

presidential documents

Title 3—The President

Executive Order 12005

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July 23, 1977

Amending the Generalized System of Preferences

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Title V and Section 604 of the Trade Act of 1974 (88 Stat. 2066, 19 U.S.C. 2461 *et seq.*; 88 Stat. 2073, 19 U.S.C. 2483), and as President of the United States of America, it is hereby ordered as follows:

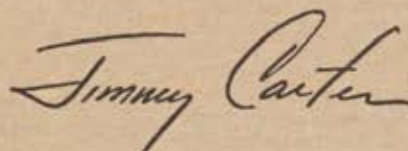
SECTION 1. In order to redefine an existing item for purposes of the Generalized System of Preferences (GSP), the Tariff Schedules of the United States (TSUS) are modified by deleting from item 791.74, TSUS, the description:

"In part of textile materials the aggregate weight of which exceeds the weight of any individual non-textile material contained therein",

and substituting therefor the following description:

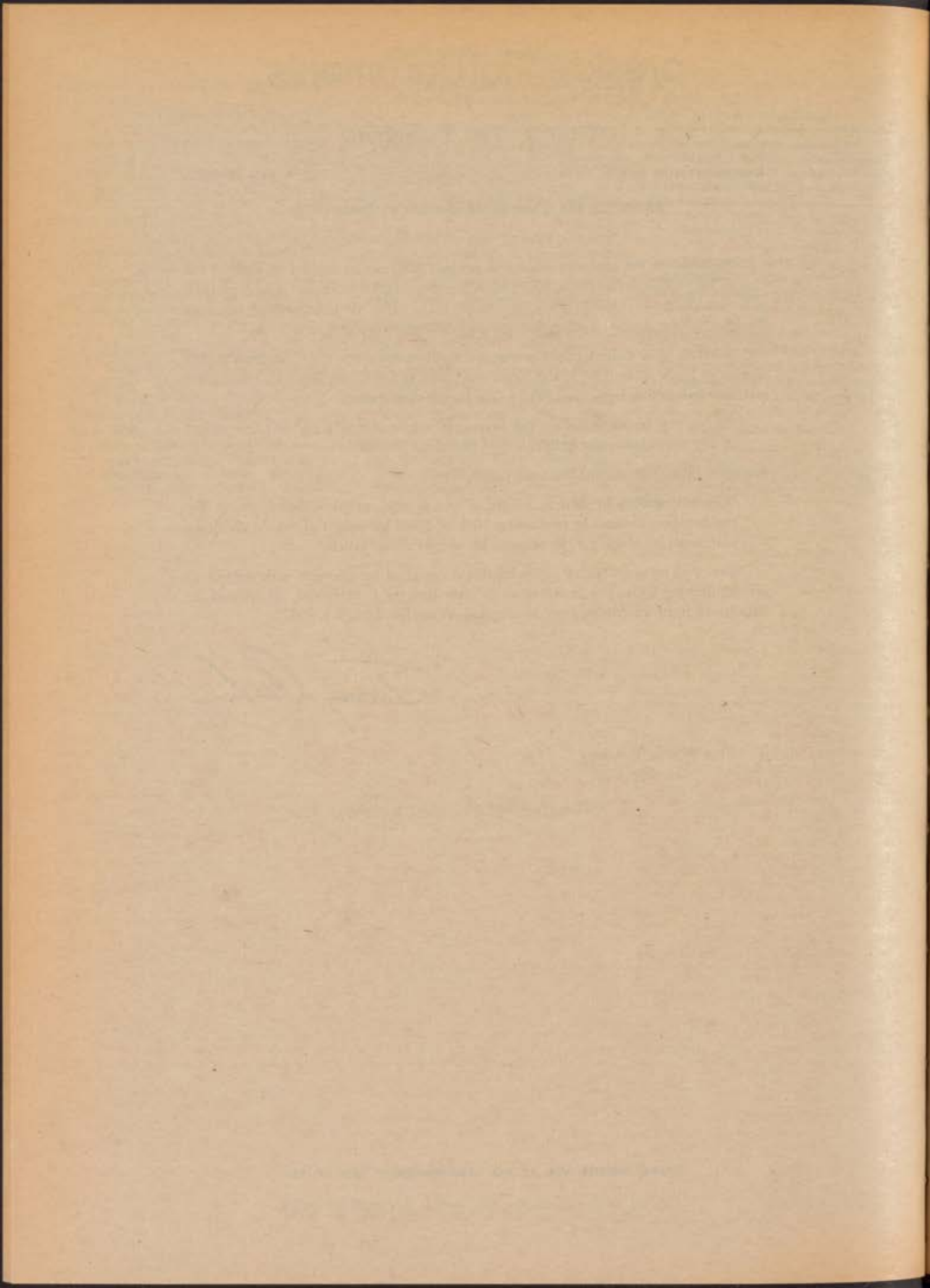
"Containing 50% or more by weight of cotton, wool, or man-made fibers, or any combination thereof, or containing 50% or more by weight of textile materials with wool comprising 17% or more by weight of the article."

SEC. 2. The amendment made by this order shall be effective with respect to articles that are both: (1) imported on or after January 1, 1976, and (2) entered, or withdrawn from warehouse, for consumption on or after March 1, 1977.



THE WHITE HOUSE,
July 23, 1977.

[FR Doc.77-21768 Filed 7-25-77;5:02 pm]



rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER VI—SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE SUBCHAPTER B—CONSERVATION OPERATIONS PART 610—TECHNICAL ASSISTANCE

AGENCY: Soil Conservation Service (SCS), U.S. Department of Agriculture.

ACTION: Final rules for furnishing technical assistance through conservation operations of the Soil Conservation Service.

SUMMARY: These rules codify policies and procedures of the Soil Conservation Service for furnishing technical assistance in conservation operations. They describe the kinds of technical assistance, the recipients, and how such assistance is given.

EFFECTIVE DATE: August 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Administrator, Soil Conservation Service, U.S. Department of Agriculture, P.O. Box 2890, Washington, D.C. 20013, 202-447-4531.

SUPPLEMENTARY INFORMATION: On August 27, 1974, the Soil Conservation Service published in the FEDERAL REGISTER (39 FR 30934) for comment its proposed guidelines for technical assistance. Interested persons were given 30 days to submit comments.

DISCUSSION OF MAJOR COMMENTS

Several comments received suggested restricting SCS assistance to farms, ranches, and other agricultural land units. The suggestions were not incorporated in their entirety. The public welfare would not be served by arbitrarily restricting the availability of technical assistance. In counseling on conservation problems, SCS encourages recipients to use professional assistance from private sources and, in providing technical assistance, makes frequent use of private consultants in lieu of existing staff.

One comment was received on the paragraphs on interdisciplinary assistance. Material in § 610.5 (a) and (b) that was informational and in question has been deleted.

The Soil Conservation Service, in accordance with section 1(3) of Executive Order 11593, herewith publishes its final rules for Part 610, "Technical Assistance."

Dated: July 18, 1977.

VICTOR H. BARRY, Jr.,
Deputy Administrator
for Programs.

Sec.

610.1 Purpose.

610.2 Scope.

610.3 Assistance through conservation districts.

610.4 Technical assistance furnished.

610.5 Interdisciplinary assistance.

AUTHORITY: Pub. L. 74-46, 49 Stat. 163 (16 U.S.C. 590 a-f, q).

§ 610.1 Purpose.

This part sets forth Soil Conservation Service (SCS) policies and procedures for furnishing technical assistance in conservation operations.

§ 610.2 Scope.

Conservation operations, including technical assistance, is the basic soil and water conservation program of SCS. This program is designed to provide assistance to (a) Reduce soil losses from erosion; (b) Help solve soil, water, and agricultural waste management problems; (c) Bring about adjustments in land use as needed; and (d) Reduce damage caused by excess water and sedimentation. The Soil Conservation Service is the technical agency of the U.S. Department of Agriculture for providing assistance to conservation districts and other organizations in planning and carrying out their conservation programs. SCS works with individuals, groups, and units of government to help them plan and carry out conservation decisions to meet their objectives.

§ 610.3 Assistance through conservation districts.

(a) Technical assistance is provided through and in cooperation with conservation districts in the 50 States, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. These districts, formed under authority of State laws, are operated and controlled by local citizens. They provide the leadership and the program needed to meet the conservation objectives of the district.

(b) SCS furnishes technical assistance to conservation districts as specified in memorandums of understanding. Soil conservationists assigned to conservation districts work directly with land users and others according to the program needs and the priorities established by the conservation districts.

(c) The practical experience of land users is combined with the scientific knowledge and skills of professional conservationists to plan and carry out locally formulated conservation programs.

(d) When requested, technical assistance may be provided to owners, operators, or groups using land that is

under the jurisdiction of the United States Department of the Interior if such land is included in a conservation district or if assistance is in accordance with memorandums of understanding identifying the coordination of agency activities.

§ 610.4 Technical assistance furnished.

The Soil Conservation Service provides technical assistance to land users and others who are responsible for making decisions and setting policies that influence land use, conservation treatment, and resource management. Technical assistance furnished by SCS consists of: (a) program assistance; (b) planning assistance; (c) application of conservation practices; and (d) assistance in the technical phases of USDA cost-share programs.

(a) Program assistance is provided to conservation districts and other organizations concerned with the conservation of soil, water, plant, and wildlife resources. This assistance includes providing resource inventory data and identifying conservation problems and needs in order for districts to develop long-range soil and water conservation programs. Individuals, groups, and organizations requesting SCS assistance through conservation districts include:

(1) Farmers, ranchers, and other land users concerned with the conservation of land and water resources.

(2) County and other local government units such as park authorities, departments of public works, planning, zoning (rural, urban, and flood plain), school, and institution boards, highway departments, and tax assessors.

(3) Citizen groups, youth groups, recreation groups, and garden clubs.

(4) State and local units of government (highway, health, recreation, water resources, and regional planning) involved in establishing public policy regarding the use of resources.

(5) Federal departments and agencies such as Defense, Housing and Urban Development, Public Roads, Health, Education, and Welfare; and Interior.

(6) Professional consultants who provide services such as engineering, planning, environmental assessment, tax assessment, and forest management.

(b) Planning assistance includes evaluation of soil, water, vegetation, and other resource data needed for making land use, environmental and conservation treatment decisions. SCS helps land users make conservation plans for farms, ranches, and other land units. This help includes onsite planning assistance in making conservation plans. The plans

are based on a soil survey and interpretations for the intended land uses and conservation treatment. Plans may also include other inventories of soil, water, plant, and related resources needed in the planning process. Information about the responses of each kind of soil and the conservation practices and resource management needed for different land uses is provided. The land user's decisions recorded in the plan are based on his conservation objectives. Conservation plans provide for the orderly installation of conservation practices. Conservation plans reflect changing conditions.

(c) Application assistance is provided to help land users apply and maintain planned conservation work. SCS assistance for applying the conservation practices in the plan may include: (1) Designing, constructing, and maintaining conservation practices; (2) Selecting management alternatives and cultural practices needed to establish and maintain vegetation; and (3) Other conservation practices needed to protect land and water resources.

(d) The Soil Conservation Service assists in carrying out certain phases of USDA soil and water conservation cost-share programs. SCS assists individual program participants with conservation plans needed for long-term cost-share agreements. SCS is assigned responsibility by the Secretary of Agriculture for technical phases of applying conservation practices on the land. This assignment includes: (1) Determining what practices are needed and feasible to install, (2) Selecting sites and planning and designing practices, (3) Providing assistance for installing practices, and (4) Certifying that the work done is in accordance with SCS standards and specifications.

§ 610.5 Interdisciplinary assistance.

Technical assistance is based on the principle that soil, water, plant, and related resources are interdependent and must be managed accordingly. Soil conservationists integrate the various technical fields in providing for the conservation of land and water resources. Staff scientists and specialists develop conservation standards, prepare necessary specifications, provide training, and review work performance. SCS uses consultants for conservation problems that require special expertise.

[FR Doc. 77-21535 Filed 7-26-77; 8:45 am]

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE

[Docket No. AO-86-A37; Milk Order No. 65]

PART 1065—MILK IN THE NEBRASKA-WESTERN IOWA MARKETING AREA

Order Amending Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final order amends the Nebraska-Western Iowa Federal milk marketing order. The order as amended

is in response to industry proposals considered at a public hearing in October 1976. More than the required two-thirds of dairy farmers affected approved the order as amended. This determination was made by a polling of dairy farmer cooperatives.

A principal amendment reduces the quantity of milk that a supply plant must ship to distributing plants to be a fully regulated plant under the order. This will help supply plants avoid costly milk shipments that might otherwise be made just to keep the plant qualified as a regulated pool plant. Another amendment is intended to simplify the administration of the order by altering the manner in which a cooperative association is paid for farm bulk tank milk that is delivered to a regulated pool plant. This will not affect a plant operator's cost of milk or the level of payments to producers.

EFFECTIVE DATE: August 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 202-447-7183.

SUPPLEMENTARY INFORMATION:

PRIOR DOCUMENTS IN THIS PROCEEDING

Notice of Hearing, issued September 15, 1976; published September 20, 1976 (41 FR 40495).

Notice of Extension of Time for Filing Briefs, issued November 12, 1976; published November 17, 1976 (41 FR 50696).

Recommended Decision, issued May 10, 1977; published May 16, 1977 (42 FR 24744).

Notice of Extension of Time for Filing Exceptions to the Recommended Decision, issued June 2, 1977; published June 6, 1977 (42 FR 28897).

Final Decision, issued July 18, 1977; published July 22, 1977.

FINDINGS AND DETERMINATIONS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* A public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Nebraska-Western Iowa marketing area. The hearing was held according to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined according to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1977. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of this order are known to handlers. The recommended decision of the Acting Administrator was issued May 10, 1977, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued July 18, 1977. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1977, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the Federal Register. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in Sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means according to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

ORDER RELATIVE OF HANDLING

It is therefore ordered, That on and after the effective date hereof, the han-