# DEPARTMENT OF THE ARMY U.S. Army Corps of Engineers Washington, D.C. 20314

DAEN-ASZ-F

ER 95-1-1 Change 2 16 July 1984

Regulation No. 95-1-1

1 March 1982

# Aviation CONTROL AND USE OF AIRCRAFT

1. <u>Purpose</u>. This regulation prescribes the policies and procedures for the control and use of aircraft owned and/or operated within the Corps of Engineers.

2. <u>Applicability</u>. This regulation is applicable to all OCE/HQ elements and all field operating activities (FOA).

- 3. References.
  - a. PL 79-600
  - b. PL 83-153
  - c. FAR, Parts 43, 61, 65, 91 and 135 (GPO)
  - d. AR 55-355
  - e. AR 95-1
  - f. AR 340-18-15
  - g. AR 385-40

4. <u>Explanation of terms</u>. For the purpose of this regulation, the following terms apply:

a. <u>Corps controlled aircraft</u>. Any aircraft assigned to or acquired by the Corps, including leased aircraft used in operations for which the Corps is responsible. Aircraft services obtained by Corps funded charter arrangements or provided by other government agencies for Corps use are Corps controlled and subject to this regulation.

b. <u>Corps owned aircraft</u>. Aircraft acquired with Civil Works funds and registered with the Federal Aviation Administration (FAA) as CE aircraft.

c. <u>Civil aircraft</u>. Non-military type aircraft registered with the FAA and certified to be airworthy in accordance with applicable Federal Air Regulations (FAR).

d. <u>Charter aircraft</u>. Aircraft operated by an authorized commercial aircraft operator in providing specialized air transportation or other air services for hire.

e. <u>Rental aircraft</u>. Aircraft obtained and operated by agreement similar to a rental car. (You fly it).

f. <u>Contractor</u>. Business firm that has entered into a contractual agreement to conduct aircraft operations for the Corps.

g. <u>Military pilots</u>. Designated Armed Service and Department of Army Civilian (DAC) pilots assigned to Corps-controlled military flight detachments.

h. <u>Civil pilots</u>. Airmen, other than g above, who hold airplane pilot certificates issued by FAA in accordance with FAR.

i. <u>Aircraft maintenance technician</u>. A certificated aircraft mechanic who holds appropriate FAA A&P ratings and possesses the necessary technical knowledge, background and experience to effectively administer all aspects of applicable FAA approved aircraft maintenance programs.

j. <u>Mechanic</u>. An individual authorized to perform routine maintenance of an aircraft or component for which he/she is certificated by FAA, i.e., airframe or power plant.

k. <u>Repairman</u>. An individual authorized to repair specific aircraft accessories and or appliances which he/she is certificated by FAA, i.e., radio, radar, flight instruments, etc.

1. <u>Alteration/Modification</u>. Any change in aircraft configuration or the addition of equipment which will affect either weight, center of gravity, or performance of aircraft.

5. <u>Management Objective</u>. The guidance set forth in this regulation is to assist FOA in the safe operation and sound management of Corps-controlled aircraft, and to maximize the effective use of these valuable management tools.

### 6. Authority and Use.

a. AR 95-1 authorizes the use of assigned Army aircraft to transport DOD civilians and employees of commercial contractors when their travel is essential to Corps missions.

b. PL 83-153 (1953) established the Revolving Fund with language providing a funding mechanism: "for expenses necessary for the maintenance and operation of the plant and equipment of the Corps of Engineers used in civil works functions, including acquisition of plant and equipment, maintenance, repair, and purchase, operation, and maintenance of not to exceed four aircraft at any one time, temporary financing of services finally chargeable to appropriations for civil works functions, and the furnishing of facilities and services for military functions of the Department of the Army and other government agencies and private persons, as authorized by law." Accordingly, all costs incurred for the operation, upkeep and betterments of individual Civil Works aircraft shall be charged to their respective Revolving Fund account.

c. Public Law 79-600 specifies that no appropriated funds shall be expended for the operation of aircraft not used exclusively for official purposes.

d. Legislative documentation specifies that the aircraft are to be used to meet Corps travel requirements, with emphasis on Civil Works responsibilities. Non-Corps personnel may travel on the aircraft in support of Corps business. Within the broad guidelines given by that legislation, all proposed uses must be addressed with a view toward accomplishment of clearly defined Corps missions and consistent with the public stewardship that such assets warrant.

### 7. Policy.

a. The assignment of CE aircraft to FOA will be on the basis of established needs. These aircraft will be used primarily for the transportation of key officials when the requirements of essential commitments can be more effectively met by the use of these resources than by other modes of travel. When not otherwise scheduled, these aircraft may be used for the transportation of other personnel on official business, when the size of the group, itinerary, schedule, cost, or other factors makes the use of these aircraft more advantageous to Corps missions than the use of other modes of transportation.

b. Commanders of field operating activities to which a Revolving Fund aircraft is assigned may provide use of the aircraft on a cost reimbursable basis to other Corps FOA and other Government agencies, provided such use is consistent with accomplishment of the mission of the Corps element to which the aircraft is assigned.

c. Group travel on one aircraft by key officials with their respective general deputies or principal assistants shall be avoided, to preclude serious consequences to the Corps of Engineers should a mishap occur.

d. CE aircraft are defined as "Public Aircraft" but shall be treated as "Civil Aircraft", covered by FAR. These aircraft shall be operated and maintained to the highest possible standards of airworthiness. They shall, at a minimum, meet the standards required by FAR Parts 43 and 91, except where CE requirements are more stringent.

#### 8. Responsibilities.

a. <u>Aviation Manager</u>. The role and responsibilities of the Corps of Engineers Aviation Manager, Office of the Chief of Engineers (DAEN-ASZ-F) embrace all Corps-controlled aircraft activities. DAEN-ASZ-F will:

(1) Serve as the Corps representative on the US ARMY Aviation Policy Board and be the focal point for policy, operational procedures and standards governing the operation and use of support aircraft.

(2) Periodically conduct operational evaluations and on-site reviews to ensure adequacy and standardization of operations, maintenance, aircrew qualifications, aircrew performance and training at all Corps-controlled aircraft activities. Results of evaluations shall be discussed with the cognizant Commander or his/her designee and documented through appropriate channels.

(3) Be responsible for aircrew proficiency standards and the coordination and effectiveness of Corps-funded training and related matters.

(4) Maintain configuration control of Corps-owned civil aircraft and standardize equipment and operating procedures, in-so-far as practicable.

b. <u>Approving Official</u>. Each use of Corps-controlled aircraft shall be approved by the Commander FOA or his/her designee at the executive level. Approving officials shall be responsible for clear and accurate documentation of each use, including the purpose of the trip, itinerary, names and organizations of passengers embarked.

c. <u>Flight Crewmembers</u>. Flight crew personnel shall maintain a high degree of proficiency and physical fitness; devote full and undivided attention to aircraft flight responsibilities; and forego outside interests which might interfere with piloting duties.

(1) The pilot-in-command (PIC) of Corps-controlled aircraft shall:

(a) Have full and complete authority, without limitation, to command and supervise all assigned crewmembers during flight and crew duty time.

(b) Have final authority to delay or divert a flight for reasons of weather or aircraft conditions. He/she will neither be overruled by persons embarked nor disciplined for decisions in this area.

(c) Keep appropriate authorities advised of changes in itinerary that may occur during the course of a trip.

(d) Avail subordinate crewmembers every opportunity to gain flight experience with a view toward upgrading.

(2) The co-pilot or second-in-command (SIC) will carry out the PIC's

orders accurately and keep abreast of flight operations in order that he may assume command, if necessary.

9. <u>Disposition and Maintenance of Records</u>. Records of aircraft activity shall be retained in accordance with AR 340-18-15; File No. 1521-01, which provides guidance for the retention of acquisition and utilization documents; and File No. 1521-03 which governs the disposition of aircraft log books and applicable maintenance records.

## 10. Standards and Procedures.

a. <u>Standardization</u>. Every effort shall be made to standardize aircraft equipment, support services, and operating procedures, where practical and consistent with budgetary limitations and mission requirements. Proposed aircraft acquisitions and/or plans for alteration/modification or updating existing CE aircraft, including avionics and interior configurations, shall be submitted to CDR USACE (DAEN-ASZ-F) WASH DC 20314 for approval.

b. <u>Aircraft Category</u>. Except for the use of Military-and/or DODcontracted aircraft services, only Transport-Utility category aircraft certificated for airworthiness by the FAA will be used for the transportation of Corps personnel. Where available, multi-engine aircraft will be used. In the event that circumstances dictate the use of single-engine aircraft, such operations shall be conducted only during visual meteorological conditions (VMC) and daylight hours.

c. <u>Military Aircraft</u>. Military and foreign Government-funded aircraft used within the Corps will be operated and maintained in accordance with AR 95-1, except that non-military type aircraft, i.e., BE-90, CY-588, will be maintained to civil airworthiness standards in accordance with FAA-approved maintenance schedules and repair schemes.

d. <u>Aircraft Identification and Markings</u>. Corps-owned aircraft shall be registered with the FAA and have proper US civil aircraft identification markings displayed on the aft section of the fuselage, or on the engine nacelles in the case of aft fuselage-mounted jet engines. Except for identification markings, exterior paint and marking schemes shall be simple in design, provide for family resemblance and shall be approved by CDR USACE (DAEN-ASZ-F) WASH DC 20314.

e. <u>Aircraft Maintenance</u>. All maintenance and repairs to Corps-owned aircraft shall be performed by qualified mechanics/repairmen who hold appropriate FAA certificates and ratings. Alterations, modifications and painting, except for touch-ups, shall be accomplished at appropriate certified FAA repair stations. Scheduled inspections and other routine maintenance may be accomplished under either of the following arrangements:

(1) By a Certified FAA Repair Station with appropriate ratings, or

(2) Under the continuing surveillance of a designated Aircraft Maintenance Technician, qualified in accordance with paragraph 13c. Under this

arrangement, the responsibility for technical publications and compliance with all applicable FAA Airworthiness Directives (AD), Manufacturer's Service Bulletins, Technical Notes (TO), service changes, etc., shall be assigned to the designated Aircraft Maintenance Technician or support service contractor, as appropriate.

11. <u>Flight Plans</u>. Air Traffic Control (ATC) flight plans shall be filed for all CE-controlled aircraft operations. Flights conducted along established airways and/or between points equipped with ATC facilities normally will be conducted in accordance with Instrument Flight Rules (IFR). Flights may be conducted under Visual Flight Rules (VFR) if conditions warrant; however, this authorization shall not be used to circumvent the intent of this paragraph, especially with respect to flight at enroute altitudes less than those established for flight under IFR. Specific terrain observation and photographic flight missions are exempt from the aforementioned IFR requirements; however, a VFR flight plan must be filed, and a waiver of established terrain clearance altitude must be obtained when appropriate.

### 12. Weather Criteria (Operating Limitations).

a. <u>General</u>. The most advantageous Category I ceiling and visibility minimums applicable to the airport of intended landing may be used provided that all necessary equipment is operational and conditions are, or forecast to be, such that a landing could be made.

b. <u>Takeoff Minimums</u>. Except as provided in subparagraph (1) and (2) below, takeoff minimums shall not be less than the lowest landing minimums for the point of intended departure.

(1) A takeoff may be made when the weather conditions are below landing minimums provided a suitable takeoff alternate airport is available within 30 minutes flying time with one engine inoperative, and terrain features do not present a hazard, should an engine fail.

(2) In the event that the visibility at the point of intended departure is less than 1200 feet RVR, the takeoff runway must be equipped with functioning hi-intensity runway and centerline lights.

c. <u>Wind Restrictions</u>. Airports shall be considered below minimums for takeoff or landing when wind shear conditions exist (winds gusting from opposite directions at 10 kts or more), or when surface winds, including gusts, exceed 60 percent stall speed with zero thrust.

13. <u>Aircrew Qualifications and Experience</u>. Unless more stringent qualifications are required by the Commander to which an aircraft is assigned, only operating and maintenance personnel who meet the following minimum qualifications and experience shall be engaged for operation of CE-controlled aircraft.

a. <u>Pilot</u>. Shall possess a valid Airline Transport Pilot Certificate with the appropriate category, class, and type ratings; a valid first class medical

certificate; have a minimum of 2500 hours of certified flight experience; have served a minimum of 1000 hours as pilot-in-command (PIC) of the category and class of aircraft to be flown, and a minimum of 100 hours instrument flight experience, at least 50 hours of which must have been under actual IFR conditions.

b. <u>Copilot</u>. Shall possess a valid Commercial Pilot Certificate with an instrument rating and appropriate category and class ratings; a valid second class medical certificate; a minimum of 1500 hours certified flight experience; have served a minimum of 500 hours as PIC or second-in-command (SIC) of the category and class of aircraft to be flown; and a minimum of 100 hours instrument time, at least 50 hours of which must have been under actual IFR conditions.

c. <u>Aircraft Maintenance Technician</u>. Shall possess a valid aircraft mechanic certificate with airframe and powerplant ratings in accordance with FAR 65; a minimum of five years experience as an aircraft mechanic and at least two years of recent experience maintaining aircraft and engines similar to those used by the respective CE activity; and demonstrate ability to maintain required records and reports. Technicians must satisfactorily complete appropriate FAA approved training courses where new equipment is involved.

14. <u>Training and Proficiency Checks</u>. Aircrew personnel shall satisfactorily complete an approved training course in aircraft systems and operational flight procedures, to ensure qualifications and currency, prior to being assigned duties involving flying. Aircrew personnel shall also satisfactorily complete prescribed refresher training and demonstrate to a properly designated supervisory airman, annually or more often when circumstances require, that they possess the knowledge, experience, skill, initiative and maturity of judgement necessary for the proper performance of their assigned duties.

a. AR 95-1 will govern the qualifications and currency of military pilots engaged in Corps-controlled flight activities.

b. Initial and refresher training courses for Civil aircraft activities shall be FAA approved and implemented in accordance with sub para, c below.

c. Cognizant Commanders will ensure the continued maintenance of a comprehensive flight and ground training program for their assigned aircrew and aircraft maintenance personnel. Aircrew qualifications, training and upgrading programs shall be closely coordinated with the Aviation Manager, (DAEN-ASZ-F). Required training may be accomplished in-house or through appropriate commercial aviation training organizations. In cases where suitable simulators are available, these devices shall be utilized to the maximum extent possible for initial training, emergency drills, proficiency checks, and recurrent training, in lieu of Corps aircraft.

d. Except for periodic evaluation flights that may be prescribed or conducted by the Aviation Manager (DAEN-ASZ-F), the frequency and content of proficiency checks for all non-military pilots operating Corps-owned aircraft

will be in accordance with FAR PART 61, Subpart A, Section 61.58 entitled: "Pilot-in-Command Proficiency Checks."

e. The recent experience requirements set forth in FAR 61.57, for pilot currency, will be the minimum standard for assigned civil pilots, except that the subject landing and take-off requirements shall be accomplished in the type aircraft to be flown during assigned missions.

15. <u>Crew Duty Limitations.</u> Except for emergency situations, wherein Commanders of FOA may waive crew duty limitations, aircrew personnel shall not be assigned nor be permitted to accept duties involving flying unless that assignment provides for at least 10 consecutive hours of rest during the 24hour period preceding the planned completion of the assignment. Additionally, Commanders of FOA shall establish controls to ensure that cumulative pilot fatigue does not adversely affect the operational safety of Corps-controlled flight operations. As a guide, aircrew personnel should not be scheduled, nor permitted to perform aircrew duties, if their professional flying time or crew duty days exceed the following:

a. 30 flight hours in any consecutive 7-day period.

b. 100 flight hours in any consecutive 30-day period.

c. 7 crew duty days in any consecutive 9-day period.

16. <u>Fuel Purchases</u>. Commanders of FOA shall establish controls to ensure that fuel and lubricants are acquired when available from an existing Government contract refueler or military facility in lieu of acquisition from commercial sources. Pilots-in-command will be issued suitable identaplates for Petroleum Oil and Lubricant (POL) supplies.

### 17. Insurance and Liability.

a. Pursuant to established Government contracting policy, no property (HULL) insurance will be carried on Corps-owned aircraft. Contractors will normally be relieved of liability for loss or damage to the aircraft due to causes other than contractor negligence in accordance with the Ground and Flight Risk clause for those contracts providing for modification, maintenance or overhaul of aircraft; however, the provisions of the applicable Government Property clause in the absence of the Ground and Flight Risk (1975 Oct) clause must be considered on each individual contract to determine if risk of loss will be assumed by the contractor under the contract terms.

b. Contractors operating CE aircraft will be required to carry the following bodily injury liability insurance:

(1) \$1,000,000 per person per mishap, except for persons embarked.

(2) \$100,000 per passenger and crewmember with an aggregate equal to the total number of available seats.

c. A contractor will be required to carry general property damage insurance to cover the property of others for \$500,000 per mishap.

d. Insurance certificates or other suitable evidence require to assure that the contractor possesses adequate insurance coverage in accordance with the terms of the contract shall be submitted to the Contracting Officer for approval prior to commencement of operations thereunder. The cost of insurance coverage in excess of that required by the contract should be borne by the contractor, and every effort shall be made to assure that the contract only includes costs to compensate for premium amounts to purchase the minimum coverage required by the Government.

e. The higher limits of liability and additional insurance coverages . ordinarily carried by contractors in their commercial operations are not considered necessary for the operation of Corps-controlled aircraft. The losses not covered by insurance which are determined by the Contracting Officer to be payable by the Government.

## 18. Aircraft Logs and Flight Records.

a. <u>Civil Aircraft</u>. A complete and accurate flight log will be maintained for each Corps-controlled aircraft. ENG Form 2987a (Aircraft Log) will be used for Corps-owned aircarft. At the end of each month, a duplicate (yellow copy) of completed ENG Forms 2987a will be forwarded to CDR USACE (DAEN-ASZ-F) WASH DC 20314 (App B).

b. <u>Military Aircraft</u>. Flight logs and records for military and militaryoperated Corps-owned civil aircraft shall be maintained in accordance with AR 95-1.

c. <u>Passenger Manifest</u>. A complete and accurate ENG Form 4659-R, (Flight Itinerary Passenger Manifest) that includes the planned itinerary and the names of all passengers and aircrew personnel, shall be completed and a copy filed with an appropriate Corps official prior to each trip (App A).

d. <u>Weight and Balance</u>. Aircraft weight and center of gravity (CG) shall be determined and recorded for all passenger and/or cargo flights. The actual center of gravity computation may be omitted if the aircraft is loaded according to an approved loading plan that ensures that the CG and gross weight are within approved limits.

19. <u>Aircraft Operations Report (RCS: DAEN-AS-10)</u>. DAEN-ASZ-F and Commanders of FOA assigned Corps-owned aircraft will periodically review operating costs. Aircraft Operations Reports, ENG Form 2987-R, (Aircraft Operational Report) will be prepared for periods ending 31 March and 30 September and one copy of each forwarded to reach CDR USACE (DAEN-ASZ-F) WASH DC 20314 not later than four weeks following the close of the six-month and annual account periods. Costs exceeding commercial air service costs will be considered in relation to the benefits derived from aircraft ownership and a determination appended to the 30 September report as to the necessity for continued use of Corps-owned aircraft.

#### 20. Charter and Rental Aircraft Services.

a. <u>Charters</u>. Commanders or designated approving officials may authorize the use of commercial aircraft charter services for the transportation of personnel and/or cargo, when other available modes of travel are unacceptable. Normally, charter services will be obtained only from those operators holding the standardized Tender of Service for Passenger Air Transportation, approved by HQ MTMC, as setforth in AR-55-355.

b. <u>Rental Aircraft</u>. Commanders or designated approving officials may authorize the use of rental aircraft for special purpose use, e.g., photography, mapping, etc., but, in no case shall Corps-funded rental aircraft be obtained for the transportation of passengers. Corps employees may be authorized to operate Corps-funded rental aircraft in connection with the aforementioned special purposes. However, such persons shall, in addition to being qualified in the type aircraft to be used, possess a valid instrument pilot rating and prior to takeoff, have met the pilot currency and proficiency requirements set forth in FAR - Part 61.

21. <u>Aircraft Mishaps/Incident Reports</u>. Mishaps and/or incidents involving damage in excess of \$300 to Corps-owned or leased aircraft or injury to personnel will be reported in accordance with USACE Supplement 1 to AR 385-40. Civil aircraft owned or operated by the Corps are also subject to investigation by the National Transportation Safety Board (NTSB). In the event of any mishap involving a Corps-controlled aircraft, the Aviation Manager, DAEN-ASZ-F, or designated alternate will participate in the investigation as an Ex-officio member.

22. Observation Flight Guidance. The use of aircraft (as platforms) for terrain observation, overflying rivers, harbors and project sites, assessing storm/flood damage, etc. normally involves flying in uncontrolled airspace and at flight levels which present potentially serious safety and public relations problems. Helicopters are inherently better suited for this type flying than most fixed wing aircraft and, when available, should be given first consideration. Regardless of the type of aircraft used for this purpose, the following is a list of safety considerations and management concerns that should, as a minimum, be resolved before undertaking any operation involving the use of aircraft which must be flown at levels below established minimum enroute altitude (MEA).

a. Terrain -

b. Bird strikes -

Conduct detailed map reconnaisance to ascertain potential flight hazards i.e., towers, power lines etc.

Watch for birds, a constant low level hazard and more especially in or near established migratory flyways, game preserves, costal areas etc. c. Exposure time -

d. Communications -

e. Weather -

f. Noise -

g. Aircraft characteristics -

Minimize flying time at low altitudes consistent with mission requirements.

Develop/communications plans to include air to air frequency plan if multiple aircraft are involved. Establish POC and brief all elements involved.

Establish ceiling and visibility minima and inclement weather plan.

Provide for noise abatement and avoidance of low level flight near residential/congested areas, game preserves, etc.

Consider mission suitability, i.e., cockpit and cabin/visibility, safe maneuvering speed and turning radius, communications equipment, cabin speakers/inter-comm systems, low altitude endurance, operating cost, etc. As noted above, helicopters are frequently most suitable for observation flights. Small high-wing aircraft also may provide a good observation platform. Turbo-jet A/C, such as the OCE Jet, are suitable under certain circumstances as determined by consideration of items a-f above.

FOR THE COMMANDER:

Quin M.

2 Appendixes APP A - ENG Form 4659-R APP B - ENG Form 2987-R

Colonel, Corps of Engineers Chief of Staff

	FLIGHT ITINERARY					PASSENGER MANIFEST								
LT	DESTINATION		ARRIVAL DEPARTUR			NAME	GRADE	GRADE ORGANIZATION & REMARKS		TRIP ITINERARY (X) EACH FLT LEG				
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APPENDIX B

ER 95-1-1 Change 1 8 Jul 82

AIRCRAFT OPERATIONAL REPORT		PERIOD ENDING	
(ER 95-1-1)			RCS: DAEN-AS-10
то:	FROM:		
CDR, USAÇE			
ATTN: DAEN-ASZ-F			
WASH DC 20314			
AIRCRAFT MAKE:	TYPE		SERIAL NUMBER
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ITEM		TOTAL FOR CURRENT PERIOD	CURRENT FISCAL YEAR TOTAL
a SECTION A - OP	ERATIONAL D	<u> </u>	c
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1. No. Days Aircraft Was Used (Includes layovers).			
2. No. Days Aircraft Not Fiyable (Days not available for any cause such as w conditions, under repairs, nonavailability of crew, etc).	eather		
3. No. Hours Flying Time			
4. Total Miles Flown (Nautical)	·····		
5. Passenger Miles (Sum of total miles flown by each passenger)	EDATING CON		<u> </u>
SECTION B - OP	ERATING CUS		
6. Salaries and Benefits (Flight crew and full time support personnel).		\$	\$
7. Management Fees and/or Contractor Overhead.			
8. Depreciation. FOR ILLUSTR.			
(Local reproduction authorized -	blank maste	ers available from l	ocal FMO)
9. Plant Replacement Increment.			
10. Revolving Fund Insurance.			
11. Facilities (Aircraft storage and operations spaces).			
<ol> <li>Miscelleneous (Simulator and systems training, commercial insurance, Pub communications &amp; weather services, etc.).</li> </ol>	lications,		
VARIABLE			
13 Maintenance (Materials and labor charges not included in line 6).		\$	\$
14. Fuel, Oil and Lubricants and Landing Fees.			
15. Aircrow Exponses (Travel, per diem and service charges).			
16. TOTAL OPERATING COSTS (Fixed and Variable).		\$	\$
SECTION C - STATUS OF	PLANT RENTA		
17. Balance Start of Fiscal Year (Loss carryover to be shown in parenthesis).	•		\$
18. Less Operating Costs.			
19. Plus Income.			
20. Belance End of Reporting Period (Loss balance to be shown in parenthesis	s).		\$
REMARKS			
		1999 1997	

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