

connection therewith, but each such charter must in any event contain the following provision:

This corporation is organized and chartered solely for the purpose of operating under the Small Business Investment Act of 1958, as amended, and will operate in the manner and shall have the powers, responsibilities, and be subject to the limitations provided by said Act and the regulations issued by the Small Business Administration thereunder.

3. By deleting §§ 107.105, 107.106 and 107.107 and substituting therefor a new § 107.104, which will read as follows:

§ 107.104 Post-licensing operations beyond State of incorporation.

In the event that a Licensee desires, after the issuance of its License, to conduct operations beyond the jurisdiction of its State of incorporation to an extent requiring registration or other compliance with the laws of other States involved, it must apply for prior SBA approval of the proposed change in Operating Area as a post-licensing amendment under § 107.704(d). After receiving such approval, it shall be incumbent upon the Licensee to obtain, consistent with the provisions of its charter, the Act and SBA regulations thereunder, the issuance of all necessary permits, franchises or other legal authority from such other State or States in order to effectuate said purpose.

4. By deleting §§ 107.201, 107.202, and 107.204 and substituting therefor a new § 107.201, which will read as follows:

§ 107.201 License application.

(a) *Application.* The Proposed Operator may submit a License Application on SBA Form No. 415 only after issuance by SBA of the notice referred to in § 107.102(g)(1). The Application shall, within 90 days after the issuance of said notice, be prepared and submitted in accordance with instructions therein contained or otherwise issued by SBA.

(b) *Prerequisites.* Prior to the issuance of a License, the Proposed Operator shall have:

(1) Executed and submitted a License Application, including such additional information, statements and representations as may otherwise be required by SBA;

(2) Received a corporate charter or franchise under State law to operate as a Licensee;

(3) Submitted satisfactory evidence that, exclusive of funds required for organizational expenses, it has paid-in capital and paid-in surplus equal to at least \$300,000 in cash or funds invested in accordance with the last sentence of section 308(b) of the Act or § 107.710: *Provided, however,* That any SBA commitment to purchase subordinated debentures under § 107.301(b) may, for the purposes of this section, be considered as part of such paid-in capital and paid-in surplus; and

(4) Tendered a License fee of \$100 to SBA simultaneously with the filing of the License Application.

5. By deleting § 107.203 and substituting therefor new §§ 107.202 and 107.203, which will read as follows:

§ 107.202 Authority to operate.

Only upon issuance by SBA of a License to the Proposed Operator, shall such corporation be authorized to operate under the Act.

§ 107.203 Transferability of license.

A License is not transferable in any manner except under circumstances expressly approved in writing by SBA.

By direction of Eugene P. Foley, Administrator, Small Business Administration.

Dated: March 12, 1965.

ROSS D. DAVIS,
Executive Administrator,
Small Business Administration.

[F.R. Doc. 65-2794; Filed, Mar. 18, 1965;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6161; Amdts. 1-8; 43-1; 65-4;
91-15; 121-3]

PART 1—DEFINITIONS AND ABBREVIATIONS

PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Miscellaneous Amendments

The purpose of this amendment is to add certain clarifying amendments to the recently recodified Federal Aviation Regulations. After the promulgation of Parts 1, 43, 65, 91, and 121 certain questions arose as to the meaning of the recodified language of the sections concerned. These amendments are issued to make it clear that no substantive changes were intended in the pertinent sections. So far as the Agency is aware, this amendment clears up all existing problems of this nature. However, if further clarifications of this type are necessary to preserve the substance of the former rules, the Agency will issue additional spot amendments as necessary.

The definition of the term "commercial operator" added to Part 1 in conjunction with the issuance of Part 121 is amended to make it clear that any "carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of Part 375" (of Title 14 of the U.S. Code) when performed "for compensation or hire" is a "commercial

operation". The definition as issued, by combining the definition of "commercial operator" formerly contained in CAR 42 together with the note to § 42.1(a)(4) could be interpreted to exclude an operation for which a fee is charged if it is incidental to a persons other business and not "a major enterprise for profit". The amended definition avoids the possibility of such an interpretation.

Section 121.1(a)(5) is amended to clarify the applicability of Part 121 to a commercial operator. The language added is to make it clear that Part 121 does not apply to operations by a commercial operator such as ferry and training flights, that are conducted under Part 91. Paragraph (d) of § 121.1 is deleted since it is surplusage in view of the amended definition of "commercial operator" accomplished in this amendment.

Section 43.9 is amended to delete "preventive maintenance" from the record-keeping requirements thereof since CAR §§ 18.20 and 18.21, upon which § 43.9 is based, did not include "preventive maintenance".

Sections 65.95(a)(1) and 91.161(b) are amended to make certain cross references consistent with the recodified regulations.

Section 91.27(a) is amended to avoid any implication that a civil aircraft may be operated without a valid airworthiness certificate. The possibility of such a misinterpretation existed under CAR § 43.10(a) as well as under § 91.27(a) as presently written.

A new § 91.49 is being added to Part 91 to make it clear that the requirement for an aural speed warning device contained in § 25.1303 and covered by SR 450A is a continuing operating requirement for all operations in air commerce with a transport category airplane. The preamble to the miscellaneous amendments issued in conjunction with the issue of Part 121 (29 F.R. 19096) stated that it was not necessary to recodify SR 450A. This conclusion was based on the belief that since the SR required that all transport category airplanes be equipped with the aural speed warning device by a date before April 1, 1965, there would be no need for a continuing operating rule. However, the Agency now believes that a continuing requirement is necessary since it is possible that a transport category airplane, type certificated before the aural speed warning device was required, could at some future date be used in air commerce though it is not now being so used (for example, an airplane now being used in a foreign country that is sold to a person who is subject to the FAR's).

Section 91.87(g) is amended to make it clear that a pilot's determination to use a runway for landing other than the preferential runway assigned by ATC must be based on a determination by the pilot that the use of another runway is "in the interest of safety". As amended the section is consistent with former CAR § 60.18(b) upon which § 91.87(g) is based.

Section 91.103 is amended to make it clear that any person operating a civil aircraft of Cuban registry within the

United States must, in addition to operating in controlled airspace, also obtain an "air traffic clearance" regardless of whether the flight is IFR or VFR and must comply with ATC instruction. As so amended, this section is consistent with SR 456, upon which it is based.

Section 91.117 is amended by adding an "or" between subparagraphs (1) and (2) of paragraph (h) to make it clear that a person need not meet the requirements of both subparagraphs in order to operate more than 50 feet below the minimum altitude. In this connection, it should be noted that when a pilot is operating under the conditions of either subparagraph he must execute a missed approach procedure whenever he cannot maintain visual reference to the ground or ground lights.

Paragraphs (e) and (f) of § 121.3 are amended so that the wording of these paragraphs, applicable to supplemental air carriers and commercial operators, is consistent with the wording of other paragraphs in § 121.3 that apply to domestic and flag air carriers.

Sections 121.93(a)(1) and 121.653(d) are amended to correct typographical errors.

A new paragraph (d) is added to § 121.289 to contain the substance of paragraph § 121.289(d) as set forth in the notice of proposed rule making for Part 121. While this paragraph is to a certain extent obsolete the Agency has decided that it should be added to make it clear that any extensions granted before February 1, 1965, continue in effect after the effective date of Part 121 and therefore, there would be no violation of the section until the extension expires.

The amendment to § 121.321 is made to ensure that only "type certification" and no other kind of certification is intended to be referred to therein, thus avoiding a possibility of confusion that exists under the present CAR sections and the section as recodified.

Section 121.365(b) is amended to make it clear that the inspections referred to throughout the subpart as "required inspections" are those set forth in the manual pursuant to § 121.369(b)(2) or (3).

The references to "supplemental" air carrier and "commercial operator" contained in the parentheses in § 121.425(d) are deleted to correct an inadvertent error since the section by its own terms applies only to domestic and flag air carriers.

The definitions of "month" and "year" contained in CAR Parts 40, 41, and 42 stated that as used in those parts they meant "calendar month" or "calendar year", respectively. The Agency decided not to include definitions of "month" or "year" in the recodified regulations and therefore the word "calendar" is being inserted before the words "month" and "year", where used throughout the "Training Program", "Flight Crewmember Qualifications", and "Flight Time Limitations" subparts of Part 121.

Section 121.597(b) is amended to make it clear that a flight release may be prepared by either the pilot in command or the person authorized to exercise opera-

tional control over the flight. As amended the section is consistent with former CAR § 42.381(a) upon which § 121.597(b) is based.

Since this amendment is clarifying in nature, I find that notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days notice.

In consideration of the foregoing Chapter I of Title 14 of the Code of Federal Regulations is amended as follows, effective April 1, 1965.

(Secs. 306, 307, 313(a), 601 through 610, and 1202 of the Federal Aviation Act of 1958 (49 U.S.C. 1347, 1348, 1354(a), 1421 through 1430, and 1522))

Issued in Washington, D.C., on March 16, 1965.

N. E. HALABY,
Administrator.

§ 1.1 [Amended]

1. The definition of "commercial operator" in § 1.1 is amended to read as follows:

"Commercial operator" means a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of Part 375 of this Title. Where it is doubtful that an operation is for "compensation or hire", the test applied is whether the carriage by air is merely incidental to the person's other business or is, in itself, a major enterprise for profit.

§ 43.9 [Amended]

2. By amending § 43.9 as follows:

a. By striking the command the words "preventive maintenance" after the word "maintenance" in the heading of § 43.9 and in the first sentence of paragraph (b).

b. By striking the words "alters or performs preventive maintenance on" in paragraph (a) and by inserting the words "or alters" in place thereof.

c. By striking the words "or to certificated pilots performing preventive maintenance under § 43.3(h)" after the words "Part 91" and before the period in paragraph (c).

§ 65.95 [Amended]

3. The parenthetical language in § 65.95(a)(1) is amended to read as follows: "(except any aircraft maintained in accordance with a continuous airworthiness program under Part 121 or 127 of this chapter)."

4. Part 91 is amended as follows:

a. By amending § 91.27(a) to read as follows:

§ 91.27 Civil aircraft certificates required.

(a) No person may operate a civil aircraft unless it has within it—

(1) An appropriate and current airworthiness certificate (including a special flight permit or an authorization under § 91.45); and

(2) A registration certificate issued to its owner.

b. By adding a new § 91.49 reading as follows:

§ 91.49 Aural speed warning device.

No person may operate a transport category airplane in air commerce unless that airplane is equipped with an aural speed warning device that complies with § 25.1303 (a)(11) and (b).

§ 91.87 [Amended]

c. By amending the second sentence of § 91.87(g) by inserting the words "in the interest of safety" after the word "determines".

d. By amending § 91.103 to read as follows:

§ 91.103 Operation of civil aircraft of Cuban registry.

No person may operate a civil aircraft of Cuban registry except in controlled airspace and in accordance with air traffic clearances or air traffic control instructions that may require use of specific airways or routes and landings at specific airports.

§ 91.117 [Amended]

e. By inserting the word "or" after the semicolon at the end of § 91.117(h)(1).

f. By amending § 91.161(b) to read as follows:

§ 91.161 Applicability.

(b) Sections 91.165, 91.169, 91.171, and 91.173 of this subpart do not apply to an aircraft maintained in accordance with a continuous airworthiness program under Part 121 or 127 of this chapter.

5. Part 121 is amended as follows:

§ 121.1 [Amended]

a. By inserting the words "when it engages in the carriage of persons or property in air commerce for compensation or hire with large aircraft" before the period at the end of § 121.1(a)(5).

b. By striking paragraph (d) of § 121.1.

§ 121.3 [Amended]

c. By inserting the word "operating" after the word "carrier" in § 121.3(e) and after the word "operator" in § 121.3(f).

§ 121.93 [Amended]

d. By striking the word "satisfactory" in § 121.93(a)(1) and inserting the word "satisfactorily" in place thereof.

e. By adding the following new paragraph at the end of § 121.289:

§ 121.289 Landing gear; aural warning device.

(d) A certificate holder who, before February 1, 1965, applied for and received an extension beyond the date set forth in paragraph (a) of this section may, until that extension date, operate large landplanes without complying with this section.

§ 121.321 [Amended]

f. By adding the word "type" after the word "was" in § 121.321.

§ 121.365 [Amended]

g. By adding the words "in accordance with § 121.369(b) (2) or (3)" after the word "manual" in § 121.365(b).

§ 121.425 [Amended]

h. By striking the words "or supplemental air carrier or commercial operator" in the parentheses in § 121.425(d) and inserting the words "air carrier" in place thereof.

i. By inserting the word "calendar" before the word "month" wherever the word "month" is used throughout Subparts N, O, P, Q, R, and S and by inserting the word "calendar" before the word "year" in § 121.471(a) (1).

§ 121.597 [Amended]

j. By inserting the words "or the person authorized by the operator to exercise operational control over the flight" after the word "command" in § 121.597(b).

§ 121.653 [Amended]

k. By striking the word "or" after the word "part" in the first sentence of § 121.653(d).

[F.R. Doc. 65-2882; Filed, Mar. 18, 1965; 8:48 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 64-SO-72]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Control Area Extension, Alteration of Control Zone, and Designation of Transition Area

On January 28, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 887) stating that the Federal Aviation Agency proposed to revoke the control area extension, alter the control zone and designate a transition area at Columbus, Miss.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

1. In § 71.165 (29 F.R. 17557) the Columbus, Miss., control area extension is revoked.

2. In § 71.171 (29 F.R. 17581) the following control zone is amended to read:

COLUMBUS, MISS.

Within a 5-mile radius of Columbus AFB (latitude 33°39'38" N., longitude 88°26'39" W.); within 2 miles each side of the Columbus AFB localizer NW course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Caledonia VOR 143° radial extending from the 5-mile radius zone to 12 miles SE of the VOR; within 2 miles each side of the Caledonia VOR 311° radial extending from the 5-mile radius zone to 12 miles NW of the VOR; within 2 miles each side of the runway 13 centerline extending from the 5-mile radius zone to 5.5 miles SE of the departure end of the runway; within 2 miles each side of the Columbus VORTAC

020° radial extending from the 5-mile radius zone to the VORTAC.

3. In § 71.181 (29 F.R. 17643) the following transition area is added:

COLUMBUS, MISS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Columbus AFB (latitude 33°39'38" N., longitude 88°26'39" W.); within a 5-mile radius of the Columbus-Lowndes County Airport (latitude 33°27'52" N., longitude 88°22'50" W.) clockwise between a 357° and 297° bearing from the airport and within a 7-mile radius of the Columbus-Lowndes County Airport clockwise between a 297° and a 357° bearing from the airport; within 2 miles each side of the Columbus VORTAC 101° radial extending from the 5-mile radius area to the VORTAC; within 2 miles each side of a 180° bearing from the Columbus-Lowndes County Airport extending from the 5-mile radius area to 8 miles S of the airport; and that airspace extending upward from 1,200 feet above the surface within a 40-mile radius of Columbus AFB excluding that portion which coincides with the Tupelo, Miss., transition area; including that airspace SE of the 40-mile radius area bounded on the NE by V-278S, on the E by a 19-mile radius arc centered on the Tuscaloosa, Ala., VOR, on the SE by V-18, and on the W by longitude 88°00'00" W.; including that airspace N of the 40-mile radius area, bounded on the W by the Tupelo, Miss., transition area, on the N by V-176 and on the E by longitude 87°55'00" W.; and that airspace extending upward from 5,000 feet above mean sea level within 5 miles each side of the Caledonia VOR 310° radial extending from the 40-mile radius area to longitude 89°20'00" W., excluding that portion which coincides with the Tupelo, Miss., transition area; and that airspace extending upward from 10,000 feet above mean sea level SW of the 40-mile radius area bounded on the N by V-278, on the W by longitude 89°17'00" W., on the S by latitude 33°03'00" N., and on the SE by a line extending from latitude 33°03'00" N., longitude 88°57'40" W. to the intersection of longitude 88°47'00" W. and the 40-mile radius arc centered on Columbus AFB.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on March 9, 1965.

PAUL H. BOATMAN,

Acting Director, Southern Region.

[F.R. Doc. 65-2797; Filed, Mar. 18, 1965; 8:45 a.m.]

[Airspace Docket No. 64-SO-73]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS

Revocation of Control Area Extension, Alteration of Control Zones, Redesignation of Transition Area, and Designation of Transition Area

On January 28, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 888) stating that the Federal Aviation Agency proposed to revoke the Meridian, Miss., control area extension, alter the control zones for Key Field and NAAS Meridian, redesignate the Meridian transition area and designate a transition area for NAAS Meridian.

Interested persons were afforded an opportunity to participate in the rule

making through submission of comments. All comments received were favorable.

In the notice an extension to the Meridian control zone was proposed two miles each side of the Meridian VORTAC 310° radial extending from the five-mile radius zone to 5.5 miles northwest of the airport. Subsequent to the publication of the notice, it was determined that the magnetic variation was incorrectly applied and this extension should have been described as being on the Meridian VORTAC 314° radial. Action is taken herein to correct this discrepancy.

Since this correction is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

1. In § 71.165 (29 F.R. 17557) the Meridian, Miss., control area extension is revoked.

2. In § 71.171 (29 F.R. 17581) the following control zones are amended to read:

MERIDIAN, MISS. (KEY FIELD)

Within a 5-mile radius of Key Field (latitude 32°19'58" N., longitude 88°45'05" W.); within 2 miles each side of the Meridian ILS localizer S course extending from the 5-mile radius zone to the Meridian RBN; within 2 miles each side of the Meridian VORTAC 155° radial extending from the 5-mile radius zone to 15.5 miles SE of the VORTAC; within 2 miles each side of the Meridian VORTAC 314° radial extending from the 5-mile radius zone to 5.5 miles NW of the airport.

MERIDIAN, MISS. (NAAS MERIDIAN)

Within a 5-mile radius of NAAS Meridian (latitude 32°33'27" N., longitude 88°33'33" W.); within 2 miles each side of Navy McCain TACAN 360° radial extending from the 5-mile radius zone to 7 miles N of the TACAN; within 2 miles each side of the Navy McCain TACAN 069° radial extending from the 5-mile radius zone to 7 miles E of the TACAN; within 2 miles each side of Runway 18L centerline extending from the 5-mile radius zone to 6 miles N of the airport; within 2 miles each side of Runway 27 centerline extending from the 5-mile radius zone to 6 miles E of the airport; within 2 miles E and 1 mile W of Runway 36L centerline extending from the 5-mile radius zone to 6 miles S of the airport.

3. In § 71.181 (29 F.R. 17643) the Meridian, Miss., transition area (30 F.R. 434) is amended to read:

MERIDIAN, MISS. (KEY FIELD)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Key Field (latitude 32°19'58" N., longitude 88°45'05" W.); within 8 miles E and 5 miles W of the Meridian ILS localizer S course extending from the Meridian RBN to 13 miles S of the RBN; within 8 miles E and 5 miles W of a 191° bearing from the Meridian RBN extending from the RBN to 13 miles S; within 8 miles SW and 5 miles NE of the Meridian VORTAC 314° radial extending from the VORTAC to 13 miles NW; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of the N edge of V-18N and a 30-mile radius arc centered on Key Field, extending NW along V-18N to longitude 89°30'00" W., thence N to latitude 32°47'00"

N., longitude 89°30'00" W., thence ESE to latitude 32°43'15" N., longitude 88°48'05" W., thence N to latitude 32°46'50" N., longitude 88°47'05" W., thence NW to latitude 33°03'00" N., longitude 88°57'40" W., thence NE to the intersection of longitude 88°47'00" W. and a 40-mile radius arc centered at Columbus, Miss., AFB (latitude 33°38'38" N., longitude 88°26'39" W.), thence E along that arc to longitude 88°00'00" W., thence S along longitude 88°00'00" W. to the SE boundary of V-209, thence SW along the SE boundary of V-209 to the N boundary of V-154, thence to latitude 32°18'00" N., longitude 88°20'00" W., thence to the intersection of the E boundary of V-209 and a 30-mile radius arc centered at Key Field, thence clockwise along that arc to the W boundary of V-194, thence SW along the W boundary of V-194 to latitude 32°07'00" N., thence to the intersection of longitude 89°28'00" N. and the S boundary of V-188, thence E along V-188 to a 30-mile radius arc centered at Key Field, thence clockwise along that arc to point of beginning.

4. In § 71.181 (29 F.R. 17643) the following transition area is added:

MERIDIAN, MISS. (NAAS MERIDIAN)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of NAAS Meridian (latitude 32°33'27" N., longitude 88°33'33" W.).

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on March 9, 1965.

PAUL H. BOATMAN,
Acting Director, Southern Region.

[F.R. Doc. 65-2798; Filed, Mar. 18, 1965; 8:45 a.m.]

[Airspace Docket No. 63-SO-97]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Designation of Transition Area

On February 2, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1052) stating that the Federal Aviation Agency proposed to alter the control zone and designate a transition area at Dyersburg, Tenn.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17581) the Dyersburg, Tenn., control zone is amended to read:

DYERSBURG, TENN.

Within a 5-mile radius of the Dyersburg Municipal Airport (latitude 36°00'00" N., longitude 89°24'20" W.); within 2 miles each side of the Dyersburg VORTAC 258° radial, extending from the 5-mile radius zone to the VORTAC, effective from 0600 to 2200 hours local time daily.

2. Section 71.181 (29 F.R. 17643) is amended by adding the Dyersburg, Tenn., transition area as follows:

DYERSBURG, TENN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Dyersburg Municipal Airport (latitude 36°00'00" N., longitude 89°24'20" W.); within 2 miles each side of the Dyersburg VORTAC 078° radial, extending from the VORTAC to 8 miles E of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 5 miles S and 8 miles N of the Dyersburg VORTAC 078° and 258° radials, extending from 4 miles W of to 12 miles E of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on March 9, 1965.

PAUL H. BOATMAN,
Acting Director, Southern Region.

[F.R. Doc. 65-2800; Filed, Mar. 18, 1965; 8:45 a.m.]

[Airspace Docket No. 65-EA-16]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to realign the segment of VOR Federal airway No. 149 from Georgetown, N.Y., to Utica, N.Y., via the intersection of the Georgetown 036° and the Utica 280° True radials (Vernon Intersection).

Traffic procedures in the Syracuse, N.Y., area are being revised to accommodate civil jet traffic at Hancock Field. The revised procedures will require a larger holding airspace area at the Lakeport, N.Y., Intersection and will overlap the Sherrill, N.Y., Intersection holding airspace area. To permit simultaneous holding at the Lakeport Intersection and at a fix east of Lakeport, the Vernon Intersection is being established. Accordingly, to permit easy access to the Vernon Intersection for traffic en route over Georgetown, the V-149 segment is proposed for realignment via the Vernon Intersection. This realignment will move the airway segment approximately three nautical miles east of its present alignment between Georgetown VOR and its intersection with the 280° True radial of the Utica VOR.

Since this amendment only involves the moving of an airway segment approximately three nautical miles over uncongested land and does not adversely affect existing air traffic operations, it is minor in nature and notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

In § 71.123 (29 F.R. 17509), V-149 is amended by deleting "INT of Georgetown 029° and Utica, N.Y., 280° radials;" and substituting "INT of Georgetown 036° and Utica, N.Y., 280° radials;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on March 11, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-2801; Filed, Mar. 18, 1965; 8:45 a.m.]

[Airspace Docket No. 64-SO-45]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Transition Area and Control Area Extension, Alteration of Control Zones, and Designation of Transition Area

On February 2, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1052) stating that the Federal Aviation Agency proposed to revoke the control area extension at Nashville, Tenn., and the transition area at Graham, Tenn.; alter the control zones at Nashville, Tenn., and Sewart Air Force Base, Smyrna, Tenn., and designate transition areas in the vicinity of Nashville and Shelbyville, Tenn.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

1. In § 71.165 (29 F.R. 17557) the Nashville, Tenn., control area extension is revoked.

2. In § 71.181 (29 F.R. 17643) the Graham, Tenn., transition area is revoked.

3. In § 71.171 (29 F.R. 17581) the Nashville and Smyrna, Tenn., control zones are amended to read:

NASHVILLE, TENN.

Within a 5-mile radius of the Nashville Metropolitan Airport (latitude 36°07'36" N., longitude 86°40'58" W.); within 2 miles each side of the Nashville ILS localizer 8 course extending from the 5-mile radius zone to the LOM; within 2 miles each side of the Nashville VORTAC 315° radial extending from the 5-mile radius zone to the VORTAC; within 2 miles each side of the Nashville ILS localizer N course, extending from the 5-mile radius zone to 8 miles N of the Nashville VORTAC 333° radial; excluding that airspace W of a line 2 miles W of and parallel to the Nashville ILS localizer N course within a 1-mile radius of the Cornelia Port Airport (latitude 36°11'28" N., longitude 86°41'53" W.).

SMYRNA, TENN.

Within a 5-mile radius of the Sewart Air Force Base (latitude 36°00'27" N., longitude 86°31'21" W.).

4. Section 71.181 (29 F.R. 17643) is amended by adding the Nashville and Shelbyville, Tenn., transition areas as follows:

NASHVILLE, TENN.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Nashville Metropolitan Airport