

§ 91.90 Terminal control areas.

(a) Group I terminal control areas.

(3) Equipment requirements.

(iii) On and before the applicable dates specified in paragraphs (a) and (b) (1) of § 91.24, an operable coded radar beacon transponder having at least a mode 3/A 64-code capability, replying to mode 3/A interrogation with the code specified by ATC. On and before those dates, this requirement is not applicable to helicopters operating within the terminal control area, or to IFR flights operating to or from a secondary airport located within the terminal control area, or to IFR flights operating to or from an airport outside of the terminal control area but which is in close proximity to the terminal control area, when the commonly used transition, approach, or departure procedures to such airport require flight within the terminal control area. After the applicable dates specified in paragraphs (a) and (b) (1) of § 91.24, the applicable provisions of that section shall be complied with, notwithstanding the exceptions in this section.

(b) Group II terminal control areas.—

(1) Operating rules.

(i) No person may operate an aircraft within a group II terminal control area unless he has received an appropriate authorization from ATC prior to operation of that aircraft in that area, except that, after the applicable dates in § 91.24(b) (2), authorization is not required if the aircraft is VFR, is equipped as required by § 91.24(b), and does not land or take off within the terminal control area.

(2) Equipment requirements.

(iii) On and before the applicable dates specified in paragraphs (a) and (b) (2) of § 91.24, an operable coded radar beacon transponder having at least a mode 3/A 64-code capability, replying to mode 3/A interrogation with the code specified by ATC. On and before those dates, this requirement is not applicable to helicopters operating within the terminal control area, or to VFR aircraft operating within the terminal control area, or to IFR flights operating to or from an airport outside of the terminal control area, when the commonly used transition, approach, or departure procedures to such airport require flight within the terminal control area. After the applicable dates in paragraphs (a) and (b) (2) of § 91.24, that section shall be complied with, notwithstanding the exceptions in this section.

(c) Group III terminal control areas.—

After the date specified in § 91.24(b) (3), no person may operate an aircraft within a group III terminal control area designated in part 71 unless the applicable provisions of § 91.24(b) are complied with, except that such compliance is not required if two-way radio communications are maintained, within the TCA, between the aircraft and the ATC facility, and the pilot provides position, altitude, and proposed flight path prior to entry.

4. Section 91.97(a) (4) (i) is amended to read as follows:

§ 91.97 Positive control areas and route segments.

(a) * * *

(4) * * *

(i) A coded radar beacon transponder, having at least a mode A (Military Mode 3) 64-code capability, replying to mode 3/A interrogation with the code specified by ATC, except that, after the applicable dates specified in paragraphs (a) and (b) (3) of § 91.24, the applicable provisions of that section shall be complied with.

5. Section 91.99(a) (2) (i) is amended to read as follows:

§ 91.99 Jet advisory areas.

(a) * * *

(2) * * *

(i) That aircraft is equipped with a functioning coded radar beacon transponder having a mode A (Military Mode 3) 64-code capability, that transponder is operated to reply to mode 3/A interrogation with the code specified by ATC, except that, after the applicable dates specified in § 91.24(a), the applicable provisions of that paragraph shall be complied with;

§ 91.177 [Amended]

6. Section 91.177(a) is amended by changing the cross-reference to "§ 91.24," following the words "specified in," to read "§ 91.24(a)."

Issued in Washington, D.C., on May 25, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.73-11009 Filed 6-1-73;8:45 am]

Title 19—Customs Duties

CHAPTER I—BUREAU OF CUSTOMS,
DEPARTMENT OF THE TREASURY

[T.D. 73-151]

PART 12—SPECIAL CLASSES OF
MERCHANDISE

Exportation of Pre-Columbian Art; Addition
of Honduras to Restricted List

On May 2, 1973, an amendment to part 12 of the "Customs Regulations" was published in the FEDERAL REGISTER (38 FR 10807), which set forth regulations for the importation into the United States of pre-Columbian monumental and architectural sculpture or murals exported contrary to the laws of the country of origin. Section 12.105(a) limits the term "pre-Columbian monumental or architectural sculpture or mural" to certain products of Bolivia, British Honduras, Costa Rica, Dominican Republic, El Salvador, Guatemala, Mexico, Panama, Peru, or Venezuela. These countries restrict the exportation of such pre-Columbian art. Information has now been received that the laws of Honduras also restrict the exportation of pre-Columbian monumental and architectural sculpture or murals. Accordingly, § 12.105(a) is amended by inserting "Honduras" after "Guatemala."

(R.S. 251, as amended, sec. 624, 46 Stat. 759, sec. 204, 86 Stat. 1297; 5 U.S.C. 301, 19 U.S.C. 65, 1624, 2094.)

The amendment to part 12 which sets forth the regulations affecting the importation of pre-Columbian monumental and architectural sculpture or murals will become effective on June 1, 1973. Therefore, good cause exists for dispensing with notice and public procedure as contrary to the public interest, and good cause is found for the amendment to become effective on the same date as the earlier published amendment, under the provisions of 5 U.S.C. 553.

Effective date.—This amendment shall become effective June 1, 1973.

[SEAL] G. R. DICKERSON,
Acting Commissioner of Customs.

Approved May 24, 1973.

BRENT F. MOODY,
Acting Assistant Secretary of the
Treasury.

[FR Doc.73-11108 Filed 6-1-73;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY
OF TRANSPORTATION

[OST Docket No. 22; Amdt. 71-14]

PART 71—STANDARD TIME ZONE
BOUNDARIES

Operating Exceptions for Railroads;
Deletion

Correction

In FR Doc. 73-10402 appearing at page 13725 in the issue of Friday, May 25, 1973, in the second line in the second complete paragraph in the third column, delete "(publication date)" and insert in lieu thereof "May 25, 1973".

[OST Docket No. 16; Amdt. 99-6]

PART 99—EMPLOYEE RESPONSIBILITIES
AND CONDUCT

Editorial Change

The purpose of this amendment is to correct a misreference in 49 CFR 99-735-15.

Since this amendment relates to departmental management, procedures, and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective (publication date), the last sentence of paragraph (a) of § 99.735-15 of part 99 of title 49, Code of Federal Regulations, is amended to read as follows;
§ 99.735-15 Disqualification arising from private financial interests.

(a) * * * For exemptions arising from section 208, see paragraph (i) of this section.

(Executive Order 11222, 30 FR 6469; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; § 1.59(m), regulations of the Office of the Secretary of Transportation, 49 CFR 1.59(m).)

Issued in Washington, D.C., on May 24, 1973.

JOHN W. BARNUM,
General Counsel.

[FR Doc.73-11081 Filed 6-1-73;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 17—CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

Amendments to Lists of Endangered Fish and Wildlife

By notice of proposed rulemaking published in the FEDERAL REGISTER dated January 15, 1973 (38 FR 1521), notice was given that it was proposed to amend appendixes A and D to part 17 of title 50, Code of Federal Regulations.

Typographical errors in that proposed rulemaking were corrected in the FEDERAL REGISTER of January 22, 1973 (38 FR 2178).

Interested persons were invited to submit their views, data, or arguments regarding the proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240, prior to March 16, 1973. All relevant matters presented have been considered.

Action is being temporarily deferred on listing the red kangaroo *Megaleia rufa*, the western gray kangaroo *Macropus fuliginosus*, and the eastern gray kangaroo *Macropus giganteus* except for the subspecies *Macropus giganteus tasmaniensis*, pending: (1) receipt of additional information requested from the Australian Government on current management practices in each of the five mainland Australian states and the northern territory; (2) development and implementation of a new kangaroo management plan being prepared by the Australian Government; and (3) obtaining firsthand observation of the effectiveness of current management practices as modified by the new management plan. In the interim, careful surveillance of the Australian kangaroo situation will be maintained to assure that the present level of exploitation is not increased and that no other imminent threat to kangaroo populations is implemented or exists. Should any of the conditions above not be met or should they offer substantial evidence that one or more of the three species of kangaroos concerned are endangered now or are imminently threatened with becoming endangered, the Secretary of the Interior will promptly list as "endangered" the species concerned by appropriate amendment published in the FEDERAL REGISTER.

Accordingly, appendix A of part 17 of 50 CFR is amended by adding the following species to the "U.S. List of Endangered Foreign Fish and Wildlife." Information in the "where found" columns below is provided only for informative and advisory purposes, is not exhaustive nor inclusive and has no legal effect.

Common name	Scientific name	Where found
Yellow-footed rock wallaby	<i>Petropale zanthopus</i>	Australia.
Tasmanian forest-esther	<i>Macropus giganteus tasmaniensis</i>	Do.
Desert bandicoot	<i>Perameles eremiana</i>	Do.
Gaimards rat-kangaroo	<i>Bellingia gaimardi</i>	Do.
Quokka	<i>Selatos brevicauda</i>	Do.
Stick-nest rat	<i>Leporillus conditor</i>	Do.
Queensland hairy-nosed wombat	<i>Lasiorchinus gilespiei</i>	Do.
Eastern native-cat	<i>Dasyurus iberrimus</i>	Do.
Numbat	<i>Myrmecobius fasciatus</i>	Do.
Gould's mouse	<i>Pseudomys gouldii</i>	Do.
Ground parrot	<i>Pezoporus wallicus</i>	Do.
Plain Wanderer	<i>Pedionomus torquatus</i>	Do.
Aquatic box turtle	<i>Terrapene conchula</i>	Mexico.

Consistent with the foregoing, and in recognition of the fact that by listing the species the law will apply to their subspecies as well, the "U.S. List of Endangered Foreign Fish and Wildlife" is further amended by deleting the following subspecies of the species named above:

Common name	Scientific name	Where found
Rusty numbat	<i>Myrmecobius fasciatus rufus</i>	Australia.

Appendix D to part 17, of title 50, Code of Federal Regulations is amended by adding the following species or subspecies to the United States List of Endangered Native Fish and Wildlife:

MAMMALS

Common name	Scientific name
Utah prairie dog	<i>Cynomys parvidens</i>
Northern Rocky Mountain wolf	<i>Canis lupus irremotus</i>
Eastern cougar	<i>Felis concolor cougar</i>

BIRDS

Common name	Scientific name
Mississippi sandhill crane	<i>Grus canadensis pulla</i>
Puerto Rican whip-poor-will	<i>Caprimulgus noctitherus</i>
Santa Barbara song sparrow	<i>Melospiza melodia graminea</i>

AMPHIBIANS

Common name	Scientific name
Desert slender salamander	<i>Batrachoseps aridus</i>

FISH

Common name	Scientific name
Okaloosa darter	<i>Etheostoma okaloosae</i>

It is determined that these amendments to appendixes A and D should be implemented without delay in order to minimize the threats to the continued existence of these animals. Consequently, for good cause found, it is determined

that this amendment shall be effective on June 4, 1973.

SPENCER H. SMITH,
Director.

MAY 30, 1973.

[FR Doc.73-11099 Filed 6-1-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

COLOR ADDITIVES

The Commissioner of Food and Drugs is amending "Part 2—Administrative Functions, Practices, and Procedures" (21 CFR pt. 2) to update the redelegation of the final authority of the Commissioner relating to certification of color additives by correcting the Office and Division titles which were changed by a reorganization of the Bureau of Foods. Further redelegation of the authority redelegated hereby is not authorized. Authority redelegated hereby to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him as "acting" or unless not legally permissible.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), part 2 is amended in § 2.120 by revising paragraph (f) to read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

(f) Delegations regarding certification of color additives.—The Director and Deputy Director of the Bureau of Foods, the Director and Deputy Director of the Office of Technology of that Bureau, and the Director and Deputy Director of the Division of Color Technology of that Office and Bureau are authorized to certify batches of color additives for use in foods, drugs, or cosmetics, pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

Effective date.—This order shall be effective on June 4, 1973.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a).)

Dated May 25, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.73-11094 Filed 6-1-73;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-139]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of part 1914 of subchapter B of chapter X of title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Illinois	Cook	Crestwood, Village of.				June 1, 1973. Emergency.
Do.	Du Page	Downers Grove, Village of.				Do.
Louisiana	Rapids Parish	Pineville, City of.				May 29, 1973. Emergency.
Michigan	Ottawa	Spring Lake, Village of.				June 1, 1973. Emergency.
New York	Suffolk	East Hampton, Village of.				Do.
Ohio	Erie	Bay View, Village of.				Do.
Pennsylvania	Clinton	Porter, Township of.				Do.
Do.	Erie	Lawrence Park, Township of.				Do.
Do.	Huntingdon	Alexandria, Borough of.				Do.
Do.	Juniata	Fermanshagh, Township of.				Do.
Do.	McKean	Port Alleghany, Borough of.				Do.
Do.	Northampton	Bangor, Borough of.				Do.
Wisconsin	Sauk	Baraboo, City of.				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued May 24, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-10919 Filed 6-1-73;8:45 am]