section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of such producers, or if the obligation is payable to the market administrator, the account for which it is to be paid;

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives;

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed; and

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate 2 years after the end of the calendar month during which the milk involved in the claim was received if an under payment is claimed, or 2 years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time files, pursuant to section 8c(15)(A) of the Act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 1103.105 Effective time.

The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 1103.106.

§ 1103.106 Suspension or termination.

The Secretary may suspend or terminate this part or any provision of this part whenever he finds that it obstructs or does not tend to effectuate the declared policy of the Act. This part shall terminate, in any event, whenever the provisions of the Act authorizing it cease to be in effect.

§ 1103.107 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations thereunder, the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1103.108 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 1103.109 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 1103.110 Separability of provisions.

If any provision of this part, or its application to any persons or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part to other persons or circumstances shall not be affected thereby.

Effective date: May 1, 1965.

Signed at Washington, D.C., on March 26, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-3236; Filed, Mar. 30, 1965; 8:45 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1421—GRAIN AND SIMILARLY HANDLED COMMODITIES

Subpart—Standards for Approval of Warehouses and Continuing Operations Under Price Support Programs

This subpart (25 F.R. 12283) is revised as follows:

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b.

§ 1421.5551 General statement and administration.

This subpart prescribes the procedure to be followed by warehousemen who desire initial or continuing approval of their warehouses by Commodity Credit Corporation (hereinafter referred to as "CCC") for the storage and handling, under the applicable CCC storage agreement(s), of wheat, corn, oats, rye, barley, grain sorghums, flaxseed, soybeans, rice, seed, and dry edible beans (hereinafter referred to collectively as "grain"), owned by CCC or held by CCC as security for loans and also prescribes the requirements of CCC for approval of such warehouses. Warehousemen desiring approval of their warehouses should communicate with the ASCS Commodity Office (hereinafter referred to as "commodity office"), serving the State in which the warehouses are located. These commodity offices and the States which they serve are:

(a) Evanston ASCS Commodity Office, United States Department of Agriculture, 2201 Howard Street, Evanston, Ill., 60202—

Connecticut.	New Jersey.
Delaware.	New York.
Florida.	North Carolina.
Georgia.	North Dakota.
Illinois.	Ohio.
Indiana.	Pennsylvania.
Iowa.	Rhode Island.
Kentucky.	South Carolina.
Maine.	South Dakota.
Maryland.	Tennessee.
Massachusetts.	Vermont.
Michigan.	Virginia.
Minnesota.	West Virginia.
Montana.	Wisconsin.
New Hampshire.	

(b) Kansas City ASCS Commodity Office, United States Department of Agriculture, 8930 Ward Parkway, Post Office Box 205, Kansas City, Mo., 64141—

Alabama.	Nebraska.
Alaska.	Nevada.
Arizona.	New Mexico.
Arkansas.	Oklahoma.
California.	Missouri.
Colorado.	Oregon.
Hawaii.	Texas.
Idaho.	Utah.
Kansas.	Washington.
Louisiana.	Wyoming.
Mississippi.	

A warehouse must be approved by a commodity office before such warehouse will be used for the storage and handling of grain. The commodity offices will furnish warehousemen with full information as to securing approval of a warehouse together with the necessary application forms. The approval of a warehouse or the execution of an agreement with the warehouseman shall not constitute a commitment that the warehouse will be used by CCC and no official or employee of the U.S. Department of Agriculture is authorized to make any such commitment.

§ 1421.5552 Exceptions.

Notwithstanding any other provision hereof:

(a) The provisions of this subpart are not applicable to storage outside of the limits of the several States of the United States and the District of Columbia; to the purchase of grain in storage for prompt shipment; or to handling of a temporary nature.

(b) Warehousemen licensed under the United States Warehouse Act will not be required to furnish to CCC performance bonds, or financial statements in order to be approved hereunder, and CCC will not inspect their warehouses. However, all other requirements of this subpart shall be met by such warehousemen seeking approval under this subpart and possession of a license under the U.S. Warehouse Act shall not alone qualify a warehouseman for approval for a storage agreement.

(c) If a Certificate of Competency is issued by the Small Business Administration with respect to a warehouseman, the certificate will be accepted as establishing conformance by the warehouseman with the standards prescribed in § 1421.5554(b) (1), (2), (4), and (5), and (c), (d), and (e) (1), (2), (3) (4), and (5), and the warehouseman will not be required to furnish bond coverage for deficiency in net worth or working capital.

§ 1421.5553 Application requirements.

In applying for approval of a warehouse for storage and handling of grain, the warehouseman must furnish a completed Form CCC-24, Application for Approval of Warehouse (Grain, Rice, Seed, and Dry Edible Beans), for each type of agreement and for each location; a completed Form CCC-24-1, Supplement to Application for Approval of Warehouse (Grain, Rice, Seed, and Dry Edible Beans), for each section of the warehouse; a current financial statement (CCC Form 68, Statement Showing Assets and Liabilities); and such other documents or information as may be required by the commodity office. If the warehouseman employs the services of a public accountant, the financial statement must be certified or otherwise authenticated by the public accountant to the extent consistent with the accountant's verification of facts contained in the statement. Such certification or statement may be separate from the financial statement. A financial statement may also be required with an application for approval of additional storage space under an existing agreement. Financial statements shall show information as of a date not earlier than 90 days prior to date of the statement.

§ 1421.5554 Standards for warehousemen and warehouses.

CCC will consider applications for approval of warehouses upon the basis of the applicant's conformance with the standards prescribed in this section.

(a) The warehouseman shall:

(1) Be an individual, or an existing legal entity organized in good faith to operate a public warehousing business and, if organized in the corporate form, must have charter authority to conduct a public warehousing business.

(2) Have sufficient experience and knowledge of the warehousing business, as related to the commodity to be stored or handled, to enable him to give adequate protection and services for the proper storage and handling of that commodity.

(3) Have satisfactorily complied with all previous agreements with CCC or USDA and instructions issued thereunder: *Provided, however*, That this provision shall not be applied in circumstances other than those excepted from CCC's General Regulations and Policies for Suspension and Debarment, Part 1407 of this chapter, 29 F.R. 10495, unless suspension or debarment action has been taken as provided in such regulations.

(4) Have a net worth equal to at least 4 percent of the total value of the principal commodity to be stored computed in accordance with the provisions of this subparagraph with a minimum net worth of $10,000. Deficiencies in net worth may be compensated for by additional bond coverage, except that the warehouseman must meet the minimum net worth requirement of $10,000. For the purpose of this subpart, the total value of the principal commodity to be stored in a warehouse shall be computed by multiplying the unit price of such principal commodity, as determined annually by the Executive Vice President, CCC, by the total capacity of the warehouse to store such commodity, expressed in terms of the unit used for the purpose of such unit price. The unit price to be used in such computation may be obtained from the appropriate commodity office.

(5) Have sufficient working capital available, as determined by the appropriate commodity office.

(6) Maintain adequate inventory and operating records.

(7) Make application for approval in the manner specified in § 1421.5553.

(8) Furnish surety bonds as may be required by CCC under § 1421.5558.

(9) Furnish annually, or at such other times as CCC may require, a current financial statement supported by such supplemental schedules as CCC may request for the purpose of evaluating the financial condition of the warehouseman.

(b) Supervisory employees of the warehouse shall meet the requirements of paragraph (a) (2) and (3) of this section.

(c) Owners, directors, responsible officers and employees of the warehouse shall meet requirements of paragraph (a)(3) of this section.

(d) The warehouse shall meet the following requirements:

(1) Be of sound construction with equipment in good repair.

(2) Be under the control at all times of the warehouseman with whom the storage agreement will be made.

(3) Not be subject to greater than normal risk of fire, flood, or other hazards.

(4) Have such fire-fighting equipment as CCC determines is customary for the type of warehouse for which approval is sought.

(5) Be able to load out that quantity of grain for which the warehouse is or may be approved within approximately thirty (30) working days, except that maximum load-out requirements need not be more than 200 cars per day regardless of the warehouseman's storage capacity and load-out capacity. Port facilities are excluded from this requirement but shall have load-out equipment and load-out capacity adequate, as determined by CCC, to perform required services.

(6) Be located on a railroad or waterway, or have a suitable rail load-out point under the complete control of the warehouseman.

(7) Have prenumbered warehouse receipts and scale tickets. If a warehouse which was approved prior to July 2, 1964, has a supply of unnumbered scale tickets on hand, it will not be necessary to discontinue such unnumbered scale tickets and replace them with prenumbered scale tickets. In such cases, the warehouseman shall have future orders of scale tickets prenumbered.

(8) Where State or local law requires licensing to act as a public warehouse, the license must be made available or posted in the warehouse or a satisfactory notice of approval must have been received by CCC from the licensing authority.

§ 1421.5555 Inspection of warehouses.

Except in the case of a warehouse licensed under the U.S. Warehouse Act, prior to the time CCC approves a warehouse for the storage and handling of grain, CCC will have the warehouse examined by a warehouse examiner. In addition, CCC will take such other action as it considers necessary to determine whether the requirements of § 1421.5554 have been met. The warehouse examiner will make recommendations to the commodity office regarding the approval or disapproval of the warehouse.

§ 1421.5556 Basis for approval or disapproval.

The commodity office will review and analyze the information disclosed by the warehouseman's application, warehouse examiner's report and recommendation, financial statement, credit reports, and other pertinent information available from other sources. If, on the basis of this review and analysis, the commodity office determines that the warehouseman and the warehouse conform with the standards and other requirements set out in this subpart, the warehouse will be approved. If the commodity office determines that one or more of the standards of § 1421.5554 are not met, the applicant shall be disapproved, except that it may be approved if a waiver has been granted under § 1421.5560 and it is determined by the commodity office that the conditions for the storage and handling of grain within the warehouse provide satisfactory protection for grain, that the services of the warehouseman are required by CCC in fulfilling its responsibilities under the grain price support program, and, in addition to any bond which may be furnished under § 1421.5554(b)(4) to compensate for deficiency in net worth, a bond (or acceptable substitute security) is furnished in an amount determined by the commodity office to be necessary to protect the interests of CCC.

§ 1421.5557 Other conditions for disapproval.

An application will not be approved (or existing approval continued in effect) in the event that:

(a) The warehouseman (if license is required) is in violation of any provisions of the regulations of the licensing authority, or if any condition which has resulted or may result in the refusal, suspension, or revocation of the applicable warehouse license has not been corrected. Correction of any such condition shall not result in automatic approval of the warehouse and CCC may require the submission of a new application or such additional information as it deems pertinent and may inspect the warehouse to determine whether it meets the requirements of this subpart.

(b) The warehouse for which approval is being sought or any of the owners, directors, responsible officers and employees thereof have been suspended or debarred under the CCC's General Regulations and Policies for Suspension and Debarment, Part 1407 of this chapter, 29 F.R. 10495.

§ 1421.5558 Bonding requirements.

(a) Except as provided in paragraphs (a), (b), and (c) of this section, the bonding requirements for an applicant for a Uniform Grain Storage Agreement, a Uniform Rice Storage Agreement, or a Bean Storage Agreement, who otherwise meets the requirements of this subpart, will be deemed to have been met by the CCC Blanket Insurance Policy. The Blanket Insurance Policy covers all warehousemen operating under any of these agreements as of the effective date of the policy, and warehousemen entering into any of these agreements during the period of the Blanket Insurance Policy. The blanket coverage protects CCC against losses up to $2,000,000 for each such warehouse having a separate CCC warehouse code number, with a maximum aggregate annual liability to the insurance company of $50,000,000. This coverage does not, however, relieve any warehouseman from his obligation to insure the grain against loss or damage as specified in the applicable CCC storage agreement(s). In addition, warehousemen approved under the Uniform Grain Storage Agreement, the Uniform Rice Storage Agreement, or the Bean Storage Agreement, whose coverage under the CCC Blanket Insurance Policy has been terminated by the underwriter, will be required to furnish to CCC a performance bond on CCC Form 33, or suitable substitute security, if, despite such termination of coverage under the CCC Blanket Insurance Policy, it is determined that continued approval under the applicable storage agreement is essential in carrying out the functions and responsibilities of CCC and is otherwise in the public interest. Such performance bonds shall be executed by surety companies which have been approved by the United States Treasury Department (Circular No. 570) and which maintain an officer or representative authorized to accept service of legal process in the State where the warehouse is located. The bond or substitute security will be in such amount as CCC determines necessary to protect its interests.

(b) Bond coverage for a warehouseman applying for approval of a warehouse for the storage of milled rice and seed, who fully conforms with all of the standards and requirements specified in this subpart, shall be in the amount of six percent of the total value of the principal commodity to be stored as computed in accordance with § 1421.5554(a)(4), but such bond coverage shall not be less than $5,000 and need not be more than $200,000. The Blanket Insurance Policy does not cover milled rice and seed and, except as otherwise provided in this subpart, warehousemen to be approved for the storage of milled rice and seed under applicable storage agreements, shall furnish performance bonds to CCC on CCC Form 33, Warehouseman's Bond-Storage Agreement, copies of which may be obtained from the commodity offices.

(c) Notwithstanding any other provisions of this subpart, if in the light of all the circumstances regarding operation of the warehouse, the commodity office determines that the amount of bond coverage required under this section is not sufficient to protect properly the interests of CCC, it may require such additional bond coverage as it deems necessary for such purpose.

(d) In the case of a warehouseman applying for approval of more than one warehouse in the same State, the total capacity of all warehouses in a State under single ownership shall be considered as one warehouse for the purpose of determining bonding requirements.

(e) State warehouse bonds (statutory bonds), cash, negotiable securities, and legal liability insurance policies may be substituted for bonds on CCC Form 33 under the following conditions:

(1) A State warehouse bond furnished by a warehouseman licensed under State laws and subject to State supervision or a bond furnished under the regulations of nongovernmental supervisory agencies will be accepted by CCC in lieu of the equivalent amount of bond coverage required under this section if CCC determines that it provides protection equivalent to the type of protection provided by CCC Form 33. Such bond must be executed by satisfactory corporate sureties which have been approved by the United States Treasury Department (Circular No. 570) or which have had a blanket rider and endorsement executed by a surety approved by the United States Treasury Department. The liability of the sureties under a blanket rider and endorsement shall be the same as that of the surety under the original bond. State warehouse bonds must be noncancellable for a definite period of time not less than 90 days and include a rider providing for not less than 90 days' notice to CCC before cancellation. In case the warehouseman has more than one warehouse in the same State and has State warehouse bonds covering such warehouses which are determined to be acceptable to CCC, the excess coverage on one warehouse may not be applied against insufficient bond coverage on another facility.

(2) Cash or negotiable securities may be accepted in lieu of the equivalent amount of required bond coverage. The commodity office will determine the acceptability of and valuation to be placed on any such securities in substitution for bond coverage. When the period for which the bond was required has ended and the commodity office determines that all liability under the agreement has terminated, the cash or securities will be returned to the warehouseman.

(3) Legal liability insurance policies may be accepted in lieu of the equivalent amount of bond coverage running directly to CCC. Such insurance policies, however, must show CCC as the insured and be approved for legal sufficiency by the Regional Attorney or the Attorney-in-Charge, Office of the General Counsel, U.S. Department of Agriculture.

§ 1421.5559 Approval of warehouse and duration of approval.

(a) After a warehouse has been approved and the applicable storage agreement has been signed by CCC, a notice of approval will be forwarded to the warehouseman by the commodity office. The warehouse will then be eligible to store and handle CCC-owned grain and grain under CCC's loan and purchase agreement programs.

(b) The financial condition of, and amount of bond or substitute security furnished by, approved warehousemen will be reviewed from time to time to determine that the requirements of CCC are being met and the warehouseman shall furnish any additional bond coverage or substitute security which CCC may determine to be required under the provisions of this subpart. The warehouse will be re-examined from time to time to determine its continued compliance with the standards and requirements of this subpart. If CCC at any time determines that a warehouseman or the warehouse does not conform with the standards and other requirements set out in this subpart, CCC shall remove the warehouse from the "List of Approved Warehouses," and take such other appropriate action as may be necessary to protect the interests of CCC.

(c) Approval of the warehouse will remain in effect until the warehouse is removed from the "List of Approved Warehouses," or the storage agreement is terminated, or the warehouseman is suspended or debarred from contracting with CCC under the applicable Regulations and Policies for Suspension and Debarment, Part 1407 of this chapter, published at 29 F.R. 10495.

§ 1421.5560 Waiver of requirements.

In the event the warehousing services required in fulfilling responsibilities under CCC programs cannot be secured under the provisions of this subpart and no reasonable and economical alternative is available, CCC may exempt the applicant from one or more of the provisions of this subpart and may establish other requirements in lieu thereof as determined necessary to safeguard the interests of CCC. The authority provided by this section shall be exercised only by the Executive Vice President, or the Acting Executive Vice President, CCC.

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 25, 1965.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 65-3250; Filed, Mar. 30, 1965; 8:46 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

CODIFICATION AND TERMINOLOGY CHANGES

CROSS REFERENCE: For a document affecting Chapter I of Title 9, see F.R. Doc. 65-3304, Chapter III of this title, *infra*.

Chapter III—Consumer and Marketing Service—Meat Inspection, Department of Agriculture

CODIFICATION AND TERMINOLOGY CHANGES

Pursuant to the order of the Secretary, dated February 8, 1965 (30 F.R. 2160), which transferred the Meat Inspection Division from the Agricultural Research Service to the Consumer and Marketing Service, and under the authority of the statutes under which the rules and regulations of the Meat Inspection Division appearing in 9 CFR Chapter I (Agricultural Research Service, Department of Agriculture) were issued, it is hereby ordered as follows:

(1) A new Chapter III—Consumer and Marketing Service—Meat Inspection, Department of Agriculture, is hereby established in Title 9.

(2) Parts 1 through 40, inclusive (9 CFR Parts 1-40), formerly designated as Chapter I—Agricultural Research Service, Department of Agriculture, Subchapter A—Meat Inspection Regulations, are hereby transferred to Chapter III, of Title 9, are designated as Subchapter A—Meat Inspection Regulations, and are renumbered as Parts 301 through 340, respectively.

(3) The phrase "Agricultural Research Service" is changed to "Consumer and Marketing Service" wherever it appears in renumbered §§ 301.1 (d), (e), (f), and (bb), and 340.2(b).

(4) Part 155 (9 CFR Part 155), formerly designated as Chapter I, Subchapter H—Voluntary Inspection and Certification Service, is hereby transferred to Chapter III, of Title 9, is redesignated as Subchapter B—Voluntary Inspection and Certification Service, and is renumbered Part 355. Part 156 remains as such in Chapter I, Subchapter H.

(5) The phrase "Agricultural Research Service" as it appears in renumbered § 355.1(b) is changed to read "Consumer and Marketing Service."

(6) Part 171 (9 CFR Part 171), formerly designated as Chapter I, Subchapter J—Process or Renovated Butter, is hereby transferred to Chapter III, of Title 9, is redesignated as Subchapter C—Process or Renovated Butter, and is renumbered Part 371.

(7) The phrase "Agricultural Research Service" as it appears in renumbered §§ 371.1 and 371.3 is hereby changed to "Consumer and Marketing Service."

(8) Subchapter K—Humane Slaughter of Livestock (9 CFR Chapter I, Subchapter K) is hereby transferred to Chapter III, of Title 9, and redesignated as Subchapter D—Humane Slaughter of Livestock. Parts 180 and 181 are renumbered Parts 380 and 381, respectively.

(9) The phrase "Agricultural Research Service" as it appears in renumbered § 380.1(b) is hereby changed to "Consumer and Marketing Service".

The foregoing shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 25th day of March 1965.

S. R. SMITH,
Administrator, Consumer and Marketing Service.

[F.R. Doc. 65-3304; Filed, Mar. 30, 1965; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 64-EA-60]

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

Alteration of Federal Airway

On January 16, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 588) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 431 from Keene, N.H., direct to Glens Falls, N.Y.

Interested persons were afforded an opportunity to participate in the proposed rule making through the 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.

In § 71.123 (29 F.R. 17509), V-431 is amended by deleting "From Cambridge, N.Y.," and substituting "From Keene, N.H.," therefor.

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

Issued in Washington, D.C., on March 25, 1965.

D. E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-3256; Filed, Mar. 30, 1965; 8:47 a.m.]

[Airspace Docket No. 64-EA-69]

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

Designation of Transition Area

On January 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 539) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an en route transition area at Turkey, Ky.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments, but no comments were received.

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

TURKEY, KY.

That airspace extending upward from 1,200 feet above the surface within 10 miles NE and 7 miles SW of the Whitesburg, Ky., VOR 301° radial, extending from a point 25 miles NW of the VOR to 52 miles NW of the VOR. (Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on March 23, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-3257; Filed, Mar. 30, 1965; 8:47 a.m.]

[Airspace Docket No. 64-EA-29]

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

Designation of Transition Area

On pages 801 and 802 of the FEDERAL REGISTER of January 26, 1965, there was published a notice of proposed rule making to issue a regulation which would establish a 700-foot transition area over the Beaver County Airport, Beaver Falls, Pa.

Interested persons were given 45 days in which to submit written data or views with respect to the proposed regulation. No objections to the proposed regulation were received.

The proposed regulation is hereby adopted without change effective 0001 e.s.t., May 27, 1965.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on March 17, 1965.

OSCAR BAKKE,
Director, Eastern Region.

1. Amend § 71.181 of Part 71 by establishing a Beaver Falls, Pa. transition area as described as follows:

BEAVER FALLS, PA.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 40°46'21" N., 80°23'37" W. of Beaver County Airport, Beaver Falls, Pa. and within 2 miles each side of the Elwood City, Pa. VOR 248° radial extending easterly from the 6-mile radius area to the VOR.

[F.R. Doc. 65-3258; Filed, Mar. 30, 1965; 8:47 a.m.]

[Airspace Docket No. 63-SW-102]

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

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

On September 12, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 12879) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the San Antonio, Tex., terminal area. On December 19, 1964, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 18096) altering the proposed San Antonio and Johnson City transition areas.

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. 17631), the San Antonio, Tex. (International Airport), control zone is amended to read as follows:

SAN ANTONIO, TEX. (INTERNATIONAL AIRPORT)

That airspace within a 5-mile radius of San Antonio International Airport (latitude 29°31'50" N., longitude 98°28'12" W.); within 2 miles each side of the San Antonio VORTAC 184° radial extending from the 5-mile radius zone to 1 mile S of the VORTAC, within 2 miles each side of the San Antonio ILS localizer NW course extending from the 5-mile radius zone to 1 mile SE of the OM, and within 2 miles each side of the San Antonio ILS localizer NE course extending from the 5-mile radius zone to 6 miles NE of the airport.

2. In § 71.171 (29 F.R. 17631) the San Antonio, Tex. (Randolph AFB) control zone is amended to read as follows:

SAN ANTONIO, TEX. (RANDOLPH AFB)

That airspace within a 5-mile radius of Randolph AFB (latitude 29°32'09" N., longitude 98°16'57" W.); within 2 miles each side of the La Vernia, Tex., VOR 329° and 338° radials extending from the 5-mile radius zone to 1 mile NW of the VOR, and within 2 miles each side of the Randolph AFB TACAN 156° radial extending from the TACAN to 7.5 miles SE.

3. In § 71.171 (29 F.R. 17631) the San Antonio, Tex. (Kelly AFB) control zone is amended to read as follows:

SAN ANTONIO, TEX. (KELLY AFB)

That airspace within a 5-mile radius of Kelly AFB (latitude 29°22'57" N., longitude 98°34'25" W.); within 2 miles each side of the Kelly AFB ILS localizer N course extending from the 5-mile radius zone to 1 mile S of the OM, and within 2 miles each side of the Kelly AFB TACAN 341° radial extending from the 5-mile radius zone to the TACAN.

4. In § 71.165 (29 F.R. 17576) the San Antonio, Tex., control area extension is revoked.

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

SAN ANTONIO, TEX.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 29°22'30" N., longitude 97°47'00" W., thence W via latitude 29°22'30" N., to and clockwise along the arc of a 23-mile radius circle centered at latitude 29°31'50" N., longitude 98°28'12" W., to latitude 29°46'30" N., E of longitude 98°30'000" W.; thence to latitude 29°43'00" N., longitude 98°01'30" W., thence to point of beginning, and within 5 miles NE and 8 miles SW of the 149° bearing from the Randolph AFB RBN extending from the RBN to 12 miles SE, within 5 miles NE and 8 miles SW of the