

**SUBCHAPTER F—AIR TRAFFIC AND GENERAL
OPERATING RULES (NEW)**

[Docket No. 8007, Amdt. 99-1]

**PART 99—SECURITY CONTROL OF
AIR TRAFFIC (NEW)**

Panama Canal Zone Domestic ADIZ

This amendment of Part 99 of the Federal Aviation Regulations establishes an Air Defense Identification Zone over the Panama Canal Zone to require position reports and flight plans from pilots operating civil aircraft into or within the ADIZ.

The airspace above the Canal Zone is currently designated as the "Canal Zone Military Airspace Reservation" by § 5.2 of the Panama Canal Air Navigation Regulations, 35 CFR 5.2. This section and the associated Air Navigation Regulations of Part 5 of Title 35 are promulgated by the Secretary of the Army under authority delegated by the President in accordance with the Canal Zone Code, section 701, 76A Stat. 29, 700. This authority was reserved to the President by section 101(29) of the Federal Aviation Act, 49 U.S.C. 1301.

The Military Airspace Reservation extends from the surface of the Canal Zone upward without ceiling. Transient aircraft may not be operated within the reservation without the permission of the Commander in Chief, U.S. Southern Command. In addition to the reservation, which is charted as R-600, there are numerous danger areas designated over the canal and the waters at each end of the canal, both within and outside the 3-mile marine boundary. The effect of the airspace reservation is to prevent the operation into or through the zone of all aircraft except U.S. military aircraft and aircraft of certain duly organized civil air clubs. Landings of other aircraft are permitted if an emergency exists.

Discussions between representatives of the Department of Defense and this Agency have resulted in the formation of a plan to improve the flow of air traffic in the regional area which encompasses the Canal Zone. This plan provides for the installation and operation of a VORTAC and a high-power, low-frequency radio beacon at each end of the zone; an airport surveillance radar, and a long-range radar; the modification of the airspace restrictions over the zone and the adjacent oceanic areas; revision of the air-route structure; and the establishment of this Air Defense Identification Zone with associated facilities.

The ADIZ established herein extends upward from 2,500 feet MSL. Concur-

rently with the effective date of this amendment, military action will reduce R-600 by the imposition of a ceiling at 2,500 feet above mean sea level. At the same time, the danger areas over the canal, including those within the 3-mile limit, will be reestablished by the military as "restricted areas" or rescinded as being no longer necessary. It might be noted that these restricted areas are not being established by this Agency in Part 73 of the Federal Aviation Regulations and, consequently, do not fall within the definition of that term as used in the Federal Aviation Regulations. All restricted areas will be designated joint use airspace with the Panama Air Route Traffic Control Center acting as the controlling agency. The danger areas existing beyond the 3-mile limit will be modified and renamed in nonrule making actions by this Agency as warning areas.

Inasmuch as the overall effect of these regulatory actions will lessen a burden on the public, I find it contrary to the public interest to comply with the notice and public procedure requirements of the Administrative Procedure Act. Compliance with the effective date provision of the Act will be met in that this amendment is made effective July 1, 1964.

In consideration of the foregoing, Part 99 of the Federal Aviation Regulations is hereby amended as follows:

By adding a new § 99.43(c) to read as follows:

(c) *Panama Canal Zone Domestic ADIZ.* The Canal Zone, including the territorial waters within the 3-mile marine boundary at each end of the canal, beginning at 2,500 feet MSL and extending upward.

This amendment shall become effective at 0001 e.s.t. (0501Z) on July 1, 1964.

(Secs. 307, 1201, 1202 of the Federal Aviation Act of 1958, 72 Stat. 749, 800, 49 U.S.C. 1348, 1510, 1522)

Issued in Washington, D.C., on May 27, 1964.

N. E. HALABY,
Administrator.

[F.R. Doc. 64-5450; Filed, June 1, 1964;
8:49 a.m.]

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