

No. 11238

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**UNITED STATES OF AMERICA  
and  
MEXICO**

**Agreement concerning the operation of broadcasting stations in the standard band (535-1605 kHz) during a limited period prior to sunrise (“pre-sunrise”) and after sunset (“post-sunset”) (with annexes and exchange of notes dated on 10 March 1967). Signed at Mexico City on 11 December 1968**

*Authentic texts: English and Spanish.*

*Registered by the United States of America on 4 August 1971.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
MEXIQUE**

**Accord relatif à l'utilisation des stations de radiodiffusion émettant sur bandes moyennes (535-1605 kHz) pendant un temps limité avant le lever du soleil et après le coucher du soleil (avec annexes et échange de notes datées du 10 mars 1967). Signé à Mexico le 11 décembre 1968**

*Textes authentiques: anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 4 août 1971.*

AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES CONCERNING THE OPERATION OF BROADCASTING STATIONS IN THE STANDARD BAND (535-1605 kHz), DURING A LIMITED PERIOD PRIOR TO SUNRISE ("PRE-SUNRISE") AND AFTER SUNSET ("POST-SUNSET")

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The Government of the United States of America and the Government of the United Mexican States, hereinafter designated as the Contracting Parties, pursuant to Article IX, Section D, paragraph 2 of the "Agreement Between the United States of America and the United Mexican States Concerning Broadcasting in the Standard Band (535-1605 kHz)",<sup>2</sup> hereinafter designated as the Broadcasting Agreement, have agreed to permit certain broadcasting stations in the standard band to operate for a limited period of time prior to local sunrise and for a limited period of time after local sunset, using all or part of their authorized daytime facilities (in lieu of authorized nighttime facilities) with a maximum of 500 watts power. For that purpose, both Governments have appointed their undersigned Plenipotentiaries, who, having communicated to each other their respective Full Powers, found to be in good and due form, have agreed as follows:

*Article I*

PRE-SUNRISE OPERATION

- A. Program transmission is permissible during the period from 6:00 A.M. local time to local sunrise (pre-sunrise operation); for this purpose, the Time Conversion Tables included in Annex I will be used.
- B. Pre-Sunrise operation is not permissible for the following:
1. Class I stations.
  2. Class IV stations operating with daytime power in excess of 250 watts.

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<sup>1</sup> Came into force on 18 November 1970 by the exchange of the instruments of ratification, which took place at Washington, in accordance with article IV (B).

<sup>2</sup> See p. 3 of this volume.

C. Pre-sunrise operations pursuant to this Agreement are not entitled to protection from other such pre-sunrise operations.

D. Class III stations in either country are permitted to operate pre-sunrise with their authorized daytime facilities provided such operations afford nighttime protection for co-channel stations in the other country in accordance with the Broadcasting Agreement or, in the event authorized daytime facilities would not afford such protection, the operating power shall be reduced to afford the required protection.

E. Class II stations in either country are permitted to operate pre-sunrise in relation to co-channel Class II stations in the other country in accordance with the provisions for Class III stations (see Section D of this Article).

In relation to co-channel Class I stations in the other country, Class II stations are permitted to operate pre-sunrise in accordance with the following provisions:

1. Class II stations shall not deliver a signal in excess of 25 uV/m (10% skywave) at the 500 uV/m (50% skywave) contour of any co-channel Class I station in the other country.

2. Where the 500 uV/m (50% skywave) contour of the Class I station extends beyond the border or boundary of the country having priority for the Class I station, Class II stations shall not deliver a signal in excess of 50 uV/m (10% skywave) along that portion of the border or boundary included within the 500 uV/m (50% skywave) contour of the Class I station.

3. If a Class II station is located west of all co-channel Class I-B stations in the other country it may operate pre-sunrise beginning at the later of the following times:

- a) 6:00 A.M. local time.

- b) The time of sunrise at the western most Class I-B station in the other country.

F. Without any exception, notified nighttime operation shall enjoy priority over pre-sunrise operation. As a consequence, downward adjustments in the operating powers of pre-sunrise operations shall be made as necessary to meet the foregoing criteria with respect to nighttime assignments duly notified in the future under the Broadcasting Agreement. Conversely, upward adjustments of the powers of pre-sunrise operations to a maximum of

500 watts may be made where deletions of or changes in notified assignments in the other country permit such adjustments.

G. Proposed pre-sunrise operations may be presumed to be acceptable if they are within the provisions set out in this Agreement. However, each proposal shall be notified directly between the working offices or the appointed officials notified by the Federal Communications Commission of the United States of America on one hand, and the Dirección General de Telecomunicaciones of the Secretaría de Comunicaciones y Transportes of the United Mexican States on the other hand, and within sixty days of receipt of a proposal the recipient agency may object thereto; when the Party which receives the notification fails to object within the period above mentioned, it will be considered that such notification is accepted by the said Party.

The notifications shall include the exact operating characteristics of each station permitted to operate with authorized (or reduced) daytime facilities during pre-sunrise hours (see Article I, Section A).

## *Article II*

### POST-SUNSET OPERATION

- A. Program transmission is permitted during the period from local sunset time up to 6:00 P.M. local time (post-sunset operation); for this purpose, the Time Conversion Tables included in Annex II will be used.
- B. Post-Sunset operation is not permissible for the following:
1. Class I stations.
  2. Class IV stations operating with daytime power in excess of 250 watts.
- C. Post-sunset operations pursuant to this Agreement are not entitled to protection from other such post-sunset operations.
- D. Class III stations in either country are permitted to operate post-sunset with their authorized daytime facilities provided such operations afford nighttime protection for co-channel stations in the other country in accordance with the Broadcasting Agreement, or, in the event authorized day-

time facilities would not afford such protection, the operating power shall be reduced to afford the required protection.

E. Class II stations in either country are permitted to operate post-sunset in relation to co-channel Class II stations in the other country in accordance with the provisions for Class III stations (see Section D of this Article).

In relation to co-channel Class I stations in the other country, Class II stations are permitted to operate post-sunset in accordance with the following provisions:

1. Class II stations shall not deliver a signal in excess of 25 uV/m (10% skywave) at the 500 uV/m (50% skywave) contour of any co-channel Class I station in the other country.

2. Where the 500 uV/m (50% skywave) contour of the Class I station extends beyond the border or boundary of the country having priority for the Class I station, Class II stations shall not deliver a signal in excess of 50 uV/m (10% skywave) along that portion of the border or boundary included within the 500 uV/m (50% skywave) contour of the Class I station.

F. Without any exception, notified nighttime operation shall enjoy priority over post-sunset operation. As a consequence, downward adjustments in the operating powers of post-sunset operations shall be made as necessary to meet the foregoing criteria with respect to nighttime assignments duly notified in the future under the Broadcasting Agreement. Conversely, upward adjustments of the powers of the post-sunset operations to a maximum of 500 watts may be made where deletions of or changes in notified assignments in the other country permit such adjustments.

G. Proposed post-sunset operations may be presumed to be acceptable if they are within the provisions set out in this Agreement. However, each proposal shall be notified directly between the working offices or the appointed officials notified by the Federal Communications Commission of the United States of America, on one hand, and the Dirección General de Telecomunicaciones of the Secretaría de Comunicaciones y Transportes of the United Mexican States, on the other hand, and within sixty days of receipt of a proposal the recipient agency may object thereto; when the Party which receives the notification fails to object within the period above mentioned, it will be considered that such notification is accepted by the said Party.

The notifications shall include the exact operating characteristics of each station permitted to operate with authorized (or reduced) daytime facilities during post-sunset hours. (See Article II, Section A)

### *Article III*

#### TECHNICAL PRINCIPLES

A. The technical terms used in this Agreement, the classification of stations and channels, the calculation of power of stations engaged in pre-sunrise or post-sunset operation, and the protection of stations in regular operation by stations engaged in pre-sunrise or post-sunset operation, are defined and determined by the provisions of the Broadcasting Agreement.

### *Article IV*

#### RATIFICATION, ENTRY INTO FORCE, DURATION AND TERMINATION

##### *A. Ratification*

This Agreement shall be subject to ratification by both of the Contracting Parties in accordance with their respective constitutional procedures.

##### *B. Entry into Force*

This Agreement will enter into force on the date of exchange of instruments of ratification. The exchange of instruments of ratification shall be carried out in Washington, D. C.

##### *C. Duration*

1. This Agreement shall remain in force for a period of five years, unless, before the end of such period, it is terminated pursuant to Section D of this Article, or is replaced by a new agreement between the Contracting Parties.

2. If not replaced by a new agreement, or if not terminated at the expiration of the aforesaid five-year period in accordance with Section D of this Article, this Agreement shall remain in force indefinitely thereafter until replaced by a new agreement between the Contracting Parties or until terminated in accordance with the provisions of said Section D.

D. *Termination*

1. Either of the Contracting Parties may terminate this Agreement by a written notice of termination to the other Party through diplomatic channels. The termination shall take effect one year after the date of receipt of such notice.

2. If either of the Contracting Parties considers that the other is acting or has acted in a manner incompatible with the provisions of this Agreement, consultations shall take place between the Parties concerning the matter. In the event that such consultations do not result in a solution of the problem to the satisfaction of both Parties, the complaining Party may proceed to terminate this Agreement. The termination shall take effect ninety days after the date of receipt of the written notice thereof.

E. *Revision*

Changes in and additions to this Agreement may be effected through diplomatic channels when such changes and additions, embodied in amendments or supplements to the appropriate parts of this Agreement, prepared jointly by designated officials of the two Contracting Parties, have been approved by the administrative agency or department of each Party having jurisdiction over broadcasting matters.

IN WITNESS THEREOF, the respective Plenipotentiaries have signed this Agreement.

DONE at Mexico, D.F., in duplicate, in the Spanish and English languages, each having equal authenticity, this 11th day of December, one thousand nine hundred sixty eight.

For the Government  
of the United States of America:

[*Signed*]

FULTON FREEMAN  
Ambassador Extraordinary  
and Plenipotentiary

For the Government  
of the United Mexican States:

[*Signed*]

JOSÉ ANTONIO PADILLA SEGURA  
Secretary of Communications  
and Transportation

## ANNEX I

## TIME CONVERSION TABLE IN U.S.A.

<i>Time</i> (see Notes 1 and 3)	<i>Zone</i>	<i>Nov.-April, Inclusive</i> (see Note 2)	<i>May-October, Inclusive</i> (see Note 2)
6:00 AM	75°ELT	1100 GMT	1000 GMT
6:00 AM	90°CLT	1200 GMT	1100 GMT
6:00 AM	105°MLT	1300 GMT	1200 GMT
6:00 AM	120°PLT	1400 GMT	1300 GMT

## TIME CONVERSION TABLE IN MEXICO

<i>Time</i> (see Note 3)	<i>Zone</i>	<i>Nov.-April, Inclusive</i> (see Note 2)	<i>May-October, Inclusive</i> (see Note 2)
6:00 AM	90°	1200 GMT	1100 GMT
6:00 AM	105°	1300 GMT	1200 GMT
6:00 AM	120°	1400 GMT	1300 GMT

## NOTES:

1. ELT means Eastern Local Time.  
CLT means Central Local Time.  
MLT means Mountain Local Time.  
PLT means Pacific Local Time.

2. The actual change from one conversion schedule to another presently occurs on the last Sunday in April and the last Sunday in October. To assist in the study of notifications, any change in the duration of advanced times or in the limits of the time zones shall be duly notified.

3. Annex III is a map of the United States of America with the Limits of the four time zones. Annex IV is a map of the United Mexican States with the limits of the three time zones.

## ANNEX II

## TIME CONVERSION TABLE IN U.S.A.

<i>Time</i> (see Notes 1 and 3)	<i>Zone</i>	<i>Nov.-April, Inclusive</i> (see Note 2)	<i>May-October, Inclusive</i> (see Note 2)
6:00 PM	75°ELT	2300 GMT	2200 GMT
6:00 PM	90°CLT	2400 GMT	2300 GMT
6:00 PM	105°MLT	0100 GMT	2400 GMT
6:00 PM	120°PLT	0200 GMT	0100 GMT



## TIME CONVERSION TABLE IN MEXICO

<i>Time</i> (see Note 3)	<i>Zone</i>	<i>Nov.-April, Inclusive</i> (see Note 2)	<i>May-October, Inclusive</i> (see Note 2)
6:00 PM	90°	2400 GMT	2300 GMT
6:00 PM	105°	0100 GMT	2400 GMT
6:00 PM	120°	0200 GMT	0100 GMT

## NOTES:

1. ELT means Eastern Local Time.  
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2. The actual change from one conversion schedule to another presently occurs on the last Sunday in April and the last Sunday in October. To assist in the study of notifications, any change in the duration of advanced times or in the limits of the time zones shall be duly notified.

3. Annex III is a map of the United States of America with the limits of the four time zones. Annex IV is a map of the United Mexican States with the limits of the three time zones.

## ANNEX III

## MAP OF TIME ZONES OF THE UNITED STATES

## NOTE:

Puerto Rico and the Virgin Islands are in the Atlantic time zone. The part of Alaska to the east of 137° W longitude is in the Pacific time zone. The part of Alaska between 137° and 141° W longitude is in the Yukon time zone (+9 or V zone). The part of Alaska between 141° and 162° W longitude and all of Hawaii are in the Alaska-Hawaii time zone (+ 10 or W zone). The part of Alaska to the west of 162° W longitude is in the Bering time zone (+11 or X zone).

## EXCHANGE OF NOTES

[See text under No. 11237, p. 31 of this volume.]

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