

Presidential Documents

Title 3—The President

PROCLAMATION 4160

National Heritage Day

By the President of the United States of America

A Proclamation

The special quality of the United States is the interaction of many peoples from many lands, each asserting the freedom to be different, each respecting and honoring his own ethnic heritage, while contributing to a nation in which all are Americans together.

The shining guarantee of our national future is precisely the repeated rebirth, the reinvigoration, the gift of renewal, implicit in this constant meeting of the world's peoples here in our own land.

The unusual virtue of the United States is that all men and women are accepted for what they are, with friendship and respect founded upon knowledge and understanding of all races, creeds, and national origins.

The "melting pot" is one of unity, but never of uniformity.

The national pride of the United States is, in this sense, pride of our people in the heritage we draw from all nations.

In order that we may pause for a moment to express our appreciation of America's heritage, the Congress, by House Joint Resolution 1304, has requested the President to issue a proclamation designating Sunday, October 1, 1972, as National Heritage Day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Sunday, October 1, 1972, as National Heritage Day. I call upon all Americans to reflect upon the composite vitality, enthusiasm and tenacity of the many separate peoples who have built our beloved country, and to celebrate, with appropriate ceremonies, the fact that our one nation is many nations, and our many nations are one nation, dedicated to freedom, under God.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-seventh.



[FR Doc.72-17004 Filed 10-2-72;10:42 am]

FEDERAL REGISTER, VOL. 37, NO. 192—TUESDAY, OCTOBER 3, 1972

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Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current bound volumes of the Code of Federal Regulations. The rate for subscription service to all revised volumes issued as of January 1, 1972, is \$195 domestic, \$50 additional for foreign mailing. The subscription price for revised volumes to be issued as of January 1, 1973, will be \$200 domestic, \$50 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR unit (Rev. as of Jan. 1, 1972):

Title	Price
1	\$1.00
2-3	2.75
3	1936-1938 Compilation 6.00
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5	1.75
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7	Parts:
	0-45 2.75
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	210-699 2.50
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	1120-1199 1.50
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	1500-end 2.50
8	1.00
9	2.00
10	1.75
11	(As of July 1, 1972) .50
12	Parts:
	1-299 3.00
	300-end 2.75
13	1.25
14	Parts:
	1-59 3.00
	60-199 2.75
	200-end 3.25

Title	Price	Title	Price
15	2.00	41	Chapters:
16	Parts:		1-2 \$2.75
	0-149 \$3.25		3-5D 2.00
	150-end 2.00		6-17 3.75
17	2.75		18 3.75
18	Parts:		19-100 1.25
	1-149 2.00		101-end 2.75
	150-end 2.00	42	1.75
19	2.75	43	Parts:
20	Parts:		1-999 1.50
	01-399 1.25		1000-end 2.75
	400-end 3.00	44	.35
21	Parts:	45	Parts:
	1-119 1.75		1-199 2.00
	120-129 1.50		200-end 2.00
	130-146e 3.00	46	Parts:
	147-299 1.25		1-65 2.75
	300-end .60		66-145 2.75
22	1.75		146-149 3.75
23	.55		150-199 2.75
24	3.25		200-end 3.00
25	1.75	47	Parts:
26	Parts:		0-19 1.75
	1 (§§ 1.0-1-1.300) 3.50		20-69 2.50
	1 (§§ 1.301-1.400) 1.00		70-79 1.75
	1 (§§ 1.401-1.500) 1.50		80-end 2.75
	1 (§§ 1.501-1.640) 1.25	48	[Reserved]
	1 (§§ 1.641-1.850) 1.75	49	Parts:
	1 (§§ 1.851-1.1200) 2.00		1-99 .60
	1 (§§ 1.1201-end) 3.50		100-199 3.75
	2-29 1.25		200-999 2.00
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	170-299 3.75		1300-end 1.25
	300-499 1.50	50	1.25
	500-599 1.75	General Index	1.75
	600-end .60	List of Sections Affected, 1949-1963 (Compilation)	6.75
27	.45		
28	1.00		
29	Parts:		
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	500-899 3.00		
	900-end 4.00		
30	2.75		
31	2.50		
32	Parts:		
	1-8 3.50		
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	400-589 2.50		
	590-699 1.00		
	700-799 3.50		
	800-999 2.00		
	1000-1399 .75		
	1400-1599 1.50		
	1600-end 1.00		
32A	1.50		
33	Parts:		
	1-199 2.50		
	200-end 1.75		
34	[Reserved]		
35	1.75		
36	1.25		
37	.70		
38	3.50		
39	2.00		
40	1.75		

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Miscellaneous Amendments

On August 16, 1972, the following was published in the FEDERAL REGISTER as proposed rule making. The purposes of the amendments are to provide for: (1) Payment of additional funds from a plan's contingency reserve, upon authorization by the Commission; and (2) approval of a new plan to participate in the program to become effective on January the 1st of a calendar year which is at least 9 months after the Commission receives the plan's application to participate and at least 6 months after all evidence required for approval has been received by the Commission. The comments, objections, and suggestions received on the proposal have been considered by the Commission, resulting in

RULES AND REGULATIONS

minor revisions in the text of the regulations. Accordingly, Part 890 of Title 5, Code of Federal Regulations, is amended as set out below.

1. Section 890.503(c) (5) is added as follows:

§ 890.503 Reserves.

(5) In addition to those amounts, if any, paid under the above subparagraphs of this paragraph, the Commission may authorize such other payments from the contingency reserve as in the judgment of the Commission may be in the best interest of employees and annuitants enrolled in the program. Amounts paid from the contingency reserve under this subparagraph and under the above subparagraphs of this paragraph shall be considered to be subscription charges in the year in which paid.

2. Section 890.203(a) is amended to read as follows:

§ 890.203 Application for approval of, and proposal of amendments to, health benefits plans.

(a) Application for approval of comprehensive medical plans may be made by letter to the U.S. Civil Service Commission, Washington, D.C. 20415. Participation of an approved plan becomes effective on the January 1st which is (a) at least 9 months after the Commission receives the application and (b) at least 6 months after the Commission receives all evidence to demonstrate that the plan has met all requirements for approval.

(5 U.S.C. 8913)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
*Executive Assistant
to the Commissioners.*

[FR Doc. 72-16823 Filed 10-2-72; 8:51 am]

Chapter XIV—Federal Labor Relations Council and Federal Service Impasses Panel

SUBCHAPTER B—FEDERAL LABOR RELATIONS COUNCIL

PART 2411—REVIEW FUNCTIONS OF THE COUNCIL

On May 5, 1972, there was published in the FEDERAL REGISTER (37 F.R. 9138) a notice of proposed amendments of rules concerning the procedures of the Council.

Interested persons were invited to submit their views and suggestions in writing within 20 days after publication of such notice. All relevant matter which was submitted has been carefully considered, and the Council has decided to adopt the proposed amendments, with changes, as set forth below.

Accordingly, the Council amends Title 5 of the Code of Federal Regulations, Subchapter B, Part 2411, of Chapter XIV to read as follows:

Subpart A—General Provisions

Sec.	
2411.1	Scope.
2411.2	Coverage.
2411.3	Definitions.
2411.4	Policy questions.

Subpart B—Review of Decisions of the Assistant Secretary

2411.11	Purpose.
2411.12	Considerations governing review.
2411.13	Who may file a petition; time limit for filing; opposition; service.
2411.14	Content of petition.
2411.15	Council action on acceptance.
2411.16	Filing of briefs; Assistant Secretary as a party.
2411.17	Council decision; compliance actions.

Subpart C—Review of Negotiability Issues

2411.21	Purpose.
2411.22	Conditions governing review.
2411.23	Who may file a petition; time limits for filing; service.
2411.24	Content of petition.
2411.25	Position of the agency; time limits for filing.
2411.26	Referral by the Federal Service Impasses Panel.
2411.27	Council decision.

Subpart D—Review of Arbitration Awards

2411.31	Purpose.
2411.32	Considerations governing review.
2411.33	Who may file a petition; time limits for filing; opposition; service.
2411.34	Content of petition.
2411.35	Council action on acceptance.
2411.36	Filing of briefs.
2411.37	Council decision.

Subpart E—General Requirements

2411.41	Interlocutory appeals.
2411.42	Approval of submission.
2411.43	Where to file.
2411.44	Number of copies.
2411.45	Time limits; computation; extension.
2411.46	Service; statement of service.
2411.47	Stay of decision or award; requests; criteria.
2411.48	Oral argument.
2411.49	Amicus curiae.
2411.50	Transfer of record.
2411.51	Matters not previously presented; judicial notice.
2411.52	Advisory opinions.
2411.53	Distribution of Council decisions.

AUTHORITY: The provisions of this Part 2411 are issued under 5 U.S.C. 3301, 7301; E.O. 11491, 3 CFR, 1966-1970 Comp., p. 861; as amended by E.O. 11616, 36 F.R. 17319, and E.O. 11636, 36 F.R. 24901.

Subpart A—General Provisions

§ 2411.1 Scope.

This part sets forth the procedures under which the Council will review decisions of the Assistant Secretary issued pursuant to section 6 of the order, negotiability issues as provided in section 11(c) of the order, and arbitration awards under the order.

§ 2411.2 Coverage.

This part applies to employees, agencies, and labor organizations covered by the order.

§ 2411.3 Definitions.

In this part—

(a) "Order" means Executive Order 11491 of October 29, 1969, entitled "Labor-Management Relations in the Federal Service," as amended by Executive Order 11616 of August 26, 1971, and by Executive Order 11636 of December 17, 1971.

(b) "Executive Director" means the Executive Director of the Council.

(c) "Party" means any person, employee, labor organization, or agency that participated as a party—

(1) In a matter that was decided by the Assistant Secretary under section 6 of the order; or

(2) In a matter that was decided by an agency head under section 11(c) of the order; or

(3) In a matter where the award of an arbitrator was issued under the order.

(d) "Assistant Secretary" means the Assistant Secretary of Labor for Labor-Management Relations, except that in matters arising under section 6(a) of the order involving the Department of Labor, it means the vice chairman of the Civil Service Commission.

(e) Terms defined in the order are used in this part with the meaning attached to them in the order.

§ 2411.4 Policy questions.

Notwithstanding the procedures set forth in this part, the Assistant Secretary or the panel may refer for review and decision or general ruling by the Council any case involving a major policy issue that arises in a proceeding before either of them. Any such referral shall be in writing and a copy of such referral shall be served on all parties to the proceeding. Before decision or general ruling, the Council shall obtain the views of the parties and other interested persons, orally or in writing, as it deems necessary and appropriate.

Subpart B—Review of Decisions of the Assistant Secretary

§ 2411.11 Purpose.

This subpart, together with Subpart E, sets forth the procedures under which the Council will review decisions of the Assistant Secretary issued pursuant to section 6 of the order.

§ 2411.12 Considerations governing review.

A petition for review of a decision of the Assistant Secretary is not a matter of right, but of discretion, and, subject to the requirements of this part, will be granted only where there are major policy issues present or where it appears that the decision was arbitrary and capricious.

§ 2411.13 Who may file a petition; time limit for filing; opposition; service.

(a) Any party aggrieved by a final decision of the Assistant Secretary may petition the Council for review.

(b) The time limit for filing is 20 days from the date the decision was served on the party seeking review.

(c) An opposition to Council acceptance of a petition for review may be filed by any party within 15 days from the date of service of the petition.

(d) A copy of the petition for review and of any opposition to acceptance shall be served by the filing party simultaneously on the other parties and on the Assistant Secretary.

§ 2411.14 Content of petition.

A petition must be a self-contained document enabling the Council to rule on acceptance for review on the basis of its content without the necessity of recourse to the record. The petition must contain:

- (a) A concise statement of the grounds on which review is requested;
- (b) A summary of the evidence or rulings bearing on the issues, together with a summary of the arguments; and
- (c) A copy of the decision of the Assistant Secretary which is being appealed.

§ 2411.15 Council action on acceptance.

The Council shall review the petition and, if 50 percent or more of its members determine that the matter should be considered, the petition will be accepted. The Council shall promptly notify the parties whether the petition has been accepted or rejected.

§ 2411.16 Filing of briefs; Assistant Secretary as a party.

(a) Within 15 days from the date of service by the Council of notice to the parties that the petition is accepted for review, the parties may file briefs with the Council (with specific references to the pertinent documents and, where applicable, with citations of authorities) which shall be served on the other parties.

(b) Where the Council grants review, the Assistant Secretary may, at his discretion, intervene and become a party to the proceeding.

§ 2411.17 Council decision; compliance actions.

(a) A decision of the Assistant Secretary shall be sustained unless it is arbitrary and capricious or inconsistent with the purposes of the order.

(b) The Council shall issue its decision on the case sustaining, enforcing, modifying, and enforcing as so modified, setting aside in whole or in part, or remanding the decision of the Assistant Secretary.

(c) The Council has the overall responsibility to assure compliance with the Executive order and decisions rendered thereunder. However, the Council shall first remand the action to the Assistant Secretary for purposes of compliance consistent with its decision, without limitation on the power of the Council. If the Assistant Secretary finds the necessary action for compliance has not been taken, the matter shall revert to the Council for appropriate action.

Subpart C—Review of Negotiability Issues

§ 2411.21 Purpose.

This subpart, together with Subpart E, sets forth the procedures under which the Council will review negotiability issues as provided in section 11(c) of the order.

§ 2411.22 Conditions governing review.

The Council will consider a negotiability issue under the conditions prescribed by section 11(c) (4) of the order, namely: If, in connection with negotiations, the head of an agency (or his designee) has determined that a proposal is contrary to law, regulation, or the order and therefore not negotiable, a labor organization may appeal to the Council for a decision when—

- (a) It disagrees with the agency head's determination that the proposal would violate applicable law, regulation of appropriate authority outside the agency, or the order; or
- (b) It believes that the agency's regulations, as interpreted by the agency head, violate applicable law, regulation of appropriate authority outside the agency, or the order.

§ 2411.23 Who may file a petition; time limits for filing; service.

(a) A petition for review of a negotiability issue may be filed by a labor organization which is a party to the negotiations.

(b) The time limit for filing is 20 days from the date the agency head's determination was served on the labor organization. However, review of a negotiability issue may be requested by a labor organization under this subpart without a prior determination by the agency head, if the agency head has not made a decision—

(1) Within 45 days after a party to the negotiations initiates referral of the issue for determination, in writing, through prescribed agency channels; or

(2) Within 15 days after receipt by the agency head of a written request for such determination following referral through prescribed agency channels, or following direct submission if no agency channels are prescribed.

(c) A copy of the petition shall be served simultaneously on the other party.

§ 2411.24 Content of petition.

A petition for review shall contain the following:

- (a) A statement setting forth the matter proposed to be negotiated as submitted to the agency head for determination.
- (b) A copy of the agency head's determination on the proposal, and other documentary material pertinent to the issue.
- (c) A full and detailed statement of the labor organization's position and reasons for:
 - (1) Disagreeing with the agency head's determination that the proposal would violate applicable law, regulation

of appropriate authority outside the agency, or the order; or

(2) Believing that the agency's regulations, as interpreted by the agency head, violate applicable law, regulation of appropriate authority outside the agency, or the order. In this circumstance the statement shall cite the particular section of law, regulation, or the order believed to be violated by the agency's regulations.

§ 2411.25 Position of the agency; time limits for filing.

Within 15 days from the date of service of a copy of a petition for review of a negotiability issue the agency shall file a full statement of its position on any matters relevant to the petition which it wishes the Council to consider in reaching its decision.

§ 2411.26 Referral by the Federal Service Impasses Panel.

(a) Notwithstanding the procedures of this subpart, except 2411.22, when the Panel finds that a negotiability issue is impeding the resolution of a negotiation impasse, the Panel may refer the negotiability issue to the Council for decision.

(b) A referral by the Panel shall contain:

- (1) The matter proposed to be negotiated as submitted to the agency head for determination;
- (2) The agency head's determination thereon;
- (3) Statements of position from each party with supporting evidence and argument; and
- (4) Any other appropriate documents of record.

(c) The Panel may refer a negotiability issue for decision by the Council at any time during its consideration of a negotiation impasse.

(d) The Council will give such referrals priority consideration.

§ 2411.27 Council decision.

Subject to the requirements of this part, the Council shall issue its decision sustaining or setting aside in whole or in part, or remanding the agency head's determination.

Subpart D—Review of Arbitration Awards

§ 2411.31 Purpose.

This subpart, together with Subpart E, sets forth the procedures under which the Council will review arbitration awards under the order.

§ 2411.32 Considerations governing review.

The Council will grant a petition for review of an arbitration award only where it appears, based upon the facts and circumstances described in the petition, that the exceptions to the award present grounds that the award violates applicable law, appropriate regulation, or the order, or other grounds similar to those upon which challenges to arbitration awards are sustained by courts in

private sector labor-management relations. The Council will not consider exceptions to an advisory arbitration award.

§ 2411.33 Who may file a petition; time limits for filing; opposition; service.

(a) Any party aggrieved by an arbitration award may petition the Council for review.

(b) The time limit for filing is 20 days from the date the award was served on the party-seeking review.

(c) An opposition to Council acceptance of a petition for review may be filed by any party within 15 days from the date of service of the petition.

(d) A copy of the petition shall be served simultaneously on the other party.

§ 2411.34 Content of petition.

A petition must be a self-contained document enabling the Council to rule on acceptance for review on the basis of its content without necessity of recourse to the record. The petition must contain:

(a) A concise statement of the grounds on which review is requested;

(b) A summary of the evidence or rulings bearing on the issues, together with a summary of the arguments; and

(c) A copy of the award of the arbitrator and other pertinent documents.

§ 2411.35 Council action on acceptance.

The Council shall review the petition and, if 50 percent or more of its members determine that the matter should be considered, the petition will be accepted. The Council shall promptly notify the parties whether the petition has been accepted or rejected.

§ 2411.36 Filing of briefs.

Within 15 days from the date of service by the Council of notice to the parties that the petition is accepted for review, the parties may file briefs with the Council (with specific reference to the pertinent documents and, where applicable, with citations of authorities) which shall be served on the other parties.

§ 2411.37 Council decision.

(a) An award of an arbitrator shall be modified, set aside in whole or in part, or remanded only on grounds that the award violates applicable law, appropriate regulation, or the order, or other grounds similar to those applied by the courts in private sector labor-management relations.

(b) The Council shall issue its decision sustaining, modifying, setting aside in whole or in part, or remanding the award.

Subpart E—General Requirements

§ 2411.41 Interlocutory appeals.

There shall be no interlocutory appeals. The Council will not consider a petition for review until a final decision or award has been rendered.

§ 2411.42 Approval of submission.

The Council shall consider a petition from an agency or labor organization

only when the head of the agency (or his designee), or the national president of the labor organization (or his designee), or the president of a labor organization not affiliated with a national organization (or his designee), as appropriate, has approved submission of the petition.

§ 2411.43 Where to file.

A document submitted to the Council pursuant to this part shall be filed with the Executive Director, Federal Labor Relations Council, 1900 E Street, NW., Washington, DC 20415.

§ 2411.44 Number of copies.

Unless otherwise provided by the Executive Director, any document filed with the Council under this part shall be submitted in an original and three copies.

§ 2411.45 Time limits; computation; extension.

(a) When a time limit for filing is established under this part, the document must be received in the office of the Council before the close of business of the last day of the time limit.

(b) In computing any period of time prescribed or allowed by this part, the day of the act, event, or default from or after which the designated period of time begins to run shall not be included; but the last day of the period so computed shall be included, unless it is a Saturday, Sunday, or Federal legal holiday, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or Federal legal holiday. Also, when a period of time prescribed or allowed is 7 days or less, intermittent Saturdays, Sundays, and Federal legal holidays shall be excluded in the computation.

(c) Whenever a party has the right or is required to do some act pursuant to this part within a prescribed period after service of a notice or other paper upon him and the notice or paper is served on him by mail, 3 days shall be added to the prescribed period: Provided, however, that 3 days shall not be added if any extension of time may have been granted.

(d) The Executive Director may extend any time limit provided in this part for good cause shown, and shall notify the parties of any such extension.

§ 2411.46 Service; statement of service.

(a) Any party filing a document as provided in this part is responsible for simultaneously serving a copy on the other parties.

(b) A statement of service shall be submitted at the time of filing. Statement of service shall include the names of the parties served, their addresses, the date of service, the nature of the document served, and the manner in which service was made.

(c) The date of service or date served shall be the day when the matter served is deposited in the U.S. mail or is delivered in person, as the case may be.

§ 2411.47 Stay of decision or award; requests; criteria.

(a) The filing of a petition for review shall not operate as a stay of the decision

or award involved in the proceedings unless the Council shall direct otherwise.

(b) Consistent with section 2411.41, the Council will not consider a request for stay unless a final decision or award has been rendered.

(c) A request for stay of an Assistant Secretary's decision will be granted only where it appears, based upon the facts and circumstances presented:

(1) In a representation case, that—

(i) There is a strong likelihood of success on the merits of the appeal;

(ii) In the absence of a stay the applicant will suffer irreparable injury;

(iii) The issuance of a stay will not have a serious adverse effect on other parties to the case; and

(iv) The public interest will not be harmed by the grant of a stay.

(2) In an unfair labor practice case, that—

(i) There is a reasonable likelihood that the appeal will be accepted for review; and

(ii) A careful balancing of all the equities, including the public interest, warrants issuance of a stay.

(d) A request for stay of an arbitrator's award will be granted only where it appears, based upon the facts and circumstances presented that:

(1) There is a reasonable likelihood that the petition will be accepted for review; and

(2) A careful balancing of all the equities, including the public interest, warrants issuance of a stay.

(e) A request for stay in other types of cases will be granted only where it appears, based upon the facts and circumstances presented, that:

(1) There is a reasonable likelihood the appeal will be accepted for review; and

(2) A careful balancing of all the equities, including the public interest, warrants issuance of a stay.

§ 2411.48 Oral argument.

The Council, in its discretion, may permit oral argument under such circumstances and conditions as it deems appropriate. Unless otherwise ordered, a hearing of oral argument shall be open to the public.

§ 2411.49 Amicus curiae.

The Council, upon petition of an interested person and as it deems appropriate, may grant permission for the filing of a brief and oral argument by an amicus curiae and the parties shall be notified of such action by the Council.

§ 2411.50 Transfer of record.

Upon request by the Council, the Assistant Secretary or the appropriate agency shall transfer the record in the case to the Council.

§ 2411.51 Matters not previously presented; judicial notice.

Consistent with the scope of review set forth in this part, the Council will not consider evidence offered by a party, or any issue, which was not presented in the proceedings before the Assistant Secretary, an agency head, or an arbitrator.

The Council may, however, take judicial notice of such matters as would be proper.

§ 2411.52 Advisory opinions.

The Council shall not issue advisory opinions.

§ 2411.53 Distribution of Council decisions.

Copies of decisions by the Council shall be furnished to the parties and other interested persons and made available at the office of the Council.

Effective date. This part shall become effective on the date of its publication in the FEDERAL REGISTER (10-3-72).

For the Council.

ROBERT E. HAMPTON,
Chairman.

[FR Doc.72-16711 Filed 10-2-72; 8:55 am]

SUBCHAPTER C—FEDERAL SERVICE IMPASSES PANEL

PART 2470—GENERAL

PART 2471—PROCEDURES OF THE PANEL

On May 5, 1972, there was published in the FEDERAL REGISTER (37 F.R. 9141) a notice of proposed amendments of rules concerning the procedures of the Panel. Interested persons were invited to submit their written comments, suggestions, or objections within 20 days after publication of such notice. All relevant matter which was submitted has been carefully considered, and the Panel has decided to adopt the proposed amendments with changes, along with relevant suggestions submitted, as set forth below.

Accordingly, the Panel amends Title 5 of the Code of Federal Regulations, Subchapter C of Chapter XIV to read as set forth below.

1. Part 2470 is revised to read as follows:

Subpart A—Purpose

Sec.
2470.1 Purpose.

Subpart B—Definitions

2470.2 Definitions.

AUTHORITY: The provisions of this Part 2470 are issued under 5 U.S.C. 3301, 7301; E.O. 11491, 3 CFR, 1966-1970 Comp., p. 861; as amended by E.O. 11616, 36 F.R. 17319, and E.O. 11636, 36 F.R. 24901.

Subpart A—Purpose

§ 2470.1 Purpose.

The regulations contained in this subchapter are intended to implement the provisions of sections 5 and 17 of Executive Order 11491 of October 29, 1969, as amended, entitled "Labor-Management Relations in the Federal Service." They prescribe procedures and methods which the Federal Service Impasses Panel may utilize in the resolution of negotiation impasses when the parties negotiating a labor agreement have failed to reach a full settlement by mediation or other voluntary arrangements.

Subpart B—Definitions

§ 2470.2 Definitions.

(a) The following definitions are used in this subchapter:

(1) Executive Secretary means the Executive Secretary of the Panel.

(2) Factfinder(s) means a designated representative of the Panel acting in its behalf in the capacity of a hearing official charged with the responsibility of assembling the facts and positions of the parties to an impasse. He may be a Panel Member, a staff member or other individual designated by the Panel.

(3) Impasse means that point in the negotiation of a labor agreement at which the parties are unable to reach full agreement, notwithstanding their having made earnest efforts to reach agreement by direct negotiations and by the use of mediation or other voluntary arrangements for settlement.

(4) Order means Executive Order 11491 of October 29, 1969, as amended, entitled "Labor-Management Relations in the Federal Service."

(5) Panel means the Federal Service Impasses Panel or a quorum thereof.

(6) Party means the Federal agency, establishment or activity or the labor organization, as defined in sections 2 (a) and (e) of the order, participating in the negotiation of a labor agreement.

(7) Quorum means three or more members of the Panel.

(8) Voluntary arrangements means those methods adopted by the parties for the purpose of assisting them in their negotiation of a labor agreement, which include utilization of (i) the services of the Federal Mediation and Conciliation Service; or (ii) other third-party mediation assistance; or (iii) joint factfinding committees without recommendations; or (iv) referral to a higher authority within the agency and/or the labor organization; or (e) any other method which the parties deem appropriate except third-party factfinding with recommendations, or arbitration, unless said factfinding or arbitration is expressly authorized or directed by the Panel.

(b) Terms defined in the order are used in this part with the meaning attached to them in the order.

2. Part 2471 is revised to read as follows:

- Sec.
- 2471.1 Who may initiate.
- 2471.2 What to file.
- 2471.3 Request form.
- 2471.4 Where to file.
- 2471.5 Copies and service.
- 2471.6 Initial procedures of the Panel.
- 2471.7 Negotiability questions.
- 2471.8 Use of third-party factfinding with recommendations, or arbitration.
- 2471.9 Factfinding determination by the Panel; notice of prehearing conference and formal hearing.
- 2471.10 Prehearing conference.
- 2471.11 Authority of factfinder(s).
- 2471.12 Availability of hearing transcript.
- 2471.13 Report of the factfinder(s) and action by the Panel.
- 2471.14 Duties of each party.
- 2471.15 Settlement action by the Panel.
- 2471.16 Inconsistent labor agreement provisions.

AUTHORITY: The provisions of this Part 2471 are issued under 5 U.S.C. 3301, 7301; E.O. 11491, 3 CFR, 1966-1970 Comp., p. 861; as amended by E.O. 11616, 36 F.R. 17319, and E.O. 11636, 36 F.R. 24901.

§ 2471.1 Who may initiate.

(a) When an impasse occurs during the course of labor agreement negotiations, either party, or the parties jointly, may request the Panel to consider the matter, by filing a request as hereinafter provided.

(b) The Panel may, upon the request of the Federal Mediation and Conciliation Service, undertake the consideration of an impasse when such mediation assistance has failed and neither party has requested the Panel's consideration.

(c) The Panel may, upon the request of the Executive Secretary, undertake the consideration of a matter which has reached impasse and where neither party has requested the Panel's consideration.

§ 2471.2 What to file.

A request to the Panel for consideration of an impasse must be in writing and include the following essential information:

(a) Identification of the parties and person(s) authorized to initiate the request;

(b) Statement that an impasse has been reached;

(c) Statement of issue(s) at impasse and the position(s) of the initiating party or parties with respect to those issues; and

(d) The nature and extent of all voluntary arrangements utilized.

§ 2471.3 Request form.

FSIP Form 1 has been prepared for use by the parties in filing a request to the Panel for consideration of an impasse.¹ Copies are available upon request to the Office of the Executive Secretary.

§ 2471.4 Where to file.

Requests to the Panel provided for in this part, and inquiries or correspondence on the status of impasses or other related matters, should be directed to the Executive Secretary, Federal Service Impasses Panel, 1900 E Street NW., Washington, DC 20415.

§ 2471.5 Copies and service.

Any party submitting a request for Panel consideration and any party submitting a response to such request is responsible for serving a copy simultaneously on the other party to the dispute and on any mediation facility which may have been utilized. When the Panel acts on its own motion, it will notify the parties to the dispute and any mediation facility which may have been utilized.

§ 2471.6 Initial of the Panel

(a) Upon receipt of a request for consideration of an impasse, the Panel will initiate an informal inquiry covering the issue(s) and the positions of the parties thereon, and will consult when necessary

¹ Filed as a part of the original document.

with the parties and the mediation facility utilized, if any, and then determine whether to:

- (1) Dismiss the request; or
- (2) Direct that negotiations be resumed; or
- (3) Direct that negotiations be resumed with mediation assistance; or
- (4) Authorize other voluntary arrangements for settlement; or
- (5) Assume jurisdiction of the impasse in accordance with the procedures set forth in the following sections.

(b) The parties will be promptly advised in writing of the Panel's initial determination.

§ 2471.7 Negotiability questions.

(a) If, in connection with the consideration of an impasse, a contention has been made that a proposal is contrary to law, regulation, controlling agreement or the order and therefore is not negotiable, the Panel may in its discretion take any of the following actions at any stage of its procedures with respect to said proposal, while the merits of the remaining proposals, if any, may be considered by the Panel:

(1) Request the parties to resolve a question involving interpretation of a controlling agreement at a higher agency level under the procedures of the controlling agreement or, if no such procedures exist, under appropriate agency regulations;

(2) Request the parties to refer a question of negotiability which arose at a local level to the head of the agency for determination;

(3) Refer a question of negotiability to the Federal Labor Relations Council for decision, or advise the labor organization that it may appeal a question of negotiability to the Council for decision, when a labor organization (i) disagrees with an agency head's determination that a proposal would violate applicable law, regulation of appropriate authority outside the agency, or the order, or (ii) contends that an agency's regulations, as interpreted by the agency head, violate applicable law, regulation of appropriate authority outside the agency, or the order.

(b) In making a referral to the Council as described in paragraph (a) (3) of this section, the Panel will submit the proposal in dispute, the agency head's determination thereon, a statement of position with supporting evidence and argument from each party on the negotiability question, and any other appropriate documents of record.

(c) Upon receipt of a decision of the Council that a proposal is negotiable, based upon a question of negotiability referred to the Council by the Panel, the Panel's report to the parties will include the Council's negotiability decision. If warranted, the Panel may refer the proposal to the parties for negotiations.

(d) Upon receipt of a decision of the Council that a proposal is not negotiable, based upon a question of negotiability referred to the Council by the Panel, the Panel will cease to give any further con-

sideration to the proposal and so inform the parties.

(e) The Panel will not make any referrals to the Council under this section when:

(1) The negotiability issue is the only issue at impasse and it arose prior to the filing of the request to the Panel; or

(2) The labor organization has not requested the Panel in writing to make such a referral; or

(3) An agency head determination is pending or issued prior to the filing of the request to the Panel; or

(4) A petition for the review of an agency head determination is pending before the Council; or

(5) An agency head determination was issued after the filing of the request to the Panel, and the labor organization did not request the Panel in writing to refer the negotiability issue to the Council within 20 days from the date the determination was served on the labor organization.

§ 2471.8 Use of third-party factfinding with recommendations, or arbitration.

The parties may resort to third-party factfinding with recommendations, or arbitration, to resolve an impasse, only when authorized or directed by the Panel, and provided the parties have:

(a) Made a joint request to the Panel in writing for such authority;

(b) Agreed upon what issue(s) are at impasse;

(c) Agreed on the method of selecting the third party;

(d) Agreed upon an arrangement for paying the cost of the proceedings; and

(e) Used without success any other arrangement for settlement.

§ 2471.9 Factfinding determination by the Panel; notice of prehearing conference and formal hearing.

(a) When the Panel determines that resolution of an impasse requires factfinding it will:

(1) Appoint one or more factfinders to investigate the dispute; and

(2) Issue and serve, upon each of the parties, a notice of prehearing conference, when scheduled, and of formal hearing.

(b) The notice will state:

(1) Names of the parties to the dispute;

(2) Date, time, place, and purpose of the prehearing conference;

(3) Date, time, and place of the formal hearing;

(4) Name(s) of the factfinder(s) appointed by the Panel; and

(5) Issues to be resolved.

§ 2471.10 Prehearing conference.

A prehearing conference may be held by the factfinder prior to the factfinding hearing to:

(a) Inform the parties of the purpose of the hearing and the procedures under which it will take place;

(b) Explore the possibilities of obtaining stipulations of fact;

(c) Clarify the positions of the parties with respect to the issues to be heard, in-

cluding claims concerning negotiability, if any; and

(d) Discuss any other relevant matters which will help achieve the objectives of the hearing.

§ 2471.11 Authority of factfinder(s).

Factfinder(s), when conducting hearings, shall have the authority to:

(a) Take testimony, including depositions;

(b) Conduct the hearing in open session. The hearing may be conducted in closed session at the discretion of the factfinder(s), however, for good cause shown by either of the parties;

(c) Rule on motions, and requests for appearance of witnesses and the production of records;

(d) Designate the date on which post-hearing briefs, if any, shall be submitted. An original and two copies of each brief shall be submitted to the Executive Secretary with a copy to the other party and a statement of service; and

(e) Regulate all procedural matters of the hearing as to length of sessions, conduct of persons in attendance, recesses, continuances and adjournment; and take any other appropriate action which, in his judgment, will promote the purpose and objectives of the hearing.

§ 2471.12 Availability of hearing transcript.

The parties will make their own arrangements with the reporter for the purchase of their copies of the official transcript of a factfinding proceeding. A copy will be available for examination at the Office of the Executive Secretary.

§ 2471.13 Report of the factfinder(s) and action by the Panel.

(a) The factfinder(s) shall submit a report to the Panel within a reasonable time, normally not to exceed 20 calendar days, after receipt of the transcript, or after receipt of briefs, if any. The parties will be advised when the report has been transmitted to the Panel. The report will not include recommendations for settlement but will include findings of fact on:

(1) History of the current negotiations, including the initial positions of the parties, and a report of items agreed to in whole or part;

(2) Unresolved issues and the efforts made by the parties to reach agreement thereon;

(3) Context within which the negotiations have taken place;

(4) Justification for each proposal as advanced by the parties;

(5) Prevailing practices, if any, pertaining to conditions of employment for other public employees in comparable work situations;

(6) Status of any claim concerning negotiability; and

(7) Any other matters relevant to the impasse.

(b) After receipt of the report of the factfinder(s), the Panel will evaluate the impasse and either:

(1) Submit its recommendations for settlement to the parties; or

(2) Take any other action which it deems appropriate.

§ 2471.14 Duties of each party.

(a) Within 20 calendar days after receipt of a Panel Report and Recommendation(s) for Settlement, each party shall, after conferring with the other, either:

(1) Accept the Panel's recommendations and so notify the Executive Secretary; or

(2) Reach a settlement of all unresolved issues and submit a written settlement statement to the Executive Secretary; or

(3) Submit a written statement to the Executive Secretary setting forth the reasons for not accepting the Panel's recommendations and reaching a settlement of all unresolved issues.

(b) A reasonable extension of the 20-day period may be authorized by the Executive Secretary for good cause shown when requested in writing by either party prior to the expiration of the 20-day period.

§ 2471.15 Settlement action by the Panel.

In the event there remain any unresolved issues at the end of the aforesaid 20-day period or any extension thereof, the Panel, after due consideration of the responses of the parties, will take whatever action it deems necessary to bring the dispute to settlement.

§ 2471.16 Inconsistent labor agreement provisions.

Any provisions of the parties' labor agreements relating to impasse resolution which are inconsistent with the provisions of either sections 5 and 17 of the order or the procedures of the Panel shall be deemed to be superseded by the order and the procedures herein.

Effective date. Subchapter C shall become effective on the date of publication in the FEDERAL REGISTER (10-3-72).

Signed at Washington, D.C., this 20th day of September 1972 for the Panel.

JACOB SEIDENBERG,
Chairman.

[FR Doc.72-16712 Filed 10-2-72;8:55 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

PART 225—BANK HOLDING COMPANIES

Nonbanking Activities of Bank Holding Companies; Correction

In F.R. Doc. 72-15503 adopting the Board's interpretation designated § 225.128—*Insurance agency activities*—which appeared in the September 13, 1972 issue of the FEDERAL REGISTER (37 F.R. 18520), the date of the Board's ac-

tion was incorrectly shown as August 31, 1971. The correct date is August 31, 1972.

Board of Governors of the Federal Reserve System, September 25, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.
[FR Doc.72-16807 Filed 10-2-72;8:50 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72-CE-29-AD, Amdt. 39-1524]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Models 65-90, 65-A90, B90, 99, 99A, A99A, and B99 Airplanes; Correction

In F.R. Doc. 72-16150, appearing on pages 19802 and 19803 in the issue of Friday, September 22, 1972, paragraph D should be corrected to read as follows:

(D) When paragraph C has been compiled with the limitation in paragraph A may be removed and the check required by paragraph B may be discontinued.

Issued in Kansas City, Mo., on September 25, 1972.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.72-16760 Filed 10-2-72;8:46 am]

[Docket No. 72-SO-93, Admt. 39-1527]

PART 39—AIRWORTHINESS DIRECTIVES

Aero Commander (Intermountain) (CallAir) Models B-1 and B-1A Series Airplanes

There have been failures of the landing gear shock struts on the Aero Commander Models B-1 and B-1A series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an Airworthiness Directive is being issued to require replacement of the main landing gear shock struts with redesigned struts on the Aero Commander (Intermountain) (CallAir) Models B-1 and B-1A airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

AERO COMMANDER DIVISION, NORTH AMERICAN ROCKWELL CORP. Applies to all Aero Commander (Intermountain) (CallAir) Models B-1 and B-1A series airplanes, S/N's 10,000 through 10,035.

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent failures of the landing gear shock struts, accomplish the following:

(a) Remove main landing gear shock struts, P/N 18004-1 (left hand) and P/N 18004-2 (right hand) and discard struts and all hardware except the wire cutters, P/N 18026.

(b) Install replacement shock struts, P/N 18045-1 (left hand) and P/N 18045-2 (right hand). Attach these struts with the following hardware:

(1) Upper strut attachment (2 required per strut): NAS 1306-26 bolt, AN 960-616 washer, AN 365-624 nut.

(2) Lower strut attachment (1 required per strut): NAS 1306-38 bolt, AN 960-616 washer, AN 365-624 nut.

(c) Replace the wire cutter, P/N 18026, on the new landing gear shock strut with two AN 3-6A bolts, two AN 960-10 washers, and two AN 365-1032 nuts. Repeat for the opposite strut.

Aero Commander Service Bulletin A-23 pertains to this same subject.

This amendment becomes effective October 6, 1972.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on September 20, 1972.

P. M. SWARTEK,
Director, Southern Region.

[FR Doc.72-16758 Filed 10-2-72;8:46 am]

[Airworthiness Docket No. 72-SW-53, Amdt. 39-1531]

PART 39—AIRWORTHINESS DIRECTIVES

Airplanes Having Wings, Tail, or Control Surfaces Covered With Fiberglass Using "Razorback" Method

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive applicable to airplanes having wings, tail, or control surfaces covered with fiberglass using the "razorback" method was published in 37 F.R. 16106.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received. Certain detail changes were requested and the intent of these changes have been incorporated.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

Applies to airplanes having wings, tail, or control surfaces covered with fiberglass using the "razorback" method, certificated in all categories.

Compliance required within the next 50 hours' time in service after the effective date of this airworthiness directive, unless already accomplished.

To determine if the fabric is attached with plastic coated glass rib stitch cord, inspect the interior of the wings, tail, or control surfaces through inspection openings or by cutting small holes in the fabric. The plastic coating on the rib stitch cord is black in color.

(a) If the fabric is attached with the plastic coated rib stitch cord, replace the stitching with MIL-C-5649 cord or FAA-approved equivalent.

(b) If the fabric is attached with MIL-C-5649 cord, or FAA-approved equivalent, no further action is required.

(c) All work required, including patching holes, may be accomplished in accordance with FAA Advisory Circular 43.13-1. Razorback Fabrics, Inc., Service Bulletin 1-1 dated March 11, 1964, covers the same subject.

NOTE: Copies of Razorback Fabrics, Inc., Service Bulletin 1-1 may be obtained from the company at Manila, Ark. 72442.

This amendment becomes effective October 16, 1972.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on September 25, 1972.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.72-16759 Filed 10-2-72;8:46 am]

[Airspace Docket No. 72-SO-80]

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

Alteration of Transition Area

On August 17, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 16599), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Knoxville, Tenn., transition area.

Interested persons were afforded an opportunity to participate in the 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 0901 G.m.t., December 7, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Knoxville, Tenn., transition area is amended as follows:

“ * * * beginning * * * ” is deleted and “ * * * beginning; within a 15-mile radius of Sevier-Gatlinburg Airport (Lat. 35° 51' 25" N., Long. 83° 31' 44" W.); excluding the portion within the Morristown, Tenn., transition area * * * ” is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on September 22, 1972.

DUANE W. FREER,

Acting Director, Southern Region.

[FR Doc.72-16761 Filed 10-2-72;8:46 am]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-761]

PART 207—CHARTER TRIPS AND SPECIAL SERVICES

Performance of Travel Group Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of September 1972.

By notice of proposed rule making EDR-218/SPDR-22A,¹ the Board proposed, inter alia, certain amendments to Part 207. For the reasons set forth in SPR-61 (Part 372a), published contemporaneously herewith, the Board hereby amends Part 207 of the Economic Regulations (14 CFR Part 207), effective September 27, 1972, as follows:

1. Amend § 207.11(b) and (c) by adding new subparagraphs (7) and (5), respectively, as follows:

§ 207.11 Charter flight limitations.

Charter flights (trips) in air transportation shall be limited to the following:

* * * * *

(b) * * *

(7) By a travel group charter organizer on behalf of a travel group pursuant to Part 372a of this chapter; or

(c) * * *

(5) By a travel group charter organizer on behalf of a travel group pursuant to Part 372a of this chapter:

Provided, That with respect to paragraph (c) of this section each person engaging less than the entire capacity of an aircraft shall contract and pay for 40 or more seats; And provided further, That paragraph (c) shall not be construed to apply to movements of property.

(Secs. 204(a), 401, Federal Aviation Act of 1958, as amended, 72 Stat. 743 and 754, as amended; 49 U.S.C. 1324, 1371)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-16834 Filed 10-2-72;8:54 am]

[Reg. ER-762, Amdt. 7]

PART 208—TERMS, CONDITIONS, AND LIMITATIONS OF CERTIFICATES TO ENGAGE IN SUPPLEMENTAL AIR TRANSPORTATION

Performance of Travel Group Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of September 1972.

By notice of proposed rule making EDR-218/SPDR-22A,¹ the Board proposed, inter alia, certain amendments to Part 208. For the reasons set forth in SPR-61 (Part 372a), published contemporaneously herewith, the Board hereby amends Part 208 of the Economic Regulations (14 CFR Part 208), effective September 27, 1972, as follows:

¹ Issued December 30, 1971, 37 F.R. 222 (Docket 23055).

1. Amend § 208.3 by revising the definition of “Indirect air carrier” in paragraph (u) to read as follows:

§ 208.3 Definitions.

(u) “Indirect air carrier” means any citizen of the United States who engages indirectly in air transportation including air freight forwarders, persons authorized by the Board to transport by air used household goods of personnel of the Department of Defense, tour operators, study group charterers, overseas military personnel charter operators, and travel group charter organizers.

2. Amend § 208.6 by revising paragraphs (b) (5) and (6) and adding new subparagraph (7), and by revising paragraph (c) (4) and (5) and adding a new subparagraph (6), as follows:

§ 208.6 Charter flight limitations.

Charter flights in air transportation performed by supplemental air carriers shall be limited to the following:

* * * * *

(b) * * *

(5) By a study group charterer or foreign study group charterer as defined in Part 373 of this chapter;

(6) By an overseas military personnel charter operator as defined in Part 372 of this chapter; or

(7) By a travel group charter organizer on behalf of a travel group pursuant to Part 372a of this chapter; or

(c) * * *

(4) By a study group charterer or foreign study group charterer as defined in Part 373 of this chapter;

(5) By an overseas military personnel charter operator as defined in Part 372 of this chapter; or

(6) By a travel group charter organizer on behalf of a travel group pursuant to Part 372a of this chapter:

Provided, That with respect to paragraph (c) of this section each person engaging less than the entire capacity of an aircraft shall contract and pay for 40 or more seats; And provided further, That paragraph (c) shall not be construed to apply to movements of property.

(Secs. 204(a), 401, Federal Aviation Act of 1958, as amended, 72 Stat. 743 and 754, as amended; 49 U.S.C. 1324, 1371)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-16835 Filed 10-2-72;8:54 am]

[Reg. ER-763, Amdt. 7]

PART 212—CHARTER TRIPS BY FOREIGN AIR CARRIERS

Performance of Travel Group Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of September 1972.

By notice of proposed rule making EDR-218/SPDR-22A,¹ the Board pro-

¹ Issued Dec. 30, 1971, 37 F.R. 222 (Docket 23055).