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UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Civil Air Regulations Amendment 26-7
Effective: May 14, 1953
Adopted: May 14, 1953

CITIZENSHIP REQUIREMENTS FOR THE ISSUANCE OF CONTROL-TOWER OPERATOR CERTIFICATES

Currently effective section 26.1 of Part 26 requires that an applicant for a control-tower operator certificate be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal air-traffic control-tower operator privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

Recent studies conducted by the Board with respect to the necessity for reciprocity provisions in connection with the issuance of airman certificates indicate that aliens who have immigrated to the United States on a permanent residence visa should, as prospective citizens, be included in the classification of United States citizens for the purpose of obtaining airman certificates. These studies further indicate that it is desirable that a reciprocity requirement be retained for those classes of certificates which qualify the holder to engage in commercial enterprise. However, with regard to these classes of certificates an exception to the reciprocity requirement appears desirable for those certificates involving "ground duties" when the holder uses the certificate outside the United States and renders service thereunder which would be of benefit to the operation of United States aircraft. In addition it is considered desirable that the present reciprocity provisions with respect to the issuance of control-tower operator certificates be clarified to indicate that reciprocity consists of not only the privileges of the airman certificate but also the right to engage in gainful employment as a control-tower operator.

This amendment permits control-tower operator certificates to be issued to applicants who have been admitted to the United States for permanent residence. Certificates also may be issued to citizens of any country or persons without nationality who are in the employ of a United States air carrier, the employ of a holder of an air agency certificate issued pursuant to the Civil Air Regulations, or who, in the opinion of the Administrator, perform duties under the certificate which will benefit the operation of United States aircraft; subject to the condition that the holder of such a certificate shall not exercise within the United States the privileges conferred by the certificate. In order to incorporate these changes in section 26.1, it is necessary that this section be rewritten. The rewriting of this section by this amendment is made without change of intent of other than the citizenship provisions in that section.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to

all relevant matter presented. Since this amendment imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 26 of the Civil Air Regulations (14 CFR, Part 26, as amended) effective immediately:

By amending § 26.1 to read as follows:

26.1 Control-tower operator certificate requirements. To be eligible for an air-traffic control-tower operator certificate an applicant shall comply with the following requirements:

(a) Age. An applicant shall be at least 21 years of age; or, if serving as a member of the military services of the United States, at least 18 years of age: Provided, That certificates issued to members of the military services who are less than 21 years of age shall, until the holder thereof reaches the age of 21, be valid only when the holder is serving as a member of the military services in a control tower operated by such services.

(b) Character. An applicant shall be a person of good moral character.

(c) Education. An applicant shall be able to read, write, and understand the English language and to speak the English language without any accent or impediment of speech which would interfere with two-way radio conversation.

(d) Citizenship. An applicant for a control-tower operator certificate shall be:

(1) A citizen of the United States or an individual who has been admitted to the United States for permanent residence, or

(2) A citizen of any other country whose government grants or has undertaken to grant to citizens of the United States control-tower operator privileges and employment rights equivalent to those which such government grants to its own citizens, or

(3) A citizen of any country or a person without nationality who:

(i) is in the employ of a United States air carrier; or

(ii) is in the employ of a holder of an air agency certificate issued pursuant to the Civil Air Regulations; or

(iii) does not meet the requirements of subdivisions (i) or (ii) but will, in the opinion of the Administrator, perform duties under his certificate which will benefit the operation of United States aircraft.

Provided, That the holder of a certificate issued under the provisions of this subparagraph (3) shall not exercise within the United States the privileges conferred by the certificate.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008, as amended; 49 U.S.C. 551, 552)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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