportation of mail. The normal mail load for each trip is determined, at the option of the air carrier, for each day of the week on (i) the basis of the mail tendered to that trip on the same day of the week for the 5 previous weeks or (ii) basis of the weight of mail tendered to the trip on Tuesday, Wednesday, Thursday, and Friday of the preceding week. When a holiday occurs on one of those days, the same day of the second previous week is to be substituted. In either method of computing the average, exclude mail tendered under abnormal conditions.

When an air carrier elects to use one of the two methods of computing the average, it must continue to use the selected method on all Forms 2760, "Air Carrier's Reply—Refusal/Removal of Airmail."

NOTE: The corresponding Postal Manual section is 531.32a.

B. In paragraph (e), amend subparagraph (3) to read as follows:

(e) *For providing quarters.* . . .

(3) *Requests for changes in quarters.* Request by air carriers or by officials of the Postal Service for changes in existing quarters or for the establishment of new quarters must be made through the director, transportation division, in the area concerned.

NOTE: The corresponding Post Manual section is 531.353.

C. In paragraph (g) (2), amend subdivision (iii) to read as follows:

(g) *For preparing and submitting schedules.* . . .

(2) *Submission.* . . .

(iii) Air carriers shall distribute copies of proposed new schedules or changes to existing schedules as follows:

(a) Three copies to Air Transportation Branch, Bureau of Transportation, Post Office Department, Washington 25, D.C.;

(b) One copy to director, transportation division, in each region concerned;

(c) States-Alaska and Intra-Alaska air carriers must send one copy to the Director, Transportation Division, Post Office Department, Seattle 24, Washington.

NOTE: The corresponding Postal Manual section is 531.372c.

II. In § 96.2, amend paragraph (c) for the purpose of clarification to read as follows:

§ 96.2 Flight operations.

(c) *Omissions of service.* If a scheduled stop will not be made by a trip, the air carrier must immediately notify the local postal representative. If service is to be suspended for 1 week or more, the air carrier must immediately notify the Air Transportation Branch, Bureau of Transportation, Washington 25, D.C.; the director, transportation division, in the regions concerned; and the postal units concerned. The same offices must be notified when service is to be resumed.

NOTE: The corresponding Postal Manual section is 531.43.

§ 96.3 [Amendment]

III. In § 96.3 *Handling of mail*, make the following changes for the purpose of clarification:

A. In paragraph (a), amend subparagraph (1) and (2) (iii) to read as follows:

(a) *Delivery to air carriers.*—(1) *Authorized location.* Mail for outgoing trips shall be delivered to the air carrier at the time and place authorized by the director, transportation division.

(2) *Dispatch lists required.* . . .

(iii) Mail received from mail messengers or vehicle service at airports without a mail facility must correspond with mail listed on Form 2729; or air carriers must make corrections. If pouches are listed but not received, cross out the individual listing, destination total, related trip destination total, originating load total, interline total when interline routings are involved, and document pound total. Insert correct adjacent totals. If mail is received but not listed, insert weight of each pouch in the proper destination column and amend totals as instructed. In either event, note facts prominently on Form 2729 in any blank space. Advise messenger of any discrepancy.

B. In paragraph (b) (1), amend that part of subparagraph (1) which precedes subdivision (i); and subdivision (ii) (b) to read as follows:

(b) *Direct transfer between planes.*—(1) *Carrier responsibility.* Carriers must make transfers according to service ordered by the dispatching postal unit and as shown on pouch labels. To facilitate transfers, carriers are responsible for concluding mutually agreeable local arrangements regarding the point of exchange between carriers. These local arrangements are subject to approval by the director, transportation division to assure that they are adequate for postal needs. In addition, carriers shall comply with the following:

(ii) *Arriving (delivering) air carriers.*

(b) The receiving carrier must accept mail tendered by transfer up to the actual departure time of the intended flight, for boarding, when possible, or further disposition, unless the mail is not properly coded on pouch label or is not routed for delivery or transfer at a point on its routes. When an irregularity occurs and Form 2734 is presented with the mail by the delivering carrier, the receiving carrier must check mail with related data on Form 2734.

NOTE: The corresponding Postal Manual section is 531.521.

C. Amend paragraph (c) to read as follows:

(c) *Delivery to postal representative.* Upon arrival of the plane at the stop point, air carrier representatives must immediately unload the mail and deliver it to the authorized postal representative at such point as may be designated. Maximum unloading time may be specified by the director, transportation division, in the region concerned. Mail for outgoing trips must be delivered to the air carrier at the time and place authorized by the director, transportation division, in the region concerned.

NOTE: The corresponding Postal Manual section is 531.54.

IV. In § 96.4, amended paragraphs (a) and (c) to read as follows:

§ 96.4 Reports.

(a) *Refusal or removal report.* When an air carrier cannot accommodate all mail offered for a trip or when mail already on board is removed, the air carrier concerned must submit Form 2760, "Air carrier's—Reply/Removal of Airmail" in duplicate, to the director, transportation division in whose area the refusal or removal occurs. The report must give the reason for the refusal or removal. It must contain detailed information on the mail refused, removed, and transported, and information relative to the number of passengers and other cargo, aboard the plane on departure.

(c) *Accident report.* Air carriers must make an immediate telegraph or telephone report of any accident resulting in possible damage to or loss of mail. The report must be made to the director, transportation division, in the region concerned. Mail should not be disturbed, except to prevent further damage. It must be guarded until the arrival of a postal official.

NOTE: The corresponding Postal Manual sections are 531.61 and 531.63.

V. In § 96.5, amend paragraph (a) (1) to read as follows:

§ 96.5 Submission of claims.

(a) *Domestic—(1) Forms used.* All air carriers operating within and between the 50 United States, Puerto Rico, and the Virgin Islands and between the United States and terminal points in Canada shall use the following forms to document air transportation bills: Form 2703, "Carrier's Claim for Airmail Trans-

portation"; Form 2729, "Airmail Dispatch Record"; Form 2734, "Airmail Exception Record"; Form 2730, "U.S. Airmail Billing Card-Domestic"; Form 2732, "Monthly Summary of Airmail Carried."

NOTE: Air carriers must provide their own supply of Forms 2703, 2730, 2732, and 2734. Samples of these forms can be obtained from the Air Transportation Branch, Bureau of Transportation.

NOTE: The corresponding Postal Manual section is 531.711.

VI. In § 96.6, amend paragraph (a) to read as follows:

§ 96.6 Irregularities, deductions, and fines.

(a) *Irregularities.* Irregular handling of mail by airline carrier personnel shall be promptly reported on Form 2759, Report of Irregular Handling of Airmail, by the postal employee who observes the irregularity or who is informed of irregular performance through receipt at a postal unit of the post office accounting copies of Form 2734, Airmail Exception Record, prepared by the air carrier. See § 96.2. Listed below are the types of irregularities that will be reported.

(1) Damage to mail or equipment while in the custody of an air carrier;

(2) Failure to load;

(3) Carried by: Any overcarries on interchange trips involving mail for the interchange point or connection mail due off at the interchange point will be charged to air carrier from whom received. If another air carrier was actually responsible for the mishandling, the air carrier receiving Form 2759 report may forward the form to the other carrier and notify the director, transportation division, concerned of the referral;

(4) Loaded in error;

(5) Removed in error;

(6) Failure to transfer;

(7) Delayed delivery to postal unit;

(8) Refusals and removals: See § 96.1 (b) for regulations regarding airmail priority;

(9) Failure to notify postal authorities: See § 96.2. Includes instances when a carrier has failed significantly to cooperate by not giving notice of non-operation of scheduled service or of late operation, resulting in additional motor vehicle or mail messenger costs;

(10) Repetitive infractions: Report serious infractions involving irregularities of a repetitive nature which may necessitate assessment of more substantial fines than usual. Includes deficiencies in air carrier operations that have an adverse effect on the airmail service and that have not been corrected despite repeated efforts to secure the necessary remedial action.

NOTE: The corresponding Postal Manual section is 531.81.

VII. Amend § 96.7 to read as follows:

§ 96.7 Correspondence concerning air service.

(a) *Local matters.* Correspondence on local operations matters of mutual concern shall be handled directly between the local carrier and local air stop postal unit heads or field service repre-

sentatives concerned. Matters coming within the scope of paragraph (b) of this section shall be referred to the director, transportation division, concerned.

(b) *Regional matters.* Correspondence to and from air-carriers relating to policy matters, airline schedules, operational matters, fining procedures, quarters, mileages and transport rates, irregularities and changes in dispatch billing procedures and forms, omissions and failures of carriers to perform required service, division of mail between carriers, service requirements, actions involving CAB orders and rulings, first-class-mail-by-air, and other matters of regional nature shall be conducted by the director, transportation division, within the scope of regional delegations. Only those matters of these types that are of interregional impact or of departmental concern as specified elsewhere in regulations and those matters which the director, transportation division, considers will require departmental decision shall be forwarded to the Department.

VIII. In § 96.8, amend paragraph (b) to read as follows:

§ 96.8 Definitions.

(b) *Interstate air transportation.* The carriage of mail by aircraft between a place in any State of the United States, or the District of Columbia, and a place in any other State of the United States, or the District of Columbia; or between places in the same State of the United States; or between places in the same territory or possession of the United States, or the District of Columbia; or between places in any State of the United States, or the District of Columbia, and a place in Puerto Rico or the U.S. Virgin Islands or terminal points in Canada; or between or within Puerto Rico and the U.S. Virgin Islands.

NOTE: The corresponding Postal Manual section is 531.22.

Subpart B—Air Star Route Service

§ 96.12 [Amendment]

IX. In § 96.12 *Contracts* make the following changes:

A. In paragraph (a) (2), amend subdivision (i) to read as follows:

(a) *Obtaining bids.* * * *

(2) *Requirements of bidders.* * * *

(i) *Eligibility.* (a) No proposal for a contract for air star route service shall be considered unless the bidder is a resident of, or is qualified to do business as a common carrier by air, in a State within which one or more points to be served under the proposed contract are located. The term State as used here includes the several States, and the District of Columbia.

(b) Only bidders holding an appropriate operating certificate issued by the Federal Aviation Agency will be considered for award of a contract for air star route service.

(c) For further eligibility requirements, see § 94.3(c) (2) (i) of this chapter.

NOTE: The corresponding Postal Manual section is 532.212a.

B. Add a new paragraph (f) to read as follows:

(f) *Revocation of FAA certificate.* If a contractor for an air star route should have his certificate revoked by the Federal Aviation Agency, the air star route contract shall become null and void effective with the date of loss of such certificate, without payment of any indemnity.

NOTE: The corresponding Postal Manual section is 532.26.

X. Amend § 96.15 to read as follows:

§ 96.15 Reports and records.

Postmasters at terminal points must maintain such records and submit such reports as may be directed by the transportation division director.

NOTE: The corresponding Postal Manual section is 532.4.

Subpart C—Forms and Procedures for Dispatching Airmail

XI. Amend § 96.19 to read as follows:

§ 96.19 Form 2729, airmail dispatch and billing record.

(a) *Description.* Form 2729 covers airmail dispatched to all domestic air carriers operating within the 50 United States, Puerto Rico, and the Virgin Islands, and to Canada. It is the basic document from which payment to the original and interline air carriers are computed.

(b) *Preparation*—(1) *Who prepares.* The form is prepared in four-part sets by the designated clerk at the airport mail facility or, at nonairport mail facility points, by the dispatching clerk at the post office.

(2) *Heading form*—(i) *Origin code.* Enter the official airline code of the airport from which the mail is due to be dispatched. When more than one postal unit prepares Form 2729 for dispatch through the same airport, refer to Official Airmail Index for airport codes to be used by each office.

(ii) *Route number.* Enter the route number of the air carrier to which the mail is dispatched.

(iii) *Trip number.* Enter the trip number of actual dispatch.

(iv) *Scheduled trip date.* Enter the scheduled date of origin of the trip.

(v) *Today's date.* Enter the date on which the trip of dispatch is scheduled to depart from the airport.

(vi) *Scheduled departure time.* Using 24-hour clock, enter time the trip of dispatch is scheduled to depart your station.

(3) *Recording dispatches*—(i) *Under destination.* (a) Using the States dispatch scheme and other applicable pouching instructions, enter in code the final airline destination of the dispatches.

(b) Show each destination in station order of removal from the original trip of dispatch. Listing from left to right, use a separate block for each destination. When volume justifies, bulk list mail to common destinations.

(c) Enter, under the proper destination, mail labeled to that point, mail scheduled to continue from that point by surface transportation, and mail for another air carrier when the transfer is to be effected through the airport mail

facility. Use the individual actual weights indicated on the labels of pouches, sacks, and outside parcels except where permission has been granted to bulk weight mail on platform scales direct to the air carrier. Where bulk weighing has been approved, or where bulk entries are to be listed (for example, the recording on the form of a consolidated entry of an accumulation of pieces listed on preliminary work sheets), it is necessary only that the TOTAL pieces and weight be entered in the space provided at the bottom of the respective destination column. Do not identify pouches, sacks, outside parcels, or register as such on this form.

(ii) *On-line.* Use only sections 1 and 3 of the form when making the following dispatches:

(a) Stations served by trip of dispatch: Enter only the destination.

(b) Stations served by the air carrier dispatch but not by the trip of dispatch: Enter the destination and the first transfer point.

(iii) *Interline and interchange.* Interline dispatches will be entered in sections 1 and 2 of the form for the following dispatches:

(a) In section 1: (1) Routing involving connection to a trip of another air carrier. Enter the destination and the interline transfer point, plus the route and trip numbers of the second air carrier. This applies also to interchange trips.

(2) Routing via two trips of initial air carrier, plus trip of another air carrier. Enter the destination, the first intraline transfer point, and the interline transfer point, plus the route and trip numbers of the second air carrier.

(3) Routing involving two interline transfers after air carrier of initial dispatch. Enter the destination and the interline transfer point, plus the route and trip number of the second air carrier.

(b) In Section 2: (1) Routing: Enter the route and flight number of the air carrier to which the mail is to be transferred.

(2) Tr. Pt.: Enter the code of the airport at which the interline connection is to be made.

(3) Carrier Dest.: Enter off-loading point, either for delivery to post office or for transfer to another carrier.

(4) I: Enter X to identify mail moving over an authorized interchange trip.

(5) Pieces and weight: Enter the mail by totals (obtained from section 1 of Form 2729) for each of the destinations involved.

(6) Interline total: Total pieces and weight columns.

(4) *Completing the form.* (i) Total the pieces and weights for each destination column.

(ii) Total the subtotals of all columns, and enter in the total mail space.

(iii) Recap all columns under the actual destinations served by the trip of dispatch. Enter each airport served, with the appropriate total, in section 3.

(iv) Total the Originating Load column, and verify against the previously entered Total Mail. If more than one form has been used, the Originating

Load and Total Mail entries must appear on the final form.

(v) At nonairport mail facility points, the post office employees preparing Form 2729 will not total the Dest. Originating Load, and Total Mail columns if the mail messenger or motor vehicle service driver picks up additional mail at the railroad station or other postal unit en route to the airport. On arrival at the airport, the mail must be weighed and proper entry must be made on Form 2729 by the messenger.

(vi) In the Mail Ready space, enter the time at which the mail and forms are ready for delivery to the air carrier at the airport. At nonairport mail facility points, this time must be entered by the mail messenger or vehicle service driver. The messenger or driver must obtain the signature of the receiving air carrier representative at the time the mail is delivered.

(vii) If the volume of mail is too large to be listed on one Form 2729, use a new numbered form, line through but do not obliterate the printed number, and write in the serial number of the first form. Number the sets consecutively, identifying the last by adding X after the number.

(viii) Add the weights of Total Mail to Interline Total and enter Document Pound Total in space provided. This total must be correct as it is used as a control total for processing punch cards for pay purposes.

(ix) Sign Form 2729 in space provided for POD representative's signature.

(5) *Corrections to Form 2729.* Any corrections to Form 2729 shall be made prior to separating and distributing the four parts of the form. Neither postal nor air carrier personnel shall make corrections on any part of Form 2729 after the form has been separated and distributed.

(c) *Distribution of copies.* After obtaining the air carrier representative's signature on Form 2729, separate copies and distribute as follows:

(1) P.O. Accounting Copy 1: To designated regional controller daily. Include the second copies of all forms that have been voided, mutilated, etc. Since all of these forms are serially numbered, they must be accounted for. Note—At nonairport mail facility points, the first three copies of Form 2729 must accompany the mail: After obtaining the carrier's signature, the mail messenger or vehicle service driver must return copy 1 to the post office.

(2) Carrier Billing Copy 2 and Carrier Station Copy 3: To local air carrier representative.

(3) P.O. Station Copy 4: To dispatching postal unit file.

(d) *Departure time.* Postal units shall spot check actual departure time against Mail Ready time on Form 2729 to assure that unreported delays are not occurring.

(e) *Interchange trips.* (1) Mail moving over more than one airmail route on one aircraft must be properly identified in section 2 of Form 2729. No terminal charge is due at the interchange point, as mail remains on board the aircraft. To enable post office accounting

personnel to properly identify this mail, dispatching postal clerks must insert an X in the I column of section 2, Form 2729, for the air carrier who is not due to receive a terminal charge.

(2) Scheme clerks, who prepare the States dispatch schemes in the transportation division, will insert an I in brackets following the interchange point as listed on the scheme.

(f) *Labeling pouches, sacks, and outside parcels.* Pouches, sacks, and outside parcels listed on Form 2729 must be identified so that airline and postal personnel handling the mail enroute can provide the transportation ordered by the dispatching office. Before delivering the mail to the air carrier, prepare the labels of pouches and sacks to indicate final airline destination and the route over which it is to travel. Attach Label 53, Airmail Parcel Routing Sticker, for each air parcel dispatched outside. The information on pouch and sack labels and Label 53 for outside parcels must coincide with the corresponding entries on Form 2729 as follows:

(1) For mail billed to the final destination over the routes of two or more air carriers, enter on pouch or sack label in airline code the interline transfer points and the route and trip numbers of the connecting air carrier at these points. Show this information in the left center of the label between the destination and from lines. Enter the same information in the Transfer Point and connection blocks on Label 53 for outside parcels.

Example. Mail from Toledo to AMF Houston Tex via AM 88 for transfer to AM 1 at Detroit and AM 5 at Atlanta will be labeled as follows:

Pouch or sack label

AMF HOUSTON TEX YIP 1-883 ATL 5-345 Fr Toledo, Ohio	30
---	----

Outside parcel (label 53)

Tr. Pt.	Connection	Billed to—	Wt.
YIP ATL	1-883 5-345	(HOU)	15

(The figure on the right of the label represents the weight of the pouch (or sack).)

(2) For mail billed to the final destination over the routes of a single air carrier, no transfer point codes or route numbers will be used on the pouch and sack labels or on Label 53 for outside parcels.

Example. Mail from Zanesville, Ohio, to AMF Cincinnati, Ohio, via 88-816:

Pouch or sack label

AMF CINCINNATI, O. Fr Zanesville, O.	30
---	----

Outside parcel (label 53)

Tr. Pt.	Connection	Billed to—	Wt.
		(CVG)	15

(3) For mail billed to an air stop point other than the actual destination on the pouch and sack labels or on Label 53 for outside parcels, enter in code the point to which billed on Form 2729, in parentheses, on the same line after the address on the pouch and sack label. Enter in the Billed to block on Label 53 the code for the point to which billed on Form 2729. Use the same procedure as that for pouch and sack labels for entry of transfer point and route number, if required.

Example. Mail from Cincinnati, Ohio, to Jamestown, N. Dak., via AM 8-422 billed to AMF Minneapolis.

Pouch or sack label

JAMESTOWN, N.D. (MSP) ORD 3-411 Fr Cincinnati, O.	10
---	----

Outside parcel (label 53)

Tr Pt	Connection	Billed to—	Wt
ORD	3-411	(MSP)	5

(4) For outside air parcels due surface transportation, employees at final air stop offices, shall, when instructed by the director, transportation division, show proper surface routing. A line shall be drawn through the air coding on Label 53. Below the deleted information enter the name and number of the surface dispatch.

Example. An outside air parcel from Chicago, Illinois, to Portland, Maine, due interline transfer at AMF Idlewild, billed to AMF Boston via 5-302 and due surface dispatch on Bangor and Boston Star Route trip 55.

Tr. Pt.	Connection	Billed to—	Wt.
IDL	5-302	(BOS)	15
Via Ban & Box SR Tr 55			

(5) Weigh each pouch, sack, and outside parcel. Record the weight on the pouch and sack label (see example in subparagraph (1) of this paragraph, on the Label 53 for outside parcels, and on the Form 2729 in even pounds. When weighing, ignore fractions of a pound of 8 ounces or less. Add one pound for fractions over 8 ounces.

Example.

Actual weight	Weight shown on label
From 1 oz. to and including 1 lb. 8 oz. 1 lb.	
Over 1 lb. 8 oz. to and including 2 lb.	
8 oz.-----	2 lb.

Note: The corresponding Postal Manual section is 533.1.

§ 96.21 [Reserved]

XII. Delete § 96.21 and amend the section heading to read "§ 96.21 [Reserved]". Form 2733, Interline Airmail Record has been eliminated.

§ 96.22 [Amendment]

XIII. In § 96.22 Form 2734, *Airmail exception record*, make the following changes:

A. In paragraph (b) (2) amend subparagraph (ii) to read as follows:

(b) *Preparation.* * * *

(2) *Completion of form.* * * *

(ii) *Route trip, and date.* On the second line are blocks for the airmail route number and trip number of the air carrier from whose flight the mail covered by the form was received. If mail was not boarded, this is the route and trip to which the mail was billed for dispatch. The date on which the flight from which mail was received, was scheduled to originate will be indicated in the Scheduled Origin Date Block.

Note: The corresponding Postal Manual section is 533.322b.

B. In paragraph (d) amend subparagraph (2) to read as follows:

(d) *Irregularities requiring preparation of Form 2734.* * * *

(2) Additional irregularities requiring Form 2734 preparation are:

(i) Cancellation of flight—

(a) Where only part of mail is delivered to the Postal Service.

(b) Where part of mail is given to another air carrier for transportation to destination.

(ii) Overfly of transfer point to next air carrier destination.

(iii) Truck haul by air carrier—only when mail is trucked to a point more distant from the ultimate destination than the point from which trucked.

(iv) Mail received on Form 2942, *Delivery List of Airmail Dispatches*, and requiring domestic billing.

Note: The corresponding Postal Manual section is 533.342.

C. In paragraph (e), amend subparagraph (2), (5), and (8) to read as follows:

(e) *Irregularities that do not require preparation of Form 2734.* * * *

(2) None of mail received from the Postal Service boarded—returned to postal unit with all copies of the Form 2729. The postal unit will void all copies of Form 2729.

(5) Missed a scheduled interline connection—rerouted to the same destination via a different trip number of the same connecting air carrier as shown on the pouch label.

(8) Cancellation of flight—all local boarding mail returned to the Postal Service with the Form 2729.

Note: The corresponding Postal Manual sections are 533.35b, e and h.

D. In paragraph (f), amend subparagraph (2) to read as follows:

(f) *Review of Forms 2734.* * * *

(2) When reviewing Forms 2734 postal units shall note recurring irregularities, such as missed connections, and report repetitive irregularities, to their director, transportation division. When reporting missed connections, postal units shall show origin of the mail, route and trip numbers of delivering trip, and route and trip number of the scheduled connection.

Note: The corresponding Postal Manual section is 533.362.

XIV. In § 96.24, amend paragraph (a) to read as follows:

§ 96.24 Form 2753—*a*, mail delivery receipt.

(a) *Description.* Form 2753 is a receipt to air carriers for mail delivered to postal units other than airport mail facilities. It is not used for mail that is delivered with Form 2734. (See § 96.22.)

NOTE: The corresponding Postal Manual section is 533.51.

XV. In § 96.25, amend paragraph (c) and (d) to read as follows:

§ 96.25 Form 2759, report of irregular handling of airmail.

(c) *Review.* The unit supervisor (or relief in his absence) must review each Form 2759, as soon as possible after its preparation. This review shall (1) assure inclusion of all information necessary to evaluation and (2) determine that the report does not cover an irregularity clearly not chargeable to failure, negligence, or oversight of carrier personnel. Careful review and withdrawal of reports of irregularities not properly chargeable to a carrier will eliminate the carrier's handling of unnecessary reported cases (such as infrequent instances of delays of only a few minutes in the delivery of mail to the postal unit, overcarry due to weather, mechanical failure, or irregularities resulting from incorrect routing instructions on Form 2729, pouch label, or parcel sticker).

(d) *Distribution.*—(1) *Reports covering incidents chargeable to carrier.* Distribute copies of Forms 2759, where possible, at the close of each tour and in no case less frequently than once each 24 hours. Send original and first copy to the director, transportation division, having jurisdiction over the reporting unit, send the second copy to the local station manager of the carrier concerned, and retain the third copy in files.

(2) *Reports covering incidents not chargeable to carrier.* Staple the original and first copy together and forward them to the director, transportation division, and retain the second and third copies in files.

NOTE: The corresponding Postal Manual sections are 533.73 and 533.74.

Subpart E—First-Class Mail (FCM) by Air

§ 96.46 [Amendment]

XVI. In § 96.46 *Authority, rates, and service*, make the following changes:

A. In paragraph (b) (2) amend subdivision (i) (b) to read as follows:

(b) *Post Office Department.* * * *
(2) *Interline transfers.*—(i) *Trunkline and cargo air carriers.* * * *

(b) Where single carrier service between any authorized points is believed inadequate, and an interline transfer of value is available, the director, transportation division, in the dispatching region will request the Director, Air Transportation, to consider the possibility of arranging with the carriers involved for

establishment of such a mutually agreeable interline transfer.

NOTE: The corresponding Postal Manual section is 534.222a2.

B. In paragraph (c) (2) amend subdivisions (ii) (b) and (d) to read as follows:

(c) *Division of FCM.* * * *

(2) *Criteria for division.* * * *

(ii) *Air carrier schedule.* * * *

(b) Generally, at major points, this 4-hour period will commence no later than 60 minutes after arrival at the airport of the VS or MM trip. At smaller stations, the time period may commence immediately on arrival of the surface connection at the airport. The director, transportation division, of the region having jurisdiction of the dispatching postal unit will establish the appropriate time period which will apply at that point and notify all concerned.

(d) The regular Origin and Destination Schedules will be used to determine the availability of scheduled service. In the event an air carrier desires to have other schedules included (e.g., trips involving an intraline transfer or multiple stops), this information must be submitted to the director, transportation division, having jurisdiction, with copies to the competitive carriers. Schedules of this type will be included with those in the Origin and Destination Schedules by the director, transportation division, in determining the proper allocations of FCM. Although it will not be necessary for these schedules to be published in the Origin and Destination Schedules, they may, if desired, be included by preceding the listing with an ampersand (&).

NOTE: The corresponding Postal Manual sections are 534.232b (2) and (4).

§ 96.47 [Amendment]

XVII. In § 96.47 *Responsibility for FCM program*, make the following changes:

A. In paragraph (a) amend subparagraph (6) and (7) to read as follows:

(a) *Air carriers.* * * *

(6) *Protection of mail.* FCM must be protected from the weather and possible depredation and accorded the same care and safeguards as is given regular airmail.

(7) *Applicability of pertinent sections of this part.* The provisions of §§ 96.1 (c) and 96.3(a) (1) (except with respect to time) and §§ 96.23 and 96.24 (except with reference to airmail forms), apply to the handling of FCM by air carriers.

NOTE: The corresponding Postal Manual sections are 534.316 and 534.317.

B. In paragraph (b) amend subparagraph (5) to read as follows:

(b) *Postal units.* * * *

(5) Reporting irregularities in service to their director, transportation division, on Form 2759, Report of Irregular Handling of Airmail, appropriately checked to indicate FCM, for necessary action.

NOTE: The corresponding Postal Manual section is 534.32e.

C. Amend the heading of paragraph (c) and that part which precedes subparagraph (1) to read as follows:

(c) *Director, transportation division.* The director, transportation division is responsible for:

NOTE: The corresponding Postal Manual section is 534.33.

§ 96.48 [Amendment]

XVIII. In § 96.48 *Forms and procedures for dispatching and receiving FCM*, make the following changes:

A. In paragraph (c) amend subparagraph (2) (v) and (3) (i) to read as follows:

(c) *Form 2715—X carrier record of FCM dispatched by air.* * * *

(2) *Preparation.* * * *

(v) Sign and present Form 2715—X (original and one copy) to postal unit for verification not later than 6 hours following termination of the period covered by the forms.

(3) *Postal unit verification.* (i) Verify that completed forms are delivered by the carrier as required in subparagraph (2) of this paragraph. Make special report to director, transportation division, of failure to receive forms as required.

NOTE: The corresponding Postal Manual sections are 534.432e and 534.433a.

B. In paragraph (e) (4) amend subdivisions (ii) and (iii) and add a new subdivision (iv) to read as follows:

(e) *Form 2715—B, record of FCM transferred or irregularly off-loaded.* * * *

(4) *At intermediate transfer points.* * * *

(ii) When FCM is being transferred to another carrier or delivered to the local postal unit, the delivering carrier will present all four copies of Form 2715—B, with carbon interleaved, to air carrier or postal unit, respectively, with the related FCM and obtain signature to acknowledge receipt.

(iii) Distribute copies of Form 2715—B as follows:

(a) When FCM is delivered to postal unit:

(1) Original to paying regional controller;

(2) First copy to postal unit file;

(3) Second copy to director, transportation division, with Form 2759 which is prepared and submitted for interrupted service;

(4) Third copy to delivering carrier.

(b) When FCM is transferred to another carrier:

(1) Original to receiving carrier with mail;

(2) First copy to paying regional controller for delivering carrier;

(3) Second copy to paying regional controller for receiving carrier;

(4) Third copy retained by delivering carrier.

(iv) When FCM is transferred to another carrier or turned into the postal unit at an intermediate point, Form

2715-B will not be entered on Form 2715-X.

NOTE: The corresponding Postal Manual section is 534.454.

C. Amend paragraph (g) to read as follows:

(g) *Form 2753-A, Mail Delivery Receipt—(1) Use.* Form 2753-A is a receipt to air carriers for both airmail and FCM delivered to airport mail facilities. When conditions warrant, transportation division directors may authorize air stop post offices to use Form 2753-A instead of Form 2753. The total pieces of airmail and FCM must be listed separately in the spaces provided on the form.

(2) *Preparation.* See § 96.23 for full particulars as to preparation and handling of Form 2753-A.

NOTE: The corresponding Postal Manual section is 534.47.

§ 96.49 [Amendment]

XIX. In § 96.49 *Reporting and processing FCM irregularities*, amend subparagraph (2) and (3) (i) of paragraph (a) to read as follows:

(a) *Form 2759, Report of irregular handling of airmail.* * * *

(2) Postal clerk who first handles FCM which obviously has been mishandled by an air carrier is required to prepare Form 2759 report. The precarbonized form in quadruplicate contains printed instructions showing distribution of original and first copy to the director, transportation division, second copy to representative airline involved, third copy for retention in files of the postal unit.

(3) *FCM irregularities requiring close attention—(i) Refusals/removals of*

FCM are not subject to the preparation of briefs and the imposition of fines under the space available provisions of Order E-17255. However, remedial action may be required. Submit memorandum report with full particulars to enable the director, transportation division, to take such corrective action as may be necessary in situations where repetitive occurrences involving refusals and removals impair the service accorded FCM. See § 96.48(e) (4) (iii) (a) concerning situations involving Form 2715-B transfers requiring report on Form 2759.

NOTE: The corresponding Postal Manual sections are 534.512 and 534.513a.

XX. In § 96.50 amend paragraph (a) to read as follows:

§ 96.50 Supply of forms.

(a) *Provided by the Department.* The following forms are available at supply centers: 2713, 2713-X, 2715-X, 2753, 2753-a, 2759. Air carriers will obtain necessary requirements of Forms 2715-X and 2753 by quarterly letter requests to the director, transportation division, located nearest to the carrier's headquarters office. The director, transportation division, will indicate approval of the requisition by endorsing the letter and forwarding to the appropriate supply center. Shipment of the forms will be made directly to the air carrier.

NOTE: The corresponding Postal Manual section is 534.51.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505).

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 63-1729; Filed, Feb. 18, 1963; 8:45 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 63-8]

PART 171—STANDARDS FOR NUMBERING

Subpart 171.10—Application for Number

RENEWAL OF MOTORBOAT NUMBERS ISSUED BY THE COAST GUARD; POSTPONEMENT OF EFFECTIVE DATE

The amendment to 46 CFR 171.10-20, regarding renewal of numbers, was published in the FEDERAL REGISTER of January 5, 1963 (28 F.R. 156). The Coast Guard document containing this amendment, designated CGFR 62-53 (F.R. Doc. 63-104), is amended by changing the effective date from "60 days after publication in the FEDERAL REGISTER," which is March 6, 1963, to "150 days after publication in the FEDERAL REGISTER," which is June 4, 1963.

(Sec. 7, 72 Stat. 1757; 46 U.S.C. 527d)

Dated: February 13, 1963.

[SEAL] D. MCG. MORRISON,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 63-1815; Filed, Feb. 18, 1963; 8:52 a.m.]