2. By amending paragraph III(e)(2) of Appendix F to Part 121 by changing the "B*" in the inflight column to a "P*" as follows:

| Maneuvers/Procedures | Required | | Permitted | | | |
|---|---|---|---|---|---|---|
| | Simulated instrument conditions | Inflight | Visual simulator | Nonvisual simulator | Training device | Waiver provisions of § 61.147(c) |
| III. Instrument Procedures. | | | | | | |
| * * * * * | | | | | | |
| (e) Missed Approach. | | | | | | |
| * * * * * | | | | | | |
| (2) Each pilot in command must perform at least one additional missed approach. | ------ | P* | P* | | | |
| * * * * * | | | | | | |

3. By amending paragraph V(d-1) of Appendix F to Part 121 to read as follows:

| Maneuvers/Procedures | Required | | Permitted | | | |
|---|---|---|---|---|---|---|
| | Simulated instrument conditions | Inflight | Visual simulator | Nonvisual simulator | Training device | Waiver provisions of § 61.147(c) |
| V. Landings and Approaches to Landings. | | | | | | |
| * * * * * | | | | | | |
| (d) * * * | | | | | | |
| (1) In the case of three-engine airplanes, maneuvering to a landing with an approved procedure that simulates the loss of two powerplants (center and one outboard engine), except that, in the case of a proficiency check for other than a pilot in command, the simulated loss of power may be only the most critical powerplant. However, if a pilot satisfies the requirements of this paragraph in a visual simulator, he must, in addition, maneuver in flight to a landing with a simulated failure of the most critical powerplant. In any case, the person conducting the check may require the applicant to perform the maneuvers required by this paragraph in flight. | ------ | ------ | B* | | | |
| * * * * * | | | | | | |

(Secs. 313(a), 601, 602, 604, 607, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1422, 1424, 1427, sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 19, 1972.

J. H. SHAFFER,
*Administrator.*

[FR Doc.72-9635 Filed 6-27-72;8:45 am]

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[Docket No. 12026; Amdt. 816]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

### Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 F.R. 5609).

SIAP's are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591. Copies of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, DC 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $125 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAP's, effective July 27, 1972.

Albert Lea, Minn.—Albert Lea Municipal Airport; VOR Runway 16, Amdt. 1; Revised.
Atlantic City, N.J.—Atlantic City Municipal/Bader Field; VOR Runway 16, Amdt. 1; Revised.
Bradford, Pa.—Bradford Regional Airport; VOR/DME Runway 14, Amdt. 4; Revised.
Bradford, Pa.—Bradford Regional Airport; VOR Runway 32, Amdt. 1; Revised.
Burlington, Vt.—Burlington International Airport; VOR Runway 1, Amdt. 7; Revised.
Cleveland, Miss.—Cleveland Municipal Airport; VOR-A, Amdt. 1; Revised.
Hornell, N.Y.—Hornell Maple City Municipal Airport; VOR/DME-A, Original; Established.
Jamestown, N.Y.—Chautauqua County Airport; VOR Runway 25, Amdt. 5; Revised.
Manchester, N.H.—Grenier Field-Manchester Municipal Airport; VOR Runway 35, Amdt. 7; Revised.
Fulton, N.Y.—Oswego County Airport; VOR/DME Runway 33, Amdt. 2; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 8, Amdt. 5; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 12, Amdt. 5; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 26, Amdt. 6; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 30, Amdt. 5; Revised.
Nome, Alaska—Nome Airport; VOR/DME Runway 9, Amdt. 1; Revised.
Plymouth, Ind.—Plymouth Municipal Airport; VOR Runway 10, Amdt. 2; Revised.
Plymouth, Ind.—Plymouth Municipal Airport; VOR Runway 28, Amdt. 1; Revised.
St. Marys, Pa.—St Marys Municipal Airport; VOR Runway 27, Amdt. 1; Revised.
Schenectady, N.Y.—Schenectady County Airport; VOR Runway 4, Original; Established.
Schenectady, N.Y.—Schenectady County Airport; VOR Runway 22, Amdt. 4; Revised.
Washington, D.C.—Washington National Airport; VOR Runway 15, Amdt. 2; Revised.
Washington, D.C.—Washington National Airport; VOR Runway 36, Amdt. 3; Revised.

2. Section 97.25 is amended by establishing, revising, or canceling the following SDF-LOC-LDA SIAP's, effective July 27, 1972.

Charlottesville, Va.—Charlottesville-Albemarle Airport; LOC Runway 3, Amdt. 6; Revised.
Dallas, Tex.—Dallas Love Field; LOC (BC) Runway 13R, Amdt. 6; Revised.
DuBois, Pa.—DuBois-Jefferson County Airport; LOC Runway 25, Amdt. 2; Revised.
Melbourne, Fla.—Cape Kennedy Regional Airport; LOC (BC) Runway 27, Original; Established.
Oklahoma City, Okla.—Will Rogers World Airport; LOC (BC) Runway 17L, Amdt. 3; Revised.
Wilkes-Barre Scranton, Pa.—Wilkes-Barre-Scranton Airport; LOC (BC) Runway 22, Amdt. 3; Revised.

3. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAP's, effective July 27, 1972.

Burlington, Vt.—Burlington International Airport; NDB Runway 15, Amdt. 13; Revised.
Charlottesville, Va.—Charlottesville-Albemarle Airport; NDB Runway 3, Amdt. 4; Revised.
DuBois, Pa.—DuBois-Jefferson County Airport; NDB Runway 25, Amdt. 2; Revised.
Hamilton, Ohio—Hamilton Airport, Inc.; NDB-A, Amdt. 4; Revised.
Manchester, N.H.—Grenier Field-Manchester Municipal Airport; NDB Runway 35, Amdt. 6; Revised.
Oklahoma City, Okla.—Will Rogers World Airport; NDB Runway 35R, Amdt. 2; Revised.
Schenectady, N.Y.—Schenectady County Airport; NDB Runway 22, Amdt. 8; Revised.
Schenectady, N.Y.—Schenectady County Airport; NDB Runway 28 and 33, Amdt. 6; Revised.

4. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAP's, effective July 27, 1972.

Bakersfield, Calif.—Meadows Field; ILS Runway 30R, Amdt. 20; Revised.
Burlington, Vt.—Burlington International Airport; ILS Runway 15, Amdt. 14; Revised.
Dayton, Ohio—James M. Cox—Dayton Municipal Airport; ILS Runway 18, Original; Established.
Jamestown, N.Y.—Chautauqua County Airport; ILS Runway 25, Amdt. 2; Revised.
Oklahoma City, Okla.—Will Rogers World Airport; ILS Runway 35R, Amdt. 3; Revised.
Washington, D.C.—Washington National Airport; LDA Runway 18, Amdt. 6; Revised.
Washington, D.C.—Washington National Airport; ILS Runway 36, Amdt. 22; Revised.

5. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAP's, effective July 27, 1972.

Abilene, Tex.—Abilene Municipal Airport; Radar-1, Amdt. 3; Revised.
Washington, D.C.—Washington National Airport; Radar-1, Amdt. 16; Revised.

6. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAP's, effective July 27, 1972.

Washington, D.C.—Washington National Airport; RNAV-A, Amdt. 1; Revised.
Washington, D.C.—Washington National Airport; RNAV Runway 3, Amdt. 2; Revised.
Washington, D.C.—Washington National Airport; RNAV Runway 33, Amdt. 1; Revised.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c), 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on June 20, 1972.

J. A. FERRARESE,
*Acting Director,*
*Flight Standards Service.*

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 F.R. 5610), approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.72-9634 Filed 6-27-72;8:45 am]

## Chapter II—Civil Aeronautics Board

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-64; Amdt. 28]

## PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION: NONHEARING MATTERS

### Release of Service Segment Data By the Director, Bureau of Accounts and Statistics

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of June 1972.

Part 241 of the Board's economic regulations (14 CFR Part 241) requires certificated air carriers to file traffic and capacity data on a flight segment basis. Section 19-6 of Part 241 provides for limited access to these reports. The Board has now determined to delegate to the Director, Bureau of Accounts and Statistics, the authority to grant or deny requests for the use of such data consistent with the limitations contained in section 19-6. Since the amendment provided for herein is a rule of agency organization, the Board finds that notice and public procedure are unnecessary and that the amendment may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby amends Part 385 of its Organization Regulations (14 CFR Part 385) by adding a new paragraph (l) to § 385.17, effective June 22, 1972, to read as follows:

**§ 385.17 Delegation to the Director, Bureau of Accounts and Statistics.**

* * * * *

(l) Grant or deny requests for use of service segment data in accordance with the limitations on the availability of this data contained in section 19-6 of Part 241 of this chapter.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324. Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 F.R. 5989; 49 U.S.C. 1324 (note))

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
*Secretary.*

[FR Doc.72-9777 Filed 6-27-72;8:51 am]

# Title 21—FOOD AND DRUGS

## Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

## PART 135a—NEW ANIMAL DRUGS FOR OPHTHALMIC AND TOPICAL USE

### Tylosin, Neomycin Eye Powder

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (31-962V) filed by Elanco Products Co., Indianapolis, Ind. 46206, proposing revised labeling for the safe and effective use of tylosin, neomycin eye powder for the treatment of pinkeye in cattle. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135a is amended by adding the following new section:

**§ 135a.37 Tylosin, neomycin eye powder.**

(a) *Specifications.* Tylosin, neomycin eye powder contains 2 percent tylosin activity (as base), neomycin sulfate equivalent to 0.25 percent neomycin base, 1 percent piperocaine hydrochloride, 0.5 percent acriflavine neutral, and boric acid q.s.

(b) *Sponsor.* See code No. 014 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in cattle for the treatment of pinkeye (infectious keratoconjunctivitis).

(2) It is administered by holding the eyelids open and dusting powder into both eyes. The treatment is repeated daily for up to 7 days depending on the severity of the infection. Affected animals should be protected from direct sunlight, dust, and flies. In an affected herd, all animals with or without signs of the disease should receive at least one treatment.

(3) If there is severe eye damage or if the condition persists or increases, discontinue administering the drug and consult a veterinarian.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (6-28-72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
*Director, Bureau of Veterinary Medicine.*

[FR Doc.72-9693 Filed 6-27-72;8:45 am]

## PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

### Spectinomycin Dihydrochloride Pentahydrate Soluble Powder

The Commissioner of Food and Dugs has evaluated a supplemental new animal drug application (38-661V) filed by Agricultural and Veterinary Products Division, Abbott Laboratories, Abbott Park, North Chicago, Ill. 60064, proposing an additional use for spectinomycin dihydrochloride pentahydrate soluble powder in the drinking water of broiler chickens, as an aid in controlling infectious synovitis due to *Mycoplasma synoviae*. The supplemental application is approved.

This order also provides for designation of the correct sponsor code number as listed in paragraph (c) of § 135.501 of this chapter.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C.

360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.32 is amended by revising paragraphs (b) and (e) as follows:

§ 135c.32 Spectinomycin dihydrochloride pentahydrate soluble powder.

* * * * *

(b) *Sponsor.* See code No. 068 in § 135.501(c) of this chapter.

* * * * *

(e) * * *

(3) It is administered in drinking water of broiler chickens at 1 gram of spectinomycin per gallon of water as the only source of drinking water for the first 3 to 5 days of life as an aid in controlling infectious synovitis due to *Mycoplasma synoviae.* Do not administer to laying chickens. Do not administer within 5 days of slaughter.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (6–28–72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
*Director,*
*Bureau of Veterinary Medicine.*

[FR Doc.72–9692 Filed 6–27–72;8:45 am]

## PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

### Phenylbutazone

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (38–800V) filed by Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., Kansas City, Mo. 64141, proposing revised labeling for the safe and effective use of phenylbutazone granules, veterinary, in horses. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135c is amended by adding the following new section:

§ 135c.75 Phenylbutazone granules, veterinary.

(a) *Specifications.* The drug is in granular form with each 27-gram package containing 8 grams of phenylbutazone..

(b) *Sponsor.* See code No. 062 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in horses for the relief of inflammatory conditions associated with the musculoskeletal system.

(2) It is administered orally to horses at a rate of 1 to 2 grams per 500 pounds of body weight; dose is not to exceed 4 grams daily. A relatively high dose is used for the first 48 hours. The dose is then reduced gradually to a maintenance level and is maintained at the lowest level capable of producing the desired clinical response.

(3) Treated animals should not be slaughtered for food purposes.

(4) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (6–28–72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
*Director,*
*Bureau of Veterinary Medicine.*

[FR Doc.72–9691 Filed 6–27–72;8:45 am]

# Title 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter I—Coast Guard, Department of Transportation

[CGD 71–114R]

## PART 26—VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE REGULATIONS

The Coast Guard is amending Title 33 of the Code of Federal Regulations by adding a new Part 26 that implements the Vessel Bridge-to-Bridge Radiotelephone Act. These regulations require the use of the vessel bridge-to-bridge radiotelephone. The regulations also interpret the meaning of important terms in the Act and prescribe the procedures for applying for an exemption from the provisions of the Act and the regulations issued under the Act.

The regulations will require vessels subject to the Act while navigating to be equipped with at least one single channel transceiver capable of transmitting and receiving on 156.65 MHz, the Bridge-to-Bridge Radiotelephone frequency. Vessels with multichannel equipment will be required to have an additional receiver so as to be able to guard 156.65 MHz, the Bridge-to-Bridge Radiotelephone frequency, in addition to 156.8 MHz, the VHF National Distress/calling frequency required by Federal Communications Commission regulations.

Although these regulations become effective on January 1, 1973, in the interest of furthering navigation safety, operators of vessels subject to the Act are strongly encouraged to begin the use of bridge-to-bridge radiotelephone communications as soon as practicable.

Interested persons were afforded an opportunity to participate in the making of this rule. This amendment was published as a notice of proposed rule making (CGFR 71–114) on Wednesday, October 20, 1971 (36 F.R. 20306). The Marine Safety Council held a public hearing on November 15, 1971, in Washington, D.C., on the proposed regulations in accordance with the terms of the notice. The notice provided for the submission of written comments regarding all the proposed regulations by mail and at the public hearing. At the public hearing the date for written comments was extended to December 10, 1971. At the conclusion of the extension of the comment period, the Coast Guard considered the proposed regulations and all the comments submitted and on March 23, 1972, issued a supplemental notice of proposed rule making (CGD 71–14; P–2) on this matter which was published in the FEDERAL REGISTER on Wednesday, March 29, 1972 (37 F.R. 6405). The Marine Safety Council held a public hearing on the supplemental notice on April 28, 1972, in Washington, D.C.

The Coast Guard received 51 comments as a result of the notice of proposed rule making and 27 persons attended the first public hearing. Thirty-nine comments were received on the supplemental notice of proposed rule making and 17 persons attended the second public hearing.

One commentor requested clarification of the description of the waters subject to the Act. This has been accomplished by providing the Coast Guard's interpretation of the terms of the Act.

Another comment requested that unmanned or intermittently manned floating plants under the control of dredges not be required to be equipped with radiotelephones. This has been accomplished.

Nine comments objected to various terms that were quoted directly from the Act. These comments have not been adopted since the Coast Guard has no authority to amend the law but only to issue regulations pursuant to the law. Nine comments were received on the proposed exemption procedures which are considered to be requests for exemptions from the Act and the Coast Guard will handle these requests by subsequent administrative action and rule-making activities.

Five comments objected to 156.65 MHz as the designated frequency specified in § 26.14 of the proposed regulations. This was done as a means of informing the reader and was not intended to be a designation of the frequency by the Coast Guard. This amendment references the frequency designated by the FCC as being 156.65 MHz in a note following the revised § 26.04.

The Coast Guard received 45 comments on the issue of whether to adopt a single frequency, "party-line" system or a multichannel, calling and shifting, system. Thirty comments favored the multichannel system while 15 favored the single frequency concept. Comments favoring the use of a single dedicated frequency utilizing the "party-line" system spoke primarily to the value of maintaining a continuous radio guard on the designated frequency whereby essential navigation information could be obtained merely by monitoring transmissions on that frequency. Under this use of a single frequency, all navigational information transmitted within VHF range would be available since vessels subject to the Act would always be guarding that frequency. In many cases sufficient information may be obtained to safely maneuver merely by listening and without, in every case, initiating a transmission, thereby making

questionable the concern that overloading of the one designated frequency will result. Also expressed was the importance of not breaking radio contact in maneuvering situations which is possible when using the multichannel system, and eliminated by the use of the single channel system.

Other comments objected to the adoption of a multichannel system because it was felt it was in conflict with the intent of Congress when developing Public Law 92–63. However, the words in section 4 of the Act "frequency or frequencies" were inserted so that should it become necessary in certain areas of high traffic density, or when circuit overloading was experienced or for other valid reason the adoption of a multichannel system was considered necessary, it could be adopted.

There was also concern expressed that a multichannel system using 156.8 MHz as the listening frequency with a shift to a working frequency would not satisfy the requirement in the Act for a dedicated frequency. Since 156.8 MHz is the National Distress and calling frequency, in the case of a distress where all exchanges other than distress traffic are required to cease on that frequency, the basic value of Bridge-to-Bridge Radiotelephone, that is, a continual exchange of navigational information, would be jeopardized.

The comments in favor of the multichannel, calling and shifting, system felt that there would be too much traffic on one channel for the system to operate effectively. In addition they felt that this would increase the noise level on the bridge and this would cause confusion. Several of the comments pointed out the successful use of the calling shifting frequency on the Great Lakes and in areas where multichannel systems have been put into voluntary use. It was also pointed out that the multichannel system is better suited for use with vessel traffic control systems.

The Coast Guard is adopting the single-channel system, because it has been specified by the Federal Communications Commission. The Coast Guard believes that it will serve to carry out the basic intent of the Act. In certain areas where the single-channel system is found to be inadequate and adoption of a multichannel system is considered necessary in these areas, exemptions to the requirement to use the single-channel system may be granted and conditions requiring the use of a multichannel operation imposed.

Nine comments objected to § 26.15(a) on the grounds that it superseded or modified the rules of the road and that it would create liability problems for shipowners and operators under the rule in the Pennsylvania case (86 U.S.C. 125).

Two comments proposed alternate wording to specific requirements of § 26.15(a) in order to avoid what they considered to be unnecessary requirements.

One comment addressed itself to the impracticality of complying with the requirement to transmit when approaching in close proximity to another vessel and performing other duties on the bridge.

Another comment felt that requiring the use of the radiotelephone in the listed circumstances would not enhance navigational safety but would only clutter the designated frequency.

The regulations require transmissions on 156.65 MHz, but do not speak to the requirements for transmitting on this frequency in any specific set of circumstances, but, rather leave to the judgment of the master or other person in charge of directing the movements of the vessel that information to be transmitted which will best fulfill the requirements for the safe navigation of his vessel.

As a result of the comments received, the action of the Federal Communications Commission, and for editorial reasons, the regulations in the notice of proposed rule making have been amended as follows:

(a) Section 26.01 has been revised;

(b) The definition of "Navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 17, 1895 (28 Stat. 672), as amended." is moved from § 26.11(b) to § 26.02;

(c) Section 26.11 is redesignated § 26.03 and unmanned and intermittently manned floating plants under the control of a dredge have been excepted from the requirement to have radiotelephone capability;

(d) Sections 26.12, 26.13, 26.20, and 26.25 have been redesignated §§ 26.05, 26.06, 26.07, and 26.08, respectively.

(e) Sections 26.14 and 26.15 have been revised and combined as § 26.04;

(f) Section 26.09 has been added to provide a listing of exemptions granted; and

(g) Section 26.10 has been added that quotes the penalty provisions of the Act.

In consideration of the foregoing, Title 33 of the Code of Federal Regulations is amended by adding a new Part 26 to read as follows:

Sec.
26.01 Purpose.
26.02 Definitions.
26.03 Radiotelephone required.
26.04 Use of the designated frequency.
26.05 Use of radiotelephone.
26.06 Maintenance of radiotelephone; failure of radiotelephone.
26.07 English language.
26.08 Exemption procedures.
26.09 List of exemptions. [Reserved]
26.10 Penalties.

AUTHORITY: The provisions of this Part 26 issued under 85 Stat. 146; 33 U.S.C. A. secs. 1201–1208; 49 CFR 1.46(o)(2).

### § 26.01 Purpose.

(a) The purpose of this part is to implement the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act. This part—

(1) Requires the use of the vessel bridge-to-bridge radiotelephone;

(2) Provides the Coast Guard's interpretation of the meaning of important terms in the Act;

(3) Prescribes the procedures for applying for an exemption from the Act and the regulations issued under the Act and a listing of exemptions.

(b) Nothing in this part relieves any person from the obligation of complying with the rules of the road and the applicable pilot rules.

### § 26.02 Definitions.

For the purpose of this part and interpreting the Act—

"Secretary" means the Secretary of the Department in which the Coast Guard is operating;

"Act" means the "Vessel Bridge-to-Bridge Radiotelephone Act", 33 U.S.C.A. sections 1201–1208;

"Length" is measured from end to end over the deck excluding sheer;

"Navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 19, 1895 (28 Stat. 672), as amended," means those waters governed by the Navigation Rules for Harbors, Rivers, and Inland waters (33 U.S.C. sec. 151 et seq.), the Navigation Rules for Great Lakes and their Connecting and Tributary Waters (33 U.S.C. sec. 241 et seq.), and the Navigation Rules for Red River of the North and Rivers emptying into Gulf of Mexico and Tributaries (33 U.S.C. sec. 301 et seq.);

"Power-driven vessel" means any vessel propelled by machinery; and

"Towing vessel" means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

### § 26.03 Radiotelephone required.

(a) Unless an exemption is granted under § 26.09 and except as provided in subparagraph (4) of this paragraph, section 4 of the Act provides that—

(1) Every power-driven vessel of 300 gross tons and upward while navigating;

(2) Every vessel of 100 gross tons and upward carrying one or more passengers for hire while navigating;

(3) Every towing vessel of 26 feet or over in length while navigating; and

(4) Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels: *Provided*, That an unmanned or intermittently manned floating plant under the control of a dredge need not be required to have separate radiotelephone capability;

Shall have a radiotelephone capable of operation from its navigational bridge, or in the case of a dredge, from its main control station, and capable of transmitting and receiving on the frequency or frequencies within the 156–162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission, after consultation with other cognizant agencies, for the exchange of navigational information.

(b) The radiotelephone required by paragraph (a) of this section shall be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 19, 1895 (28 Stat. 672), as amended.

§ 26.04 Use of the designated frequency.

(a) No person may use the frequency designated by the Federal Communications Commission under section 8 of the Act, 33 U.S.C.A. section 1207(a), to transmit any information other than information necessary for the safe navigation of vessels or necessary tests.

(b) Each person who is required to maintain a listening watch under section 5 of the Act shall, when necessary, transmit and confirm, on the designated frequency, the intentions of his vessel and any other information necessary for the safe navigation of vessels.

(c) Nothing in these regulations may be construed as prohibiting the use of the designated frequency to communicate with shore stations to obtain or furnish information necessary for the safe navigation of vessels.

NOTE: The Federal Communications Commission has designated the frequency 156.65 MHz for the use of bridge-to-bridge radiotelephone stations.

§ 26.05 Use of radiotelephone.

Section 5 of the Act states—

(a) The radiotelephone required by this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing contained herein shall be interpreted as precluding the use of portable radiotelephone equipment to satisfy the requirements of this Act.

§ 26.06 Maintenance of radiotelephone; failure of radiotelephone.

Section 6 of the Act states—

(a) Whenever radiotelephone capability is required by this Act, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.

§ 26.07 English language.

No person may use the services of, and no person may serve as a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C.A. section 1204 unless he can speak the English language.

§ 26.08 Exemption procedures.

(a) Any person may petition for an exemption from any provision of the Act or this part;

(b) Each petition must be submitted in writing to U.S. Coast Guard (M), 400 Seventh Street SW., Washington, DC 20590, and must state—

(1) The provisions of the Act or this part from which an exemption is requested; and

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

§ 26.09 List of exemptions. [Reserved]

§ 26.10 Penalties.

Section 9 of the Act states—

(a) Whoever, being the master or person in charge of a vessel subject to the Act, fails to enforce or comply with the Act or the regulations hereunder; or whoever, being designated by the master or person in charge of a vessel subject to the Act to pilot or direct the movement of a vessel fails to enforce or comply with the Act or the regulations hereunder—is liable to a civil penalty of not more than $500 to be assessed by the Secretary.

(b) Every vessel navigated in violation of the Act or the regulations hereunder is liable to a civil penalty of not more than $500 to be assessed by the Secretary, for which the vessel may be proceeded against in any District Court of the United States having jurisdiction.

(c) Any penalty assessed under this section may be remitted or mitigated by the Secretary, upon such terms as he may deem proper.

This amendment shall become effective January 1, 1973.

Dated: June 22, 1972.

C. R. BENDER,
*Admiral, U.S. Coast Guard, Commandant.*

[FR Doc.72-9756 Filed 6-27-72;8:54 am]

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[CGD 72-11 R]

## PART 110—ANCHORAGE REGULATIONS

### Neenah Harbor, Neenah, Wis.

This amendment to the anchorage regulations establishes a Special Anchorage Area in Neenah Harbor, Neenah, Wis. The special anchorage area is adjacent to Riverside Park and south of the main shipping channel. In special anchorage areas, vessels under 65 feet in length, when at anchor, are not required to carry or exhibit anchor lights.

This amendment is based on a notice of proposed rule making published in the Tuesday, February 1, 1972, issue of the FEDERAL REGISTER (37 F.R. 2447) and public notice issued by the Commander, Ninth Coast Guard District on August 16, 1971.

With one exception, all comments received were in favor of the establishment of the special anchorage area. The one exception was to the effect that the special anchorage area should be controlled by public officials. The Commander, Ninth Coast Guard District replied to the one objector, pointing out that the special anchorage area would be under the local control and administration of the Neenah Police Department.

In consideration of the foregoing, Part 110 of Title 33 of the Code of Federal Regulations is amended by adding a new § 110.79a to read as follows:

§ 110.79a Neenah Harbor, Neenah, Wis.

The area of Neenah Harbor south of the main shipping channel within the following boundary: A line beginning at a point bearing 117.5°, 1,050 feet from the point where the southeasterly side of the First Street/Oak Street Bridge crosses the south shoreline of the river; thence 254°, 162 feet; thence 146°, 462 feet; 164°, 138 feet; 123°, 367 feet; 068°, 400 feet; thence 320°, 107 feet; thence 283°, 1,054 feet to the point of beginning.

NOTE: An ordinance of the city of Neenah, Wis., requires approval of the Neenah Police Department for the location and type of individual moorings placed in this special anchorage area.

(Sec. 1, 28 Stat. 647, as amended, sec. 6(g)(1)(C), 80 Stat. 937; 33 U.S.C. 258, 49 U.S.C. 1655(g)(1)(C); 49 CFR 1.46(c)(3))

*Effective date.* This amendment becomes effective on August 1, 1972.

Dated: June 20, 1972.

W. M. BENKERT,
*Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.*

[FR Doc.72-9754 Filed 6-27-72;8:50 am]

# Title 36—PARKS, FORESTS, AND MEMORIALS

## Chapter I—National Park Service, Department of the Interior

## PART 5—COMMERCIAL AND PRIVATE OPERATIONS

### Use of Commercial Passenger Carrying Vehicles in Certain National Parks

Pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535 as amended; 16 U.S.C. 3) paragraph (a) of § 5.4 and paragraph (g) of § 7.4 of Title 36 of the Code of Federal Regulations are hereby amended.

The purpose of these amendments is to eliminate those portions of paragraph (a) of § 5.4 which currently generally prohibit commercial transportation of passengers by motor vehicles in Bryce Canyon and Zion National Parks and Cedar Breaks National Monument, and to amend the portion of § 5.4(a) concerning Grand Canyon National Park to retain the prohibition for only the south rim, subject to the exception for certain infrequent and nonscheduled tours defined in paragraph (g) of § 7.4.

It is the policy of the Department of the Interior to provide a period for receiving public comment. However, since these amendments do not impose additional restrictions on the public, comment thereon is deemed unnecessary and not in the public interest. The amendments shall take effect immediately upon publication in the FEDERAL REGISTER.

Paragraph (a) of § 5.4 of Title 36 of the Code of Federal Regulations is hereby amended as set forth below.