

reviews of selected applicants, recipients, contractors, and subcontractors. A compliance review shall consist of a comprehensive analysis and evaluation of each aspect of the aforementioned section 3 policies, and conditions resulting therefrom. Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through the conciliation process set forth in § 76.105(g). Compliance reviews may be conducted prior to award of contracts in any case where the Secretary has reasonable grounds, based on a substantiated grievance, the Department's own investigation, or other substantial evidence, to believe that the applicant, recipient, contractor, or subcontractor or will be unable or unwilling to comply with section 3 and the provisions of this part.

Subpart G—Miscellaneous

§ 76.120 Reporting and recordkeeping.

In order to insure that the Secretary is kept informed of the progress being made by the applicant, recipient, contractor, and subcontractor in meeting their obligations under these regulations, each applicant, recipient, contractor, and subcontractor is required to:

(a) Maintain such records and accounts and furnish such information and reports as are required by the Secretary under these regulations or pursuant thereto and permit the Secretary access to books, records and premises for purposes of investigation in connection with a grievance or to ascertain compliance with these regulations or the rules and orders of the Department issued thereunder.

(b) Advise the Secretary within 15 days of the award of any contract under a section 3 covered project of the steps which have been and will be taken to comply with the requirements of Subparts B, C, and D of this part.

§ 76.125 Implementing procedures and instructions.

Assistant Secretaries of the Department administering programs subject to this regulation may issue such procedures and instructions as are necessary to implement the provisions of section 3 and this part. A copy of such procedures and instructions shall be forwarded to the Secretary for approval prior to issuance.

§ 76.130 Labor standards.

All labor standards applicable by statute, regulations, or other administrative issuance shall apply to section 3 covered projects.

§ 76.135 Effective date.

This part shall become effective on [] 1971 for all applications for assistance under section 3 covered by projects which are made after such date within the meaning of the program in question. However, nothing in this part shall effect requirements already imposed on applicants, recipients, and con-

tractors, and subcontractors pursuant to section 3.

GEORGE ROMNEY,
Secretary of Housing and
Urban Development.

[FR Doc.71-8618 Filed 6-17-71;8:51 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71-SO-104]

CONTROL ZONES AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Covington, Ky., and Cincinnati, Ohio, control zones and the Cincinnati, Ohio, transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Covington and Cincinnati control zones, described in § 71.171 (36 F.R. 2055), would be redesignated as follows:

COVINGTON, KY.

Within a 5-mile radius of Greater Cincinnati Airport (lat. 39°02'56" N., long. 84°39'41" W.); within 1.5 miles each side of Runway 36 ILS localizer south course, extending from the 5-mile-radius zone to the LOM; within 3 miles each side of Cincinnati VORTAC 223° radial, extending from the 5-mile-radius zone to 8.5 miles southwest of the VORTAC; within 1.5 miles each side of Runway 18 ILS localizer north course, extending from the 5-mile-radius zone to Addyston LOM.

CINCINNATI, OHIO

Within a 5-mile radius of Cincinnati Municipal-Lunken Field Airport (lat. 39°06'14"

N., long. 84°25'18" W.); within 2 miles each side of Runway 20L ILS localizer northeast course, extending from the 5-mile-radius zone to Madeira RBN; within 1.5 miles each side of the 227° bearing from Lunken RBN, extending from the 5-mile-radius zone to the RBN.

The Cincinnati 700-foot transition area, described in § 71.181 (36 F.R. 2140), would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Greater Cincinnati Airport (lat. 39°02'56" N., long. 84°39'41" W.); within 9.5 miles east and 4.5 miles west of Runway 36 ILS localizer south course, extending from the 11.5-mile-radius area to 18.5 miles south of the LOM; within 3 miles each side of Runway 9R ILS localizer west course, extending from the 11.5-mile-radius area to 8.5 miles west of Burlington RBN; within 9.5 miles west and 4.5 miles east of Runway 18 ILS localizer north course, extending from the 11.5-mile-radius area to 18.5 miles north of the LOM; within a 12-mile radius of Cincinnati Municipal-Lunken Field Airport (lat. 39°06'14" N., long. 84°25'18" W.); within 3 miles each side of the 044° bearing from Lunken RBN, extending from the 12-mile-radius area to 8.5 miles northeast of the RBN.

The proposed alterations are required to provide controlled airspace protection for IFR operations in the Covington/Cincinnati terminal area in conformance with Terminal Instrument Procedures (TERPs) and current airspace criteria.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on June 10, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-8592 Filed 6-17-71;8:49 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-110]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Paducah, Ky., control zone and transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Paducah control zone, described in § 71.171 (36 F.R. 2055 and 3518), would be redesignated as:

Within a 5-mile radius of Barkley Field (lat. 37°03'45" N., long. 88°46'23" W.); within 3 miles each side of the 234° bearing from Paducah RBN, extending from the 5-mile-radius zone to 8.5 miles southwest of the RBN; within 3 miles each side of Cunningham VORTAC 045° radial, extending from the 5-mile-radius zone to 11 miles northeast of the VORTAC.

The Paducah transition area, described in § 71.181 (36 F.R. 2055 and 3518) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Barkley Field (lat. 37°03'45" N., long. 88°46'23" W.); within 5 miles each side of Cunningham VORTAC 225° radial, extending from the 10-mile-radius area to 11.5 miles southwest of the VORTAC.

The proposed alterations are required to provide controlled airspace protection for IFR operations in Paducah terminal in conformance with Terminal Instrument Procedures (TERPs) and current airspace criteria.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on June 10, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-8594 Filed 6-17-71;8:49 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-111]

CONTROL ZONE AND TRANSITION AREAS

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the London, Ky., control zone and transition area and the Somerset, Ky., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but

arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The London control zone, described in § 71.171 (36 F.R. 2055), would be redesignated as:

Within a 5-mile radius of Corbin-London War Memorial Airport (lat. 37°05'15" N., long. 84°04'38" W.); within 3 miles each side of London VOR 202° radial, extending from the 5-mile-radius zone to 8.5 miles south of the VOR.

The London and Somerset transition areas, described in § 71.181 (36 F.R. 2140), would be redesignated as follows:

LONDON, KY.

That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of Corbin-London War Memorial Airport (lat. 37°05'15" N., long. 84°04'38" W.).

SOMERSET, KY.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Somerset-Pulaski County Airport (lat. 37°03'24" N., long. 84°36'45" W.); within 3 miles each side of the 230° bearing from Somerset RBN (lat. 37°03'19" N., long. 84°36'58" W.), extending from the 8.5-mile-radius area to 8.5 miles southwest of the RBN.

The proposed alterations are required to provide controlled airspace protection for IFR operations in the London and Somerset terminals in conformance with Terminal Instrument Procedures (TERPs) and current airspace criteria.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on June 10, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-8595 Filed 6-17-71;8:49 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 1-11; Notice 6]

REAR UNDERRIDE PROTECTION

Termination of Notice of Proposed Rule Making

Notices proposing a motor vehicle safety standard on rear underride protection, applicable to trucks and trailers, were published October 14, 1967 (32 F.R. 14278), March 19, 1969 (34 F.R. 5383),

and August 14, 1970 (35 F.R. 12956). Based upon the information received in response to the notices and evaluations of cost and accident data, the Administration has concluded that, at the present time, the safety benefits achievable in terms of lives and injuries saved would not be commensurate with the cost of implementing the proposed requirements. For the information of all interested persons, notice is hereby given that the rulemaking action is terminated, and that no final rule will be issued on this subject without further notice of proposed rulemaking.

This notice is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1392, 1407) and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on June 15, 1971.

ROBERT L. CARTER,
Acting Associate Administrator,
Motor Vehicle Programs.

[FR Doc.71-8643 Filed 6-17-71;8:53 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 22952]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Modification of Schedule and Reports

JUNE 14, 1971.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 241 of its Economic Regulations (14 CFR Part 241) to modify Schedule T-41 Charter and Special Services Revenue Aircraft Miles Flown of Form 41 reports required to be filed by certificated combination carriers and all-cargo carriers.

The principal features of the proposed amendments are described in the explanatory statement below and the proposed amendments are set forth in the proposed rule. The amendments are proposed under the authority of sections 204(a), 401(e) (6), and 407 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 754 (as amended by 82 Stat. 867), 766; 49 U.S.C. 1324, 1371, 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before July 19, 1971, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room

712, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

EXPLANATORY STATEMENT

The member carriers of the National Air Carrier Association (NACA) have petitioned the Board to institute a rule making proceeding to amend Parts 207 (Charter Trips and Special Services) and 241 (Uniform System of Accounts and Reports for Certificated Air Carriers) with respect to the reporting of off-route charter data by certificated route carriers. The purpose of the rule, according to the NACA carriers, is to enable the Board to ascertain whether the certificated route carriers are complying with the volume and frequency/regularity restrictions of Part 207 of the Board's Economic Regulations. They would have the Board require a new schedule to be filed quarterly comprising data as to charters performed by certificated route carriers in addition to the annual report on Schedule T-41, Charter and Special Services Revenue Aircraft Miles of Form 41 reports. Further, the NACA carriers would require the certificated route carriers to set forth on a schedule their "base revenue plane miles" as defined in Part 207¹ rather than the present complicated method of ascertaining such figure from existing schedules of Form 41 reports.² Finally, they ask for a provision in Part 207 requiring that certificated route carriers file reports in accordance with Part 241, that the Board add items on Form 41 reports showing total off-route charter trips during the quarter and the year to the date of the quarterly report on a revenue plane-mile basis, and that it require the dates and points of origin and destination of each off-route Hawaiian, transatlantic and transpacific charter trip³ performed during the quarter.

Existing Part 207 provides that a route carrier "shall not during any calendar year perform off-route charter trips which in the aggregate on a revenue plane-mile basis exceed two percent of the base revenue plane miles flown by it during the preceding calendar year." In addition, the part imposes frequency and regularity restrictions on all off-route charters including Hawaiian, transatlantic and transpacific charter trips as defined therein. According to the NACA carriers, the purpose of these restrictions is to emphasize the primary role

of the route carriers to provide scheduled services and to contribute to the financial strength and success of the supplementals in their role as charter specialists. They maintain that the existing reporting requirements are deficient in that the NACA carriers are not able to ascertain whether the volume and frequency/regularity limitations on off-route charters in the part have been complied with. According to the NACA carriers, the changes in Parts 207 and 241 which they propose would accomplish the intended purpose of making it easier to monitor compliance with the Part 207 limitations.

The Board is not convinced that there is a need for all the proposals advanced by the NACA carriers. We are not prepared to presume that the route carriers would deliberately violate the off-route charter restrictions. Indeed, there is very little history of such violations on the part of the scheduled carriers in the past. In those cases where quotas were nearing exhaustion toward the end of the year, carriers appear to have been quite conscientious in requesting exemptions.

We shall propose modification of the filing frequency for Schedule T-41 of Form 41 by requiring an additional report covering the 9 months ending September 30 of each calendar year. The existing reporting requirement for an annual report for the calendar year will be retained. In addition, we shall add to Schedule T-41 of Form 41 a new section at the bottom entitled "Calculation of Limitation of Charter Trips" which will include the following items: (1) Base revenue plane miles; (2) off-route charter mileage and (3) the percentage item 2 is of item 1.⁴ Except for these modifications, the other proposals of the NACA carriers are rejected for the reasons hereinafter set forth. Therefore, except to the extent granted herein, the petition for rule making of the NACA carriers is denied.

In our view the submission of an additional report covering the 9 months ending September 30 would be desirable for it would apprise the Board and the affected carriers of the amount of off-route charter authority already used and the possibility that the quota of a given carrier might be exceeded before the end of the year. Reports for the first and second calendar quarters, however, as also requested by the NACA carriers, would be unduly burdensome and in our view are unnecessary.

The inclusion on Schedule T-41 of Form 41 of items for base revenue plane miles and off-route charter mileage will be useful since these figures are not readily obtainable from existing reports. Base revenue plane miles are presently ascertained only by adding amounts shown on annual Schedule T-41 on line 5 (total charter miles between certificated points for combination carriers) or line 18 (total

charter mileage between certificated points for all-cargo carriers), as the case may be, and item K-410 of Schedule T-1(a)—total revenue aircraft miles flown in scheduled services—covering the calendar year. Likewise, the off-route charter mileage can presently be computed only by adding mileage for charters not under exemption authority in Schedule T-41 and passenger, cargo and mixed charter mileage not between certificated points in such schedule in the case of combination carriers with additional modifications required in the case of all-cargo carriers.

Since the only modifications in the reporting requirements are the addition of one reporting period and the inclusion of three new items at the end of the schedule, these modifications can easily be made in existing Schedule T-41 without requiring a new schedule to deal solely with data to ascertain compliance with the volume restrictions on off-route charters under Part 207.

A proposed Schedule T-41 of Form 41 is attached as an appendix.⁵

It is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241) as follows:

1. Amend section 22(a) by revising the title and frequency for filing Schedule T-41 to read:

Section 22 General Reporting Instructions.

Schedule No.		Filing	
		Frequency	Postmark interval (days)
T-41	Charter and special services revenue aircraft miles flown; calculation of limitation of charter trips.	(1 ^a)	30

^{1a} For the first 9 months and for the 12 months of each calendar year.

² Interval relates to receipt by the Board in Washington, D.C., rather than postmark for these schedules.

2. Amend section 25 Schedule T-41 Charter and Special Services Revenue Aircraft Miles Flown as follows:

A. Revise the title of Schedule T-41 to read: Charter and Special Services Revenue Aircraft Miles Flown; Calculation of Limitation of Charter Trips.

B. Amend paragraph (b) to read:

(b) Separate schedules shall be filed on an overall or system basis covering the 9 months ending September 30 and the 12 months ending December 31 of each year. Check the appropriate box provided on the form.

C. Amend paragraph (c) to read:

(c) The following instructions relate to the reporting of "charter and special services revenue aircraft miles flown."

(1) Total charter and special services revenue aircraft miles flown during the 9 months or the 12 months of the calendar year shall be reflected in this schedule by combination carriers and all-cargo

¹ Section 207.1 defines "base revenue plane miles" as revenue mileage operated by an air carrier in scheduled services, extra sections, and on-route charter trips or special services.

² Adding miles of "scheduled services" as set forth on existing Schedule T-1(a), Monthly Statement of Traffic and Capacity Statistics by Component Operations, to on-route charter miles as reported on existing annual Schedule T-41, supra.

³ As defined in Part 207.

⁴ These items will be required for both reporting periods.

⁵ Form filed as part of the original document.

carriers in the respective sections provided therefor. Such data shall be broken down to reflect revenue aircraft miles flown for (i) the Department of Defense; and (ii) all other customers subdivided into (a) operations performed under special exemption authority, (b) operations performed without such special exemptions, (c) operations performed in overseas or foreign air transportation on the reverse legs of one-way military charters.

D. Redesignate paragraph (d) as (c) (2).

E. Add new paragraph (d) to read:

(d) The following instructions relate to the reporting of "Calculation of Limitation of Charter Trips," pursuant to §§ 207.5 and 207.6 of Part 207 of the Board's economic regulations.

(1) Combination carriers, for both the September and December reports, shall

reflect in item 1, "Base revenue plane-miles" the sum of amounts reported in items 1, 2, and 3 under the "Total" column on the December Schedule T-41 for the previous year plus the figure called for in item K-410 of Form 41 Schedule T-1(a) covering the 12 months of the preceding calendar year.

(2) All-cargo carriers, for both the September and December reports, shall reflect in item 1, "Base revenue plane-miles" the sum of amounts reported in items 14 and 16 under the "Department of Defense" column and item 15 under the "Total" column on the December Schedule T-41 for the previous year plus the figure called for in item K-410 of Form 41 Schedule T-1(a) covering the 12 months of the preceding calendar year.

(3) Combination carriers, for the September report, shall reflect in item 2,

"Off-route charter mileage" the sum of amounts reported in items 6, 7, and 8 under the "Not under Exemption Authority" column on the current December Schedule T-41. For the December report, item 2 shall reflect the sum of amounts reported in items 6, 7, and 8 under the "Not Under Exemption Authority" column on the current December Schedule T-41.

(4) All-cargo carriers, for the September report, shall reflect in item 2, "Off-route charter mileage" the sum of amounts reported in items 13, 19, 21, and 23 under the "Not under Exemption Authority" column on the current September Schedule T-41. For the December report, item 2 shall reflect the sum of amounts reported in items 13, 19, 21, and 23 under the "Not under Exemption Authority" column on the current December Schedule T-41.

[FR Doc.71-8636 Filed 6-17-71;8:53 am]