him on such boat after December 31, 1971, and such boat's owner or operator treated such share as wages under the Federal Insurance Contribution Act.

§ 404.1070 [Amended]

2. In § 404.1070, the fourth sentence of paragraph (c) is amended by changing "four" to "five", and "and (4)" to "(4), and (5)", and by adding a new paragraph (c)(5) to read as follows:

§ 404.1070 Trade or business.

* * * * *

(c) * * *

(5) *Certain fishermen.* For taxable years ending after December 31, 1971, services performed by an individual in the catching of fish or other forms of aquatic animal life which are excluded from employment under § 404.1023(d) are deemed to constitute a trade or business.

* * * * *

§ 404.1025 [Amended]

3. In § 404.1025, paragraph (b) is corrected by changing the parenthetical reference from "§ 404.1070(d)(4)" to "§ 404.1070(c)(4)".

[FR Doc.77-33957 Filed 11-23-77;8:45 am]

[4110-03]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Doxylamine Succinate Tablets and Injection; NAS/NRC Update

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends regulations for doxylamine succinate tablets and injection to indicate those conditions of use for which approvals for identical products need not include certain types of efficacy data. These conditions of use were classified as probably effective as the result of a National Academy of Science—National Research Council, Drug Efficacy Study Group (NAS/NRC) evaluation of the product. In lieu of certain efficacy data, approval may require submission of bioequivalance or similar data. A previous FEDERAL REGISTER publication has reflected this product's compliance with the conclusions of the review.

EFFECTIVE DATE: November 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Robert A. Baldwin, Bureau of Veterinary Medicine (HFV-114), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the FEDERAL REGISTER of August 26, 1970 (35 FR 13600). In that document, the Academy concluded, and FDA concurred, that the products were probably effective for small animals as an oral antihistaminic for urticaria, allergic dermatitis, and other allergic syndromes; for large animals as an oral antihistaminic for equine and bovine laminitis, equine pulmonary emphysema, and other allergic syndromes. The Academy's report also stated that documentation consisting of case reports lacking controlled studies indicated the efficacy for use of the drug as indicated; that the literature attests to the drug's antihistaminic effect but has found use of antihistaminics in treating certain other conditions is questionable; that labeling include dosage recommendations based on a pound-of-weight basis and that indications be limited to those conditions in which antihistaminic therapy may be expected to lead to alleviation of some of the signs of disease; that labeling include information on side effects; and that evidence be provided to demonstrate that tablets disintegrate in the gastrointestinal tract to produce the desired therapeutic effect.

This announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles may be marketed providing they are the subject of approved NADA's or otherwise comply with the requirements of the Federal Food, Drug, and Cosmetic Act.

Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., Kansas City, Mo. 64141, responded by submitting supplemental NADA's (6-602V, 6-983V) providing current information concerning manufacturing and controls, providing data demonstrating that tablets disintegrate in the gastrointestinal tract to produce the desired therapeutic effect, and by submitting revised labeling. No new efficacy data were required. The supplements were approved by regulations issued in the FEDERAL REGISTER of September 19, 1973 (38 FR 26183) and May 17, 1973 (38 FR 12914). The regulations reflecting these approvals (21 CFR 135c.115, recodified 21 CFR 520.784; 21 CFR 135b.94, recodified 21 CFR 522.784) did not specify those conditions of use that were NAS/NRC approved. These are the drug uses for which approval of an NADA does not require efficacy data as specified by § 514.1(b)(8)(ii) (21 CFR 514.1(b)(8)(ii)) of the animal drug regulations. This document amends the regulations to indicate those conditions of use for which approvals for identical products need not include certain types of efficacy data required for approval in § 514.111(a)(5)(vi) of the animal drug regulations. In lieu of that data, approval may require bioequivalency or similar data as suggested in the guideline for submitting NADA's for NAS/NRC-reviewed generic drugs, available with the Hearing Clerk (HFC-20), Food and Drug Administration.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Parts 520 and 522 are amended as follows:

1. In Part 520, § 520.784 *Doxylamine succinate tablets* is amended in paragraph (c) (1), (2), (3), and (4) by adding after each paragraph the footnote reference "[1]" and by adding at the end of the section, the footnote "[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter."

2. In Part 522, § 522.784 *Doxylamine succinate injection* is amended in paragraph (c) (1), (2), (3), and (4) by adding after each paragraph the footnote reference "[1]" and by adding at the end of the section, the footnote "[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter."

Effective date: November 25, 1977.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: November 16, 1977.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.77-33894 Filed 11-23-77;8:45 am]

[4710-01]

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

[Dept. Reg. 108.748]

PART 51—PASSPORTS

Denial of Passports

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: Under Pub. L. 94-45, The Department of State is implementing new regulations which provide for emergency medical/dietary and other assistance for U.S. nationals incarcerated abroad to whom private funds are not available. The assistance is being provided on a normally reimbursable basis. Prisoners who execute promissory notes agree not to be furnished passports for travel, except for direct return to the United States, until repayment of the loan(s).

This rule establishes a new paragraph under § 51.70(a) to enable the Department to deny a passport, except for direct return to the United States, to any applicant who has not repaid a loan received under the emergency medical/dietary assistance program.

EFFECTIVE DATE: November 25, 1977.

ADDRESS: Director, Office of Special Consular Services, Bureau of Consular Affairs, Department of State, Washington, D.C. 20520.

FOR FURTHER INFORMATION:
James L. Ward, 202–632–7871.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 54838, October 11, 1977) inviting interested persons to submit comments regarding the proposed rule. After consideration of all relevant matter presented, the regulations are adopted, without change, as set forth below.

Dated: November 18, 1977.

BARBARA M. WATSON,
Assistant Secretary for Consular Affairs.

§ 51.70 Denial of passports.

(a) A passport, except for direct return to the United States, shall not be issued in any case in which:

* * * * *

(6) The applicant has not repaid a loan received from the United States as prescribed under § 71.10 and § 71.11 of this Chapter.

* * * * *

(Sec. 1, 44 Stat. 887; sec. 4, 63 Stat. 111, as amended (22 U.S.C. 211a, 2658, 2670); E.O. 11295, 36 FR 10603; 3 CFR 1966–1970 Comp., page 507; Pub. L. 95–45 (91 Stat. 221).)

[FR Doc.77–33984 Filed 11–23–77;8:45 am]

[4710–01]

[Departmental Regulation 108.749]

PART 71—PROTECTION AND WELFARE OF CITIZENS AND THEIR PROPERTY

Emergency Medical/Dietary Assistance for U.S. Nationals Incarcerated Abroad

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This rule establishes new regulations under Pub. L. 95–45 to provide emergency medical/dietary and other assistance for U.S. nationals incarcerated abroad who are otherwise unable to obtain such services. The regulations enable prisoners to receive appropriate emergency medical treatment and care, when required, in order to sustain an acceptable standard of life while they are imprisoned and private funds are unavailable. The regulations also include procedures for providing the assistance on a reimbursable basis to the extent possible.

EFFECTIVE DATE: November 25, 1977.

ADDRESS: Director, Office of Special Consular Services, Bureau of Consular Affairs, Department of State, Washington, D.C. 20520.

FOR FURTHER INFORMATION CONTACT:

James L. Ward, 202–632–7871.

SUPPLEMENTARY INFORMATION: A notice of proposed rule making was published in the FEDERAL REGISTER (42 FR 54838, October 11, 1977) inviting interested persons to submit comments regarding the proposed rule. After consideration of all relevant matter presented, the regulations are adopted, without change, as set forth below.

Dated: November 18, 1977.

BARBARA M. WATSON,
Assistant Secretary for Consular Affairs.

Subpart B—Emergency Medical/Dietary Assistance for U.S. Nationals Incarcerated Abroad

Sec.
71.10 Emergency medical assistance.
71.11 Short-term full diet program.
71.12 Dietary supplements.

AUTHORITY: Sec. 4, 63 Stat. 111, as amended (22 U.S.C. 2658, 2670); Pub. L. 95–45 (91 Stat. 221).

Subpart B—Emergency Medical/Dietary Assistance for U.S. Nationals Incarcerated Abroad

§ 71.10 Emergency medical assistance.

(a) *Eligibility criteria.* A U.S. national incarcerated abroad is considered eligible to receive funded medical treatment under the following general criteria:

(1) Adequate treatment cannot or will not be provided by prison authorities or the host government;

(2) All reasonable attempts to obtain private resources (prisoner's family, friends, etc.) have failed, or such resources do not exist;

(3) There are medical indications that the emergency medical assistance is necessary to prevent, or attempt to prevent, the death of the prisoners, or failure to provide the service will cause permanent disablement.

(b) *Services covered.* Funds, once approved, may be expended for:

(1) Medical examination, when required;

(2) Emergency treatment;

(3) Non-elective surgery;

(4) Medications and related medical supplies and equipment required on a routine basis to sustain life;

(5) Preventive or protective medications and medical supplies and equipment (vaccinations, innoculations, etc.) required to combat epidemic conditions (general or intramural);

(6) Childbirth attendance, including necessary medical care of newborn children; and

(7) Within the consular district, transportation for the U.S. national and attendant(s) designated by incarcerating officials between the place of incarceration and the place(s) of treatment.

(c) *Consular responsibility.* As soon as the consular officer is aware that a U.S. national prisoner in the consular district faces a medical crisis, the officer should take the following actions, setting forth the order of priority based on an evaluation of the facts received:

(1) Make every effort to contact the ill or injured prisoner as soon as possible;

(2) Take steps to obtain a professional medical diagnosis and prognosis of the ill or injured prisoner;

(3) Determine as accurately as possible the estimated costs of recommended treatment or surgery;

(4) Obtain the names and addresses of family or friends who might serve as a source of private funds for medical services, and attempt to obtain the necessary funds:

(5) Request the prisoner to execute a promissory note, since funds expended by the Department to cover medical services normally are on a reimbursable basis; and

(6) Submit the above information, along with recommendations and evaluations, to the Department for approval and authorization.

(d) *Emergency expenditure authorization.* When a medical emergency prohibits the delay inherent in contacting the Department and receiving authority to expend funds, the consular officer can expend up to an amount to be established by the Department without prior Departmental approval if:

(1) Symptoms determine eligibility for emergency medical treatment; or

(2) An immediate medical examination is warranted in order to verify the alleged abuse of a U.S. national prisoner by arresting or confining authorities; or

(3) Immediate emergency medical treatment or surgery is necessary to prevent death or permanent disablement, and there is insufficient time to explore private funds or obtain Department approval; and

(4) A promissory note already has been executed by the prisoner, or if the circumstances warrant, by the consular officer without recourse.

§ 71.11 Short-term full diet program.

(a) *Eligibility criteria.* A prisoner is considered eligible for the short-term full diet program under the following general criteria:

(1) The prisoner is to be or has been held in excess of one day in a holding jail or other facility;

(2) Incarcerating officials do not provide the prisoner food, and food is not available from any other sources, including private funding from family or friends; and

(3) If the funds exceed an amount to be established by the Department, the prisoner signs a promissory note for funds expended, since the assistance is on a normally reimbursable basis.

(b) *Consular responsibility.* As soon as the consular officer is aware that a U.S. national is incarcerated in a facility wherein food is not routinely provided, the consular officer should:

(1) Contact the prisoner in accordance with existing procedures;

(2) Determine the normal cost of basic diet and best method of effecting payment;

(3) Attempt to secure funds from private sources such as family or friends;

(4) Because funds expended by the Department to cover the short-term full diet program normally are on a reim-

bursabel basis, have the prisoner execute a promissory note; and

(5) Contact the Department, providing the above information, for approval and authorization.

(c) *Emergency expenditure authorization.* Since an immediate need for a short-term full diet program often prohibits the delay inherent in contacting the Department and receiving authority to expend funds, the consular officer can expend up to an amount to be established by the Department without prior Departmental approval if the prisoner's case meets the criteria established in § 71.11(a). Expenditures above the predetermined limit must receive the prior approval of the Department.

§ 71.12 Dietary supplements.

(a) *Eligibility criteria.* A prisoner is considered eligible for the dietary supplement program under the following general criteria:

(1) An evaluation by a private physician, prison doctor, or other host country medical authority reveals that the prison diet does not meet the minimum requirements to sustain adequate health; or

(2) If the evaluation in subparagraph (1) of this paragraph is not available, an evaluation by either a regional medical officer or Departmental medical officer reveals that the prison diet does not provide the minimum requirements to sustain adequate health.

(b) *Consular responsibility.* (1) When the consular officer is aware that the U.S. prisoner's diet does not provide the minimum requirements to sustain adequate health, the consular officer shall obtain the necessary dietary supplements and distribute them to the prisoner on a regular basis.

(2) As soon as the consular officer believes that dietary supplements are being misused, the consular officer shall suspend provision of the dietary supplements and report the incident in full to the Department.

[FR Doc.77-33985 Filed 11-23-77;8:45 am]

[3710-92]

Title 33—Navigation & Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 207—NAVIGATION REGULATIONS

Lake Washington Ship Canal, Wash.

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Final rule.

SUMMARY: This rule amends regulations which govern the use, administration and navigation of the Lake Washington Ship Canal, Seattle, Wash., to intensify the control of passage of hazardous cargoes through the locks. This amendment is necessary to provide additional safety requirements.

DATE: Effective on 1 December 1977.

FOR FURTHER INFORMATION CONTACT: Mr. Ralph T. Eppard, 202-693-5070, or write: Office of the Chief of Engineers, Forrestal Building, Washington, D.C. 20314, ATTN: DAEN-CWO-N.

SUPPLEMENTARY INFORMATION: The proposed revision was published in the FEDERAL REGISTER, (42 FR, 50618) with the comment period expiring on 15 October 1977. One comment was received from the U.S. Coast Guard concerning an incorrect reference to the Department of Transportation hazardous materials regulation. This change has been incorporated in this final rule. Accordingly, pursuant to the provisions of Section 7 of the River and Harbor Act approved 8 August 1917 (40 Stat. 266; 33 U.S.C. 1) we are hereby amending the regulations in 33 CFR 207.750(g) as set forth below:

(40 Stat. 266; 33 U.S.C. 1.)

Dated: November 14, 1977.

Approved:

CHARLES R. FORD,
Acting Assistant Secretary of the Army (Civil Works).

Subparagraphs (1), (4) through (6), (7)(i) and (iii), (11), and (15) of 33 CFR 207.750(g) are revised as follows:

§ 207.750 Puget Sound Area, Washington.

* * * * *

(g) *Lake Washington Ship Canal:* use, administration and navigation—

(1) *Definitions.* The term "canal" as used in the regulations in this paragraph shall include the water area in the locks and the channel and adjacent waters from a point 5,500 feet northwest of the Burlington Northern, Inc. railway bridge to the east end of the channel opposite Webster Point, Lake Washington. The term "canal grounds" shall include all grounds set aside for the use of the canal or occupied in its construction.

* * * * *

(4) *Traffic signal lights.* In addition to the lock signal lights described in subparagraph (5)(ii) of this paragraph, a red light, and a green light are installed on the west side of the Ballard Bridge, on the east side of the Fremont Bridge, 1,000 feet west of the Montlake Bridge, and 1,000 feet east of the Montlake Bridge, for the guidance of vessels approaching the sections of the canal between Salmon Bay and Lake Union and between Lake Union and Lake Washington, respectively. Vessels of 300 gross tons and over and all vessels with tows, except as hereinafter provided, shall not pass the red lights. The green lights will indicate that vessels may proceed. Vessels of less than 300 gross tons without tows may disregard these signals, but they shall travel at very slow speed when passing other vessels. Vessels of 300 gross tons and over and vessels with tows, except logs, whose destination is easterly between the Ballard Bridge and the Burlington Northern, Inc. railway bridge, may pass the red signals on the Ballard Bridge: Provided, such passage will not interfere with approaching traffic.

(5) *Approaching and passing through locks—*

(i) *Signals for locks.* Vessels with tows desiring to use the locks shall so indicate by two long and three short blasts of a whistle, horn or megaphone. All other vessels desiring to use the locks shall so indicate by two long and two short blasts. NOTE: The term "long blasts" means blasts of four seconds duration, and the term "short blasts" means blasts of one second duration. Signals for the opening of drawbridges are prescribed in § 203.795 of this chapter.

(ii) *Lock signal lights.* Red and green signal lights are installed on the guide pier west of the Burlington Northern, Inc. railway bridge below the locks. The green light will indicate to vessels bound for the large lock that the lock has been made ready. If the red light is burning, vessels bound for the large lock shall moor at the pier. Vessels bound for the small lock shall be guided into the small lock by traffic signals thereon. The masters of all vessels approaching the locks from Puget Sound shall be alert to receive and shall immediately comply with instructions by voice or signal from the employee on the west pier.

(iii) *Precedence at locks.* All vessels approaching the locks shall stop at the points indicated by signs placed on the canal piers or as directed by a lockman until ordered to proceed into the lock. Unless otherwise directed by the District Engineer or his authorized assistants, vessels owned or operated by the United States or the City of Seattle and passenger vessels operating on a regular schedule shall have precedence over all others in passing through the locks. Registered merchant vessels shall have precedence over pleasure craft, which shall pass through in the order of their arrival at the locks, and both shall have precedence over vessels towing floated timber or logs. Tows of floated timber and logs may be denied the use of the locks during certain hours when both locks are busy passing other traffic. However, advance notice will be given towboat companies as to the periods when log tows will be denied lockage.

(iv) *Entering locks.* Masters of vessels shall exercise the greatest care when entering either lock. The forward movement of vessels while taking position in the locks shall be very slow, and boats entering the small lock shall reduce their speed to not more than two and one-half miles per hour when within 200 feet of the outer gate and come to practically a full stop before entering the lock so that in case the engine mechanism fails to operate properly the momentum of the boat may be stopped easily by its lines. The masters of vessels entering either lock from either direction shall be alert to receive and shall immediately comply with instructions by voice or signal from the lock attendants.

(v) *Mooring in locks.* Vessels entering the locks shall be equipped with adequate lines, at least 50 feet in length being required fore and aft. While in the large lock vessels and rafts will be moored at

the top of the lock wall. While in the small lock vessels shall be moored to the floating mooring wall. Lines shall not be released until the signal has been given by the lock force to leave the lock, after which there shall be no delay in leaving. All vessels not equipped to handle tie-up lines with power winches shall be equipped with suitable mooring lines of manila, or other suitable fiber, of sufficient size and strength to hold the vessel against the currents to be met within the lock chamber. The use of wire rope for tie-up by vessels not equipped to handle such lines with power winches is prohibited. Vessels may be denied the use of the locks if their lines are not in good condition, or if the mooring bits on barges are not accessible or are not equipped to prevent lines from slipping off when the water is lowered in the lock. All vessels entering the locks should have, in addition to the master, at least one person on deck to handle lines. Mates and deckhands, when preparing to moor within the lock chambers, should not throw heavy mooring lines at the lockmen on the walls, but should wait for a heaving line to be passed to them unless otherwise directed. All towboat crews, while locking or moving a tow out of the lock chamber, should station themselves so as to preclude the possibility of being injured by the parting of cable or lines under strain. Persons attempting to take vessels through the locks without assistance on deck may be required to wait until the lock is clear of other traffic before passing through. All operators of vessels are especially cautioned to use extreme care while crowded in the locks to avoid accident or fire on their boats. Under no circumstances will small craft, such as rowboats, launches and houseboats, or any other type of pleasure boats, be locked through with barges used for carrying any type of petroleum product or other hazardous material. At the discretion of the lockmaster, small craft as described above may be locked through with barge tows containing other than dangerous material. Operators of small vessels and larger vessels operating in the proximity of each other shall be alert to the danger arising from the limited maneuverability of the larger vesels, and shall exercise all precautions to prevent accident.

(6) *Damage to locks or other structures.*

(i) The regulations in this paragraph shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to the locks or other structures. The sides and corners of all vessels and rafts passing through the locks should be free from spikes or projections of any kind which might damage the locks or other structures. Vessels with appurtenances or projections which might damage the locks or other structures shall be fitted with adequate fenders. Lockage of leaking vessels or vessels with overhanging loads may be refused. Such barge or craft shall be moored in a location outside of the channel approach to the lock so as to not interfere with passing navigation. Vessels of unusual dimensions, or other characteristics which, in the opinion of the lockmaster, pose a threat to the integrity or safety of the locks or canal will be refused passage until written permission to pass is provided by the District Engineer. Sufficient written data and drawings shall be provided the District Engineer that an engineering determination can be made as to the safety of the vessel. The District Engineer shall have the right to inspect any such vessels prior to passage. The operators of all vessels shall use care to avoid striking the guide walls or other structures pertaining to the canal.

(ii) In the interest of safety and fire prevention, all woven rope fenders used with barges carrying flammable cargo should be water-soaked or otherwise fireproofed prior to entering the lock approaches.

(iii) Burning fenders should be dropped overboard immediately rather than being placed on the deck of a barge or towboat.

(iv) A minimum of one man with a portable fender shall be stationed at the head end of every tow of hazardous cargo and at the aft end if the lockmaster so directs so as to protect the lock and guide walls from damage while entering or departing the lock structures.

(v) All cylinders or containers holding gases under pressure, or any other chemical or substance, shall be securely fastened to the hull of the vessel to prevent their rolling overboard into the lock chamber and becoming a hazard.

(vi) All containers holding paint, gasoline or other volatile materials shall be securely fastened with tight-fitting covers. To preclude a concentration of potentially explosive vapors, no paint will be allowed to be applied to the exterior of vessel hulls, houses, machinery or other equipment while the vessels are in the lock chamber.

(vii) All hatches of tank barges must be closed prior to entering lock. Tank barges with open hatch or hatches will be denied lockage.

(viii) No smoking will be permitted aboard vessels with cargoes of fuel or explosives.

(ix) All vessels carrying hazardous cargoes shall so be identified with the lockmaster. They shall be in compliance with Department of Transportation (U.S. Coast Guard) regulations (CFR Title 46, Parts 30 thru 40, Parts 146 thru 154, and 49 CFR Parts 171 thru 179 and shall accordingly carry required markings. All DOT safety regulations for transit of hazardous cargoes shall be adhered to, whether or not specifically cited or duplicated herein.

(7) *Commercial statistics.*

(i) On each passage through the locks, as required by section 11 of the River and Harbor Act of September 22, 1922 (42 Stat. 1043; 33 U.S.C. 555), the master or clerk of any vessel or other craft other than pleasure vessel shall furnish, upon prescribed forms provided for the purpose and obtainable at the locks, a statement of the passengers, freight, and tonnage, and such other statistical information as may be required by the forms. The total cargo carried must be reported showing separately the tonnage in transit, and the tonnage, kind, and destination of cargo to be unloaded.

* * * * *

(iii) Except by special permit, no vessel other than pleasure craft will be allowed to pass through the lock until a correct statement is furnished of the passengers, freight, and tonnage, and such other statistical information as may be required by the prescribed forms provided for the purpose.

* * * * *

(11) *Turning.* Vessels exceeding 100 feet in length shall not turn around, or attempt to turn around, in the concrete revetted portions of the canal east of the Ballard Bridge and a point 400 feet east of the Fremont Bridge or in the Portage Cut.

* * * * *

(15) *Aids to navigation.* Persons in charge of log rafts or other tows, and the masters of vessels and boats using the canal, shall keep a careful watch when passing buoys or other aids to navigation and promptly report to the District Engineer or his authorized assistants any displacement or damage to such aids.

NOTE.—Aids to navigation and other related data are shown on Nautical Chart No. 18447 published by the National Ocean Survey.

* * * * *

NOTE.—The Department of the Army has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

(40 Stat. 266; 33 U.S.C. 1.)

[FR Doc.77-33954 Filed 11-23-77;8:45 am]

[8320-01]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 18—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE VETERANS ADMINISTRATION—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Employment Practices

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: This amendment to VA Regulations prohibits discrimination in employment practices in VA-assisted programs where the Federal assistance is for the purpose of providing employment or where such discrimination in employment practices has the effect of denying equal opportunity to benefits administered under the program. This amendment will bring VA Regulations into line with those of other Federal agencies.

EFFECTIVE DATE: November 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Melvin T. Jackson, Veterans Administration (273), 810 Vermont Avenue NW., Washington, D.C. 20420, 202–389–2095.

SUPPLEMENTARY INFORMATION: On page 37050 of the FEDERAL REGISTER of August 25, 1975, there was published a notice of proposed regulatory development to amend § 18.3 to include a prohibition against discrimination in employment practices in Federally assisted programs. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulation. No written comments have been received. However, the following language appearing in § 18.3(d)(1) is deleted as it is not applicable to Veterans Administration programs:

That prohibition also applies to programs as to which a primary objective of the Federal financial assistance is (1) to assist individuals, through employment, to meet expenses incident to the commencement or continuation of their education or training, or (ii) to provide work experience which contributes to the education or training of the individuals involved.

Accordingly, § 18.3(d) is revised as set forth below.

(Sec. 602, 78 Stat. 252; 42 U.S.C. 2000d–1; 38 U.S.C. 641, 644, 5031–5037, 5055, 3402(a)(2), Chapters 31, 34, 35, and 36.)

Approved: July 29, 1977.

MAX CLELAND,
Administrator.

In § 18.3, paragraph (d) is added to read as follows:

§ 18.3 Discrimination prohibited.

* * * * *

(d) *Employment practices.* (1) Whenever a primary objective of the Federal financial assistance to a program to which Part 18 applies, is to provide employment, a recipient of such assistance may not (directly or through contractual or other arangements) subject any individual to discrimination on the ground of race, color, or national origin in its employment practices under such program (including recruitment or recruitment advertising, employment, layoff, or termination, upgrading, demotion, or transfer, rates of pay or other forms of compensation, and use of facilities). The requirements applicable to construction employment under any such program shall be those specified in or pursuant to Part III of Executive Order 11246 (3 CFR Chapter IV) or any Executive order which supersedes it.

(2) In regard to Federal financial assistance which does not have providing employment as a primary objective, the provisions of paragraph (d)(1) of this section apply to the employment practices of the recipient if discrimination on the ground of race, color, or national origin in such employment practices tends, on the ground of race, color, or national origin, to exclude persons from participation in, to deny them the benefits of or to subject them to discrimination under the program receiving Federal financial assistance. In any such case, the provisions of paragraph (d)(1) of this section shall apply to the extent necessary to assure equality of opportunity to and nondiscriminatory treatment of beneficiaries.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000 d to d–4, prohibits discrimination, on the ground of race, color, or national origin, in programs receiving federal financial assistance. On July 29, 1977, the Administrator of Veterans Affairs adopted the attached amendment to the Title VI regulations of the Veterans Administration, 38 CFR 18.3(d).

Pursuant to Executive Order 11764 (1974), which delegates to the Attorney General responsibility for giving final approval to agency regulation implementing Title VI, I hereby approve the attached amendment to the regulation of the Veterans Administration.

Dated: November 17, 1977.

GRIFFIN B. BELL,
Attorney General.

[FR Doc.77–33911 Filed 11–23–77;8:45 am]

[4310–09]

Title 43—Public Lands: Interior

CHAPTER I—BUREAU OF RECLAMATION, DEPARTMENT OF THE INTERIOR

PART 424—REGULATIONS PERTAINING TO STANDARDS FOR THE PREVENTION, CONTROL, AND ABATEMENT OF ENVIRONMENTAL POLLUTION OF CONCONULLY LAKE AND CONCONULLY RESERVOIR, OKANOGAN COUNTY, WASH.

AGENCY: Bureau of Reclamation, Interior.

ACTION: Final rule.

SUMMARY: This document establishes rules requiring the Okanogan Irrigation District, Okanogan County, Wash., to require that recipients of district cabinsite and recreation resort leases located on Conconully Lake and Conconully Reservoir comply with applicable federal, state, and local laws, rules and regulations pertaining to water quality and discharge of pollutants into the reservoir. Action is being taken in compliance with the Reclamation Act of June 17, 1902 as amended and supplemented, and the provisions of Articles 34 and 25 of the Repayment Contract I1r–1534, dated September 20, 1948, between the United States and the Okanogan Irrigation District.

EFFECTIVE DATE: November 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. L. David Williamson, Chief, Recreation and Lands Branch, Division of Water and Land, Bureau of Reclamation, Telephone number: (area code) 202–343–5204.

SUPPLEMENTARY INFORMATION: On August 17, 1977, the Bureau of Reclamation published proposed rulemaking (43 CFR Part 424) regarding "Regulations Pertaining to Water Quality Standards and Effluent Limitation Respecting Discharge of Pollutants." Public comments were invited through September 16, 1977. Comments were received from the following three agencies: U.S. Environmental Protection Agency, Okanogan County Health Department, and the Department of Ecology, State of Washington. All three suggested the same modifications be made in the proposed rulemaking; the title should be changed to "Regulations Pertaining to Standards for the Prevention, Control, and Abatement of Environmental Pollution of Conconully Lake and Conconully Reservoir, Okanogan County, Wash." and the phrase "including county regulations governing subsurface waste disposal systems" should be added to the proposed rulemaking. The Bureau of Reclamation has incorporated these suggestions in the final rule.

NOTE.—The Bureau of Reclamation has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Orders 11821 and 11949 and OMB Circular A–107.

The primary authors of this document are Mr. Mike Misner and Mrs. Jean Kujawa.

It has been determined that this proposed regulation is not a major Federal action significantly affecting the quality of the human environment and that no environmental impact statement pursuant to Section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C. Section 4332(c) is required.

§ 424.1 Regulations.

Pursuant to the provisions of Article 34 and 25 of repayment contract I1r–1534, dated September 20, 1948, between the United States and the Okanogan Irrigation District, it is ordered as follows:

The Okanogan Irrigation District shall require that all recipients of cabinsite and recreation resort leases on federal lands situated on Conconully Lake (formerly Salmon Lake) and Conconully Reservoir, Okanogan County, Wash., comply with applicable federal, state and local laws, rules and regulations pertaining to water quality standards and effluent limitations for the discharge of pollutants into said reservoirs, including county regulations governing subsurface waste disposal systems.

Dated: November 17, 1977.

GARY J. WICKS,
Deputy Assistant Secretary of the Interior.

[FR Doc.77–33910 Filed 11–23–77;8:45 am]