

For some years emphasis has been placed on that part of the qualifying procedures requiring the pilot to make a number of flights over a route prior to serving as first pilot thereover. With the advent of modern radio directional facilities and the incorporation into the regulations of higher en route minimum altitudes, en route terrain familiarity has lost much of its original importance. This is particularly true since a great many air carrier operations are conducted under instrument flight rules when the ground is not visible from shortly after take-off to final approach. It appears evident that such operations no longer require en route qualification but rather airport and approach facility familiarity. The amendments hereafter proposed embody this concept. Provision is made, however, to require actual flight over any particular route or segment thereof where operations are to be conducted in mountainous areas at or below the level of adjacent terrain within specified distances.

The route qualifications previously required of dispatchers are deleted since it is believed unnecessary to require this trip of the dispatcher when it is not required of the pilot.

The provision of the regulations placing a maximum altitude of 17,000 feet on scheduled air carrier operations is recommended for deletion. This rule, a wartime measure, now serves no further useful purpose and unduly restricts high-altitude long-range operations.

It is proposed to amend Parts 40, 41, and 61 as follows:

1. By amending § 40.2611 and §§ 41.302 through 41.3020 to read as follows:

*Requirements for pilot route and airport qualification.* Prior to serving as first pilot over a route in scheduled operations a pilot shall be thoroughly qualified and certified as competent thereto by an authorized check pilot of the air carrier. The qualifying procedures shall include at least the following:

(a) A written or practical examination on the route to be flown covering the following subjects, appropriate portions of

which may be accomplished in a synthetic-type trainer:

- (1) Weather characteristics,
- (2) Navigational facilities,
- (3) Communication procedures,
- (4) The type of terrain and obstructive hazards,
- (5) Minimum safe flight levels,
- (6) Position reporting points,
- (7) Holding procedures,
- (8) Pertinent traffic control procedures, and
- (9) Congested areas, obstructions, physical layout, and instrument approach procedures for each regular, provisional, refueling, and alternate airport approved for the route.

(b) Each pilot shall fly through all letdown procedures for the facilities to be used at each regular, provisional, and refueling airport for the trip to which he is to be assigned.

(c) When flight in mountainous areas is to be conducted at or below the level of the adjacent terrain within a horizontal distance of 25 miles on either side of the center line of the route to be flown, the pilot shall be familiarized with such terrain by actual flight.

(d) During the flight(s) required by paragraphs (b) and (c) of this section the qualifying pilot must be accompanied by a qualified first pilot of the air carrier, and, unless impracticable, such flight shall be conducted under day VFR conditions.

(e) Where an airport on a regularly assigned route is to be used into which the pilot has not flown within the preceding 12 months, he shall comply with the provisions of § 40.2611 (b) with respect to such airport.

2. By amending §§ 41.3021 and 61.514 to read as follows:

*Maintenance of pilot route and airport qualifications.* To maintain qualifications for a particular trip, a pilot must have made, within the preceding 12 calendar months, at least one entry into each regular, provisional, and refueling airport authorized for use on such trip. Additionally, where the trip is to be conducted in the type of terrain considered in § 40.2611 (c), the pilot shall have made, within the preceding 12 calendar

months, at least one trip over such terrain.

3. By rescinding § 61.742.

4. By amending §§ 41.342 and 61.553 to read as follows:

*Route qualification.* Prior to dispatching aircraft over any route or part thereof a dispatcher shall be familiar with the following items:

(a) The contents of the air carrier operating certificate and the operations manual,

(b) The peculiarities of aircraft to be operated,

(c) The cruise control data and cruising speeds for such aircraft,

(d) The maximum authorized loads for the aircraft for the routes and airports to be used,

(e) The company radio facilities,

(f) The peculiarities and limitations of each radio and navigational facility to be used,

(g) The effect of weather conditions on aircraft radio reception,

(h) The airports to be used and general terrain,

(i) The prevailing weather phenomena,

(j) The sources of weather information available,

(k) The pertinent traffic control procedures,

(l) And any other pertinent phases of the air carrier operation.

5. By rescinding §§ 41.343, 41.344, 61.554, and 61.556.

6. It is also proposed to rescind Special Civil Air Regulation Serial Number SR-323.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C. 425 (a), 551-560)

Dated: October 12, 1948, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,  
Director.

[F. R. Doc. 48-9136; Filed, Oct. 15, 1948; 8:50 a. m.]

## NOTICES

Section 2600 of the Internal Revenue Code provides:

The Secretary is authorized to confer or impose any of the rights, privileges, powers, and duties conferred or imposed upon him by this subchapter or part VI of subchapter A of chapter 27 upon such officers or employees of the Treasury Department as he shall designate or appoint.

In pursuance of the authority thus conferred upon the Secretary of the Treasury, it is hereby ordered:

**I. Rights, privileges, powers and duties conferred and imposed upon the Commissioner of Narcotics.** 1. There are hereby conferred and imposed upon the Commissioner of Narcotics, subject to the

general supervision and direction of the Secretary of the Treasury, all the rights, privileges, powers and duties conferred or imposed upon said Secretary by subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, so far as such rights, privileges, powers and duties relate to:

(a) Prescribing regulations, with the approval of the Secretary, as to the manner in which the right of public officers to exemption from registration and payment of special tax may be evidenced, in accordance with section 3232 (b) of the Internal Revenue Code.

## DEPARTMENT OF THE TREASURY

Office of the Secretary

[T. D. 39]

TAXING OF MARIHUANA

Order of the Secretary of the Treasury relating to enforcement of subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code (marihuana taxing provisions) revised and republished.

The order of the Secretary of the Treasury relating to the enforcement of the Marihuana Tax Act of 1937, issued September 1, 1937 (2 F. R. 2115), is hereby revised and republished, as follows:

(b) Prescribing the form of written order required by section 2591 (a) of the Internal Revenue Code, said form to be prepared and issued in blank by the Commissioner of Internal Revenue as hereinafter provided.

(c) Prescribing regulations, with the approval of the Secretary, giving effect to the exceptions, specified in subsection (b), from the operation of subsection (a), of section 2591 of the Internal Revenue Code.

(d) The destruction of marihuana confiscated by and forfeited to the United States, or delivery of such marihuana to any department, bureau, or other agency of the United States Government, and prescribing regulations, with the approval of the Secretary, governing the manner of application for, and delivery of such marihuana.

(e) Prescribing rules and regulations, with the approval of the Secretary, as to books and records to be kept, and statements and information returns to be rendered under oath, as required by section 2594 (a) of the Internal Revenue Code.

(f) The compromise of any criminal liability (except as relates to delinquency in registration and delinquency in payment of tax) arising under subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, in accordance with section 3761 of said Code, and the recommendation for assessment of civil liability for internal revenue taxes and ad valorem penalties, under the respective subchapter and part of subchapter of the Internal Revenue Code previously cited.

(g) The determination of the qualification of an applicant for registration as a miller, as set forth in section 3231 (b) of the Internal Revenue Code; the authority to refuse to permit the registration of any such applicant deemed by said Commissioner of Narcotics not to be so qualified; the authority to cancel or to refuse to renew, after notice and opportunity for a hearing, the registration of any person registered under section 3230 (a) (6) of the Internal Revenue Code if he finds that such person has not complied or is not complying with the requirements of section 3231 (b) of the Internal Revenue Code, or if he finds that grounds exist which would justify the refusal to permit the original registration of such person under section 3231 (b) of the Internal Revenue Code. The Commissioner of Narcotics is further authorized to prescribe rules and regulations, with the approval of the Secretary, relative to issuance of any notice and the conduct of any hearing, (including designation of a hearing officer) which may be required under section 3231 (b) of the Internal Revenue Code.

II. *Rights, privileges, powers and duties conferred and imposed upon the Commissioner of Internal Revenue.* 1. There are hereby conferred and imposed upon the Commissioner of Internal Revenue, subject to the general supervision and direction of the Secretary of the Treasury, the rights, privileges, powers and duties conferred or imposed upon said Secretary by subchapter C of chapter 23, and part VI of subchapter A of

chapter 27, of the Internal Revenue Code, not otherwise assigned herein, so far as such rights, privileges, powers and duties relate to:

(a) Preparation and issuance in blank to collectors of internal revenue of the written orders, in the form prescribed by the Commissioner of Narcotics, required by section 2591 (a) of the Internal Revenue Code. The price of the order form, as sold by the collector under section 2591 (c) of the Internal Revenue Code shall be two cents for the original and one copy.

(b) Providing appropriate stamps to represent payment of transfer tax levied by section 2590 of the Internal Revenue Code, and prescribing and providing appropriate stamps for issuance to special taxpayers registering under section 3230 of said Code.

(c) The compromise of any civil liability involving delinquency in registration, delinquency in payment of tax, and ad valorem penalties, and of any criminal liability incurred through delinquency in registration and delinquency in payment of tax, in connection with subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, and in accordance with section 3761 of said Code; the determination of liability for and the assessment and collection of special and transfer taxes imposed by the respective subchapter and part of subchapter of the Internal Revenue Code previously cited; the determination of liability for and the assessment and collection of the ad valorem penalties imposed by section 3612 of the Internal Revenue Code, for delinquency in registration; and the determination of liability for and the assertion of the specific penalty imposed by section 2596 of the Internal Revenue Code, for delinquency in registration and payment of tax.

*General provisions.* The investigation and the detection, and presentation to prosecuting officers of evidence, of violations of subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, shall be the duty of the Commissioner of Narcotics and the assistants, agents, inspectors or employees under his direction. Except as specifically inconsistent with the terms of said subchapter and part of subchapter and of this order, the Commissioner of Narcotics and the Commissioner of Internal Revenue and the assistants, agents, inspectors or employees of the Bureau of Narcotics and the Bureau of Internal Revenue, respectively, shall have the same powers and duties in safeguarding the revenue thereunder as they now have with respect to the enforcement of and collection of the revenue under, subchapter A of chapter 23, and part V of subchapter A of chapter 27, of the Internal Revenue Code.

In any case where a general offer is made in compromise of civil and criminal liability ordinarily compromisable hereunder by the Commissioner of Internal Revenue and of criminal liability ordinarily compromisable hereunder by the Commissioner of Narcotics, the case may be jointly compromisable by those officers, in accordance with section 3761 of the Internal Revenue Code.

Power is hereby conferred upon the Commissioner of Narcotics to prescribe such regulations as he may deem necessary for the execution of the functions imposed upon him or upon the officers or employees of the Bureau of Narcotics, but all regulations and changes in regulations shall be subject to the approval of the Secretary of the Treasury.

The Commissioner of Internal Revenue and the Commissioner of Narcotics may, if they are of the opinion that the good of the service will be promoted thereby, prescribe regulations relating to internal revenue taxes where no violation of subchapter C of Chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, is involved, jointly, subject to the approval of the Secretary of the Treasury.

The right to amend or supplement this order or any provision thereof from time to time, or to revoke this order or any provision thereof at any time, is hereby reserved.

The effective date of this order shall be October 9, 1948.

(Sec. 14, 53 Stat. 282; 26 U. S. C. 2600; applies 53 Stat. 279-283, 385-387; 26 U. S. C. 2590-2601, 3230-3239)

[SEAL] E. H. FOLEY, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 48-9128; Filed, Oct. 15, 1948;  
8:49 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8509, 9156]

WEST ALLIS BROADCASTING CO. AND  
WATERTOWN RADIO, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of West Allis Broadcasting Company, West Allis, Wisconsin, Docket No. 8509, File No. BP-5800; Watertown Radio, Inc., Watertown, Wisconsin, Docket No. 9156, File No. BP-6426; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of October 1948;

The Commission having under consideration the above-entitled application of Watertown Radio, Inc. for permit to construct a new standard broadcast station in Watertown, Wisconsin, to operate on the frequency 1580 with 250 w. power, daytime only; and

It appearing, that the Commission on April 14, 1948, designated for hearing the above-entitled application of West Allis Broadcasting Company for permit to construct a new standard broadcast station in West Allis, Wisconsin, to operate on the frequency 1570 kc, with 250 watts power, daytime only;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Watertown Radio, Inc., be, and it is hereby, designated for hearing in a consolidated proceeding with the above-entitled application of West Allis Broadcasting Company at the Commission