

7. It is further ordered, That this proceeding is terminated.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; (47 U.S.C. 154, 155, 303).)

FEDERAL COMMUNICATIONS  
COMMISSION,  
WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[FR Doc. 78-20654 Filed 7-25-78; 8:45 am]

[6712-01]

[RM-3029; BC Docket No. 78-125]

**PART 73—RADIO BROADCAST  
SERVICES**

**FM Channel Assignment to Princeton,  
Ill.**

AGENCY: Federal Communications  
Commission.

ACTION: Report and order.

SUMMARY: Action taken herein assigns a first class A FM channel to Princeton, Ill., as that community's first FM assignment. The channel will provide for a station which can render a second local aural broadcast service to Princeton.

EFFECTIVE DATE: August 30, 1978.

ADDRESS: Federal Communications  
Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION  
CONTACT:

Mildred B. Nesterak, Broadcast  
Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: July 17, 1978.

Released: July 19, 1978.

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Princeton, Ill.), (BC Docket No. 78-125, RM-3029), proceeding terminated.

By the Chief, Broadcast Bureau:

1. On March 31, 1978, at the request of WZOE, Inc. ("petitioner"), the Commission adopted a notice of proposed rulemaking, 43 FR 15341, proposing the assignment of FM channel 252A to Princeton, Ill., as that community's first FM assignment. Petitioner filed supporting comments reaffirming its intention to apply for the channel, if assigned, and if authorized, to build a station promptly. No oppositions to the proposal were received.

2. Princeton (pop. 6,959), seat of Bureau County (pop. 38,541),<sup>1</sup> is located in north central Illinois, approximately 77 kilometers (48 miles) north of Peoria, Ill. Princeton is served by one full-time AM station (WZOE), licensed to petitioner.

3. Petitioner states that Princeton is the governmental, retail and industrial hub of Bureau County. In support of its proposal, petitioner has submitted information with respect to Princeton

<sup>1</sup>Population figures are taken from the 1970 U.S. census.

and its need for a first FM channel assignment. Therefore, the Commission believes it would be in the public interest to assign channel 252A to Princeton, Ill. An FM station there would provide the community with a first local FM broadcast service as well as a second local aural broadcast service. The channel assignment can be made without affecting any of the existing assignments and is consistent with the applicable minimum distance separation requirements if the station were to be located 6.4 kilometers (4 miles) east of the community.

4. Authority for the adoption of the amendment contained herein appears in sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and section 0.281 of the Commission's rules.

§ 73.202 [Amended]

5. In view of the foregoing, it is ordered, that effective August 30, 1978, § 73.202(b) of the Commission's rules and regulations, the FM table of assignments, is amended with respect to the city listed below:

*City and Channel No.*

Princeton, Ill., 252A.

6. It is further ordered, that this proceeding is terminated.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303.)

FEDERAL COMMUNICATIONS  
COMMISSION,  
WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[FR Doc. 78-20649 Filed 7-25-78; 8:45 am]

[6712-01]

[FCC 78-484]

**PART 81—STATIONS ON LAND IN  
THE MARITIME SERVICES AND  
ALASKA—PUBLIC FIXED STATIONS**

**Clarifying Classes of Stations, Subject  
to Part IV, Which May Charge for  
Service**

AGENCY: Federal Communications  
Commission.

ACTION: Rule amended.

SUMMARY: This action was necessary to make it clear that Alaska public fixed stations may charge for the services they provide. An ambiguity existed prior to this action which permitted an inference that such charges were not permitted.

EFFECTIVE DATE: July 31, 1978.

ADDRESSES: Federal Communica-  
tions Commission, Washington, D.C.  
20554.

FOR FURTHER INFORMATION  
CONTACT:

Robert P. DeYoung, Safety and Special  
Radio Services Bureau, 202-632-  
7197.

SUPPLEMENTARY INFORMATION:

Adopted: July 12, 1978.

Released: July 20, 1978.

Amendment of § 81.179(a)(2) of the rules to clarify the classes of stations, subject to part IV, which may charge for service. *Order.*

By the Commission:

1. The purpose of this order, amending the rules, is to clarify the fact that Alaska public fixed stations may charge for the services they provide, provided they do so in accordance with other applicable requirements.

2. Section 81.179(a)(2) of the Commission's rules provides:

No charge shall be made for the service of any station subject to this part, other than a public coast station, except as provided by and in accordance with § 81.352.

For purposes of this order, § 81.352 is not relevant because it deals with the cooperative use of limited coast or marine utility stations. A strict interpretation of the language of this rule subparagraph would preclude Alaska public fixed stations from charging a fee. Such a development was never the Commission's intent, nor does it comport with past and present practice.

3. The fact that the Commission intended to permit charges by Alaska public fixed stations is evidenced by § 81.9(d) of the rules which clearly provides that stations of this class are "open to public correspondence" and § 81.66(c), which provides for public notice of applications for such stations indicating that charges will be made for the radiocommunication services to be furnished. Charges by these stations are filed with the Commission by use of applicable tariffs.

4. Accordingly, it is ordered, That § 81.179(a)(2) of the rules is amended, as set forth below, effective July 31, 1978.

5. Because this amendment clarifies § 81.179(a)(2) to reflect the general intent of the Commission's rules, compliance with the notice requirements of 5 U.S.C. 553 (1970) is unnecessary. Authority for this action is contained in § 1.412(c) of the Commission's rules.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS  
COMMISSION,  
WILLIAM J. TRICARICO,  
Secretary.

Part 81 of chapter I of title 47 of the Code of Federal Regulations is amended as follows: In § 81.179, subparagraph (a)(2) is amended to read, as follows:

§ 81.179 Message charges.

(a) \* \* \*  
 (2) No charge shall be made for the service of any station subject to this part, other than a public coast or Alaska public fixed station, except as provided by and in accordance with § 81.352.

[FR Doc. 78-20680 Filed 7-25-78; 8:45 am]

[7035-01]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. MC-19 (Sub-No. 9(a))]

PART 1056—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Transportation of Household Goods<sup>1</sup> (Agency Relationships)

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: The Interstate Commerce Commission has modified its regulations governing agency relationships of household goods carriers. As modified, these regulations specify exactly the types of information which a principal carrier must give to a prospective agent prior to the signing of an agency contract; simplify the process of reporting the signing of an agency agreement to the Commission; exempt certain agency relationships from the reporting and disclosure requirements; and continue the requirement that principal carriers are responsible for all acts or omissions of all of their agents. The new rules were adopted to simplify and clarify responsibilities between household goods agents and principals.

DATE: Effective October 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Michael Erenberg, 202-275-7292.

<sup>1</sup>Formerly entitled Practices of Motor Common Carriers of Household Goods (Agency Relationships).

SUPPLEMENTARY INFORMATION: The Commission has modified its regulations governing agency relationships of motor common carriers of household goods, 49 CFR 1056.19 and 1056.20. As modified, these regulations specify the information which a principal carrier must disclose to a prospective agent prior to the signing of an agency contract. This information must only be reported to what are defined as prime and military agents. In recognition of the fact that certain agency relationships are of such short duration and such limited scope that the agent faces minimal financial risks as a result of the agency agreement, certain agency relationships have been exempted from the disclosure requirements. The agents exempted from the disclosure requirements are identified as temporary agents, who are defined essentially as agents who perform nonbooking origin or destination services for a principal carrier only on an emergency or temporary basis.

In addition, the regulations adopted specify exactly the information which a principal carrier must report to the Commission concerning an agency relationship. Temporary agents are exempted from the reporting requirement.

The regulations continue the requirement, imposed in the Commission's present agency regulations, that principal carriers be fully responsible for all acts or omissions of their agents, whether those agents are defined as prime, military, or temporary agents. Principal carriers must also continue to use due diligence in selecting and maintaining agents that are able to provide adequate household goods transportation services (including accessorial and terminal services).

A copy of the Commission report, which contain a discussion of the issues considered in the development of the final regulations and a list of the participants, is available upon request. Requests should be sent to: Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

These rules are issued under the authority of part II of the Interstate Commerce Act and 5 U.S.C. 552, 553, and 559 (the Administrative Procedure Act).

Issued in Washington, D.C., on July 7, 1978.

By the Commission, Chairman O'Neal, Vice Chairman Christian, Commissioners Murphy, Brown, Stafford, Gresham, and Clapp, Com-

missioner Stafford absent and not participating.

H. G. HOMME, Jr.,  
 Acting Secretary.

RULE CHANGE

49 CFR part 1056 is amended by deleting present sections 1056.19 and 1056.20 and by substituting for those sections the following:

§ 1056.19 Reporting and disclosure requirements.

(a) For the purposes of § 1056.19, agents employed by or providing transportation services for any principal carrier shall be defined as follows:

(1) Prime agents are defined as all agents who are permitted or required under the terms of any agreement or arrangement with a principal carrier to provide any transportation service for or on behalf of the principal carrier, including the selling of or arranging for any transportation service, and who perform such services on other than an emergency or temporary basis.

(2) Military agents are defined as all agents who are permitted or required under the terms of any agreement or arrangement with a principal carrier to provide origin and/or destination services only on shipments transported on Government bills or lading issued by the Department of Defense, and who perform such services on other than an emergency or temporary basis.

(3) Temporary agents are defined as all agents who are permitted or required under the terms of any agreement or arrangement with a principal carrier to provide origin and/or destination services on behalf of the principal carrier, excluding the selling of or arranging for any transportation service, and who perform such services on an emergency or temporary basis.

(b) Each principal carrier must disclose the following information to each prospective prime agent and to each prospective military agent:

(1) The names under which the principal will do business.

(2) Official names and addresses and principal places of business of the principal carrier and any affiliated carrier (including prime and military agents that are carriers) that will engage in business with the prospective agent.

(3) A copy of schedule 10 (organization) to the principal carrier's most recent motor carrier annual report form M-1 or M-2 (as appropriate).

(4) A balance sheet and a profit and loss statement for each year of the most recent 3-year period of the principal carrier's operations.

(5) A statement of the standards (if any) by which the principal carrier determines whether the agency should

be terminated. If no such standards are generally applicable, the principal carrier must state either that the agency may be terminated at will or that standards governing termination are subject to negotiation between the principal carrier and the prospective retained agent.

(6) A complete statement of the rights and obligations of the principal and the agent, including rights and obligations with respect to training, advertising, claims handling, and frequency and method of payment. The principal carrier also must furnish a copy of its most recent performance report (as described in 49 CFR 1056.7(b)); state the number of vehicles in its vehicle fleet; and list the tariffs under which it operates.

(7) The names, addresses, and telephone numbers of the five agencies whose principal offices are in the closest geographic proximity to the prospective agent. If the principal maintains fewer than five agencies, it shall furnish a statement that it maintains fewer than five agencies.

(8) A statement of the territorial protection offered by the principal carrier or a statement that no such territorial protection is offered.

(9) A statement of the training required of the agent and its employees and the rules and regulations with which the agent and its employees must be familiar and for which they must be responsible.

(10) A statement concerning the methods (if any) by which disputes between the principal and its agents are settled.

(c) The information required by § 1056.19(b) must be received in writing by a prospective prime or military agent prior to the signing of an agency agreement, and the principal must obtain a receipt for that written information, signed by the prospective agent on the date of its receipt.

(d) Agreements between principal carriers and their prime or military agents must be reduced to writing and signed by the principal and the retained agent, and copies of any such agreements must be retained in the files of the principal carrier.

(e) Each principal carrier must report to the Commission within 20 days of the making of any agreement between itself and a prime or military agent the information specified in paragraph (e) (1) through (7) below. Any change in the information described in paragraph (e) (1), (2), and (3) of this section must be reported to the Commission within 20 days of such change. Each principal carrier must maintain a record of all changes in the information described in paragraphs (e) (1) through (7) of this section.

(1) Name, address, and MC number of principal carrier.

(2) Name, including trade names, if any, address, telephone number, and MC number, if any, of agent.

(3) Date of agency agreement and identification of the agreements as being either prime or military.

(4) A list of all addresses at which agent proposes to conduct operations under the agency agreement with the carrier listed under paragraph (e)(1) of this section and the name under which the agent operates at each listed address.

(5) A definite statement that the agent, or any other business owned or controlled by the agent, does or does not represent any motor carrier other than the carrier listed under paragraph (e)(1) of this section as a prime agent. If the agent, or any other business owned or controlled, by the agent, does represent any carrier other than the carrier listed under paragraph (e)(1) of this section under a prime agency agreement, the name, including trade name(s), address(es) of the agency, and the name of all carriers represented must be listed.

(6) If the agent, or a business owned or controlled by the agent, represents another carrier not listed in paragraph (e)(1) of this section under a prime agency agreement, the carrier must file a statement describing the conditions prevailing within the agreements which preclude the agent from operating as a broker of household goods in contravention of section 211 of the Interstate Commerce Act.

(7) A statement of the means by which the principal carrier will police the operations of the agent or a statement that the carrier has previously filed a statement or description of its agent policing or supervision program with the Commission.

The report must be signed by the person responsible for completing it, and shall contain the following statement above that person's signature:

I certify in signing the foregoing statement that I am aware that anyone who in any matter within the jurisdiction of any agency of the United States makes or uses any false, fictitious, or fraudulent writing may be subject to prosecution and fined up to \$10,000 and imprisoned for up to 5 years. 18 U.S.C. 1001.

When the prime or military agent holds operating authority from this Commission in its own right, the principal carrier need not report information which the prime or military agent has already listed in a report filed under this subsection.

(f) Each principal carrier must report termination of any retained agent to the Commission within 20 days of that termination.

§ 1056.20 Responsibility of principal carriers for acts of agents.

(a) Each principal carrier shall be absolutely responsible for all acts or omissions of any of its agents which relate to the performance of household goods transportation services (including accessorial or terminal services) in interstate or foreign commerce when those services are held out or performed for the principal carrier or when the shipper is led to believe that those transportation services would be performed by the principal carrier.

(b) Each principal carrier shall use due diligence and reasonable care in selecting and maintaining agents who are sufficiently knowledgeable, fit, willing, and able to provide adequate household goods transportation services (including accessorial and terminal services), and to fulfill the obligations imposed upon them by the Commission and by their principal.

[FR Doc. 78-20614 Filed 7-25-78; 8:45 am]

[4310-55]

#### Title 50—Wildlife and Fisheries

### CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

#### PART 32—HUNTING

##### Certain National Wildlife Refuges in Nevada

AGENCY: U.S. Fish and Wildlife Service, Sacramento Area Office.

ACTION: Special regulations.

SUMMARY: The Director has determined that the opening to hunting of certain National Wildlife Refuges in Nevada is compatible with the objectives for which these areas were established, will utilize a renewable national resource, and will provide additional recreational opportunity to the public. This document establishes special regulations effective for the upcoming hunting seasons for migratory birds, upland game, and big game.

EFFECTIVE DATES: August 26, 1978 through June 30, 1979.

FOR FURTHER INFORMATION CONTACT: The Refuge Manager at the address or telephone number listed below in the body of Special Regulations.

#### GENERAL CONDITIONS

Hunting on portions of the following refuges shall be in accordance with applicable State and Federal regulations, subject to additional special regulations and conditions as indicated. Portions of refuges which are open to

hunting are designated by signs and/or delineated on maps. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters. No vehicle travel is permitted except on designated roads and trails.

**§ 32.12 Special regulations: Migratory game birds; for individual wildlife refuge areas.**

Migratory game birds may be hunted on the following refuges:

Fallon National Wildlife Refuge, P.O. Box 592, Fallon, Nev. 89406, telephone number 702-423-5128.

Pahranagat National Wildlife Refuge, P.O. Box 445, Alamo, Nev. 89001, telephone number 702-725-3417.

Special conditions: (1) The use of boats or other floating devices is not permitted, (2) refuge closed to goose and snipe hunting, and (3) special dove hunting regulations are in effect opening day through the following Monday. All dove hunters, 14 years or older, must have a refuge permit during this period.

Ruby Lake National Wildlife Refuge, Ruby Valley, Nev. 89833, telephone number 702-779-2237.

Special conditions: Migratory birds, except doves and pigeons, may be hunted.

**§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.**

Upland game may be hunted on the following refuge areas:

Fallon National Wildlife Refuge, P.O. Box 592, Fallon, Nev. 89406, telephone number 702-423-5128.

Pahranagat National Wildlife Refuge, P.O. Box 232, Alamo, Nev. 89001, telephone number 702-725-3417.

Special condition: Quail and cottontail rabbit only may be hunted.

Charles Sheldon Antelope Range, Nev., headquarters: P.O. Box 111, Lakeview, Oreg. 97630, telephone number 503-947-3315.

Special conditions: Trapping is prohibited.

Stillwater Wildlife Management Area, P.O. Box 592, Fallon, Nev. 89406, telephone number 702-423-5128.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

Big game animals may be hunted on the following refuge areas:

Desert National Wildlife Range, 1500 North Decatur Boulevard, Las Vegas, Nev. 89108, telephone number 702-878-9617.

Special condition: Desert bighorn sheep only may be hunted.

Charles Sheldon Antelope Range, Nev., headquarters: P.O. Box 111, Lakeview, Oreg. 97630, telephone number 503-947-3315.

NOTE.—The Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

The primary author of this document is Patrick L. O'Halloran, Sacramento Area Office; telephone FTS 468-4771, com'l 916-484-4771.

Dated: July 17, 1978.

RICHARD J. NAVARRE,  
*Acting Area Manager—California-Nevada, U.S. Fish and Wildlife Service.*

[FR Doc. 78-20621 Filed 7-25-78; 8:45 am]

[4310-55]

**PART 32—HUNTING**

**Clear Lake National Wildlife Refuge, Calif.**

AGENCY: U.S. Fish and Wildlife Service, Sacramento Area Office.

ACTION: Special regulations.

SUMMARY: The Director has determined that the opening to hunting of Clear Lake National Wildlife Refuge in California is compatible with the objectives for which this area was established, will utilize a renewable national resource, and will provide additional recreational opportunity to the public. This document establishes special regulations effective for the upcoming hunting seasons for big game.

EFFECTIVE DATES: August 27, 1979 through September 5, 1978.

**FOR FURTHER INFORMATION CONTACT:**

The Refuge Manager at Klamath Basin National Wildlife Refuges, Route 1, Box 74, Tule Lake, Calif. 96134, telephone number 916-667-2231.

**GENERAL CONDITIONS**

Hunting on portions of the Clear Lake Refuge shall be in accordance with applicable State and Federal regulations, subject to additional special regulations and conditions as indicated. Portions of the refuges which are open to hunting are designated by signs and/or delineated on maps. Special conditions applying to the refuge are listed on the reverse side of maps available at refuge headquarters at Tule Lake. No vehicle travel is permitted except on designated roads and trails.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

**CLEAR LAKE NATIONAL WILDLIFE REFUGE**

**SPECIAL CONDITIONS**

1. Antelope only may be hunted and only during the period specified by California State Hunting Regulations.

2. Only five hunters shall be allowed on the Peninsula "U" section at any one time, on a first-come first-served basis. Entrance will be granted only at the gate located on the Clear Lake Road. This gate will be closed when the kill quota is reached even though the season may still be open.

NOTE.—The Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

The primary author of this document is Patrick L. O'Halloran, Sacramento Area Office; telephone FTS 468-4771, com'l 916-484-4771.

Dated: July 17, 1978.

RICHARD J. NAVARRE,  
*Acting Area Manager—California-Nevada U.S. Fish and Wildlife Service.*

[FR Doc. 78-20620 Filed 7-25-78; 8:45 am]

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

[1505-01]

## DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[7 CFR Part 1933]

### LOAN AND GRANT PROGRAMS (GROUP)

Community Facility Loans; Correction

Correction

In FR Doc. 78-19924 appearing at page 31022 in the issue for Wednesday, July 19, 1978, the signature now reading "Gordon Kavanaugh" should have read "Gordon Cavanaugh".

[4410-10]

## DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 214]

### ADMISSION OF NONIMMIGRANT STUDENTS FOR DURATION OF STATUS

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This Notice of proposed rulemaking proposes amendments to the regulations of the Immigration and Naturalization Service. The proposed amendments will permit nonimmigrant students to be admitted for the duration of their status as students; will permit students to accept employment upon appropriate certification by an authorized school official evidenced by endorsement by the Service on the student's Form I-94; will provide that where students are granted permission to work under this regulation they may work full time when school is not in session, including the summer, when they are registered for the next succeeding school term; and will require schools to notify the Service when a student is no longer in need of the employment authorized under the regulation or is not keeping his/her passport valid for a period of 6 months. The proposed amendments will eliminate the need for nonimmigrant students to apply for extensions of stay and summer employment, and will eliminate the need for the Service to adjudicate the large numbers of applications now required under existing regulations.

Under the proposed rule, immigration controls on students will be similar to those for foreign diplomats. The Department of State now informs the Service when a diplomat is no longer accredited, and the proposed rule will require Foreign Student Advisors to advise the Service when students are no longer enrolled in school, or when significant changes in their status occur.

These amendments are needed to facilitate the admission of nonimmigrant students and intended to reduce the Service adjudications workload, while providing adequate immigration controls on persons here on student visas.

DATE: Comments must be received on or before August 25, 1978.

ADDRESS: Please submit written comments only to the Commissioner of Immigration and Naturalization, 425 Eye Street NW., Room 7100, Washington, D.C. 20536.

FOR FURTHER INFORMATION CONTACT:

James G. Hoofnagle, Jr., Instructions Officer, Immigration and Naturalization Service, 425 Eye Street, NW., Washington, D.C. 20536, telephone 202-376-8373.

SUPPLEMENTARY INFORMATION: This Notice of proposed rulemaking proposes to amend Immigration and Naturalization Service regulations pertaining to (a) the period of time for which a nonimmigrant student may be admitted to the United States; (b) the conditions under which a student may accept employment and (c) the reporting requirements of schools which are authorized to admit nonimmigrant students.

(1) It is proposed to amend 8 CFR 214.2(f)(2) to permit a nonimmigrant student to be admitted to the United States for the duration of his/her status as a student if the information on the Form I-20 indicates he/she will remain in the United States as a student for more than 1 year and if the student agrees to keep his/her passport valid at all times for at least 6 months. (This requirement will not apply where the alien is by regulation exempt from presentation of a passport.) The Foreign Student Advisor will be responsible for insuring that the passport is kept valid as required by this regulation. If the Form I-20 indicates that the student will remain

for 1 year or less he/she may be admitted for the time necessary to complete his/her period of study. A nonimmigrant student presently in the United States who is applying for extension of stay will be permitted to stay in the United States for the duration of his/her student status if it is indicated that he/she requires more than 1 year to complete his/her studies.

(2) It is proposed to amend 8 CFR 214.2(f)(6) to restate the criteria to be considered in determining whether student employment should be authorized in separate subparagraphs for purposes of clarity; provide that the student may accept the employment applied for upon certification by an authorized school official evidenced by the Service endorsement on the student's Form I-94; and provide that a student granted permission to work under this paragraph is permitted to work full time when school is not in session, including the summer, if the student has been registered for the next following term. This latter provision places in the regulations Service policy now contained in the operations instructions which permits a student authorized to accept part-time employment because of economic necessity to work full time in the summer if the summer months are included in the period of time for which the student's employment has been authorized (OI 214.2(f)(3)). It is also proposed to place the regulations in subparagraph (6) pertaining to practical training in a separate subparagraph (6a). No substantive change is being made to those regulations.

(3) It is proposed to amend 8 CFR 214.3(g) respecting reporting requirements of approved schools to require the school to make an immediate report to the Service if a student is failing to keep his/her passport valid for a period of 6 months or if the school finds that a student granted permission to work under § 214.2(f)(6) is no longer in need of authorized employment.

(4) Correlative and conforming amendments are proposed to be made to 8 CFR 214.2(f)(3) and 8 CFR 214.2(f)(5) to make those sections consistent with the proposed rules.

These proposed amendments are designed to facilitate the admission of nonimmigrant students into the United States, and to provide more efficient service to them after they have

entered this country. The proposal eliminates the need for the student to apply every year for an extension of stay, and accept employment, and the paperwork associated with these applications. This will result in dollar and manpower savings to the Government and the Service, and permit more efficient use of Service manpower and resources.

In the light of the foregoing, the following amendments are proposed to chapter I of title 3 of the Code of Federal Regulations:

#### PART 214—NONIMMIGRANT CLASSES

1. In part 214, it is proposed to revise § 214.2(f) (2), (3), (5), and (6) and to add a new paragraph (f)(6a) to place in one subparagraph the Service student practical training regulations to read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

##### (f) Students.

(2) *Admission.* A nonimmigrant who has a classification under section 101(a)(15)(F) of the act shall not be eligible for admission unless he/she establishes that he/she is destined to and intends to attend the school specified in his/her visa. In all cases, the name of the school a student is authorized to attend shall be endorsed by the examining immigration officer on the student's Form I-94. The period of admission of a nonimmigrant student shall be for the duration of status in the United States as a student if the information on his/her Form I-20 indicates that he/she will remain in the United States as a student for more than 1 year, and if he/she agrees to keep his/her passport valid at all times for at least 6 months. (This requirement does not apply to aliens who are by regulation exempt from presentation of a passport.) The foreign student advisor shall advise the Service when an alien student is failing to keep his passport valid as required by this regulation. If the information on form I-20 indicates the student will remain in the United States for 1 year or less, he/she shall be admitted for the time necessary to complete his/her period of study. A nonimmigrant student presently in the United States shall upon his/her next application for extension of stay be granted duration of status if it is indicated that he/she requires more than 1 year to complete his/her studies.

(3) *Temporary absence.* Form I-20 presented by a student returning from

a temporary absence may be retained by him/her and used for any number of reentries within 1 year of the date of its issuance. However, a Canadian national or an alien landed immigrant of Canada who has a common nationality with Canadian nationals who has been temporarily absent in Canada, or any alien whose visa is considered to be automatically revalidated pursuant to 22 CFR 41.125(f)(2) or is within the purview of that regulation except that his/her nonimmigrant visa has not expired, returning to the United States as a nonimmigrant under section 101(a)(15)(F) of the act, shall, if otherwise admissible, be readmitted, without presentation of form I-20, if the form I-94 in his/her possession indicates that he/she has been admitted to the United States for duration of status as a student under section 101(a)(15)(F) of the act.

(5) *Extension.* A nonimmigrant who was admitted as a student under section 101(a)(15)(F) of the act, who was not admitted for duration of status when first admitted to the United States may be granted duration of status upon application for extension of stay if he/she establishes that he/she is currently maintaining student status and is able and in good faith intends to continue to maintain such status for the period during which he/she will remain in the United States. The Application may be made on Form I-538. The student's spouse and children may be included in the application. The student's spouse and children shall not be eligible for duration of status unless the student is eligible. A student who has been compelled by illness to interrupt his/her schooling may be permitted to remain in the United States in duration of status for any additional time necessary to complete his/her studies provided the student establishes that he/she will assume a full course of study after treatment.

(6) *Employment.* A nonimmigrant who has a classification under section 101(a)(15)(F) of the act is permitted to engage in off-campus employment in the United States, either for an employer or independently, if the following conditions are met: (i) He/she is in good standing as a student who is carrying a full course of studies as defined in subparagraph (1a) of this section; (ii) has demonstrated economic necessity due to unforeseen circumstances arising subsequent to entry, or subsequent to change to student classification; (iii) has demonstrated that acceptance of employment will not interfere with his/her carrying a full course of study; (iv) has agreed that employment while school is in session

will not exceed 20 hours per week; (v) has submitted to an authorized official of a school approved by the Attorney General a Form I-538; and this form has been certified by that official that all the aforementioned requirements have been met; and (vi) the authorized official of the school has submitted the certified Form I-538 together with the student's Form I-94 to the Immigration office which has jurisdiction over the place where the school is located. Evidence that the student has been given permission to accept employment will be the Form I-94 endorsed by the Service to that effect. Permission granted under this paragraph permits a student to work full time when the school is not in session, including the summer if the student has been registered for the next following term. On-campus employment pursuant to the terms of a scholarship, fellowship, or assistantship is deemed to be part of the academic program of a student otherwise taking a full course of study, if related thereto. A student who is offered this kind of on-campus employment, or any other on-campus employment which will not displace a United States resident, does not require Service permission to be engaged in such employment. Permission which is granted to a student to engage in any employment shall not exceed the date of expiration of the authorized stay and is automatically suspended while a strike or other labor dispute involving a work stoppage or layoff of employees is in progress in the occupation and at the place where the student is employed.

(6a) *Practical training.* If a student requests permission to accept or continue employment in order to obtain practical training, permission may be granted in increments of not more than 6 months for a maximum of not more than 12 months in the aggregate. However, when the course of study was of less than 12 months' duration, the alien graduate of a college, university, or seminary as defined by subparagraph (1a) of this section, may be granted permission to engage in employment for practical training for an aggregate number of months not exceeding the length of that course of study, unless the district director and the recommending school agree that the maximum 12 months is warranted. After completion of a course or courses of study at a school which devotes itself exclusively or primarily to vocational, business, or language instruction, an alien graduate of such school may be granted permission to engage in employment for practical training for a period or periods of time equal to 3 months for each 12 months during which such an alien carried a

full course of study at such school in the United States. Permission to accept employment for practical training may not be granted if the training applied for cannot be completed within the maximum period of time for which the applicant is eligible. In such case, the alien graduate may apply for change to another nonimmigrant classification that would permit his/her accepting employment. If application is granted for permission to engage in employment to obtain practical training, the initial authorized period shall be deemed to commence either on the date the student enters upon such employment or 60 days after the student's completion of his/her course of study whichever is earlier. An application for permission to accept or continue employment to obtain practical training must be submitted prior to the expiration of an alien student's authorized stay and, in the case of an initial application, not more than 60 days before graduation or completion of a course or courses of study nor more than 30 days after graduation or completion of such study. Such application may be made earlier only if the alien is attending a college, university, or seminary which certified that practical training is required of all degree candidates in a specified professional field, and that the alien student is a candidate for a degree in that field. The application for the first period of practical training shall be submitted to the office of the Service having jurisdiction over the school recommending practical training. An application to continue employment for practical training must contain the recommendation of the school in sufficient detail to enable the Service to determine whether the position is related to the applicant's major field of study. It shall be submitted to the office of the Service having jurisdiction over the actual place of employment, and shall be supported by a letter from the applicant's employer stating the occupation in which the applicant is employed and describing the duties he/she is performing. A student enrolled in a college, university, or seminary having alternate work/study courses as a part of its regular prescribed curriculum may participate in such courses without obtaining a change of status and without filing an application for permission to accept employment; however, such periods of actual employment if off-campus shall be considered as periods of practical training. An applicant for practical training who has previously participated in an alternate work/study program must submit with his/her application a letter from the school stating the number of hours the applicant has participated in off-campus employ-

ment under the work/study program, a description of the applicant's duties while employed and the name and address of the employer. A student who has been granted permission to accept employment for practical training and who temporarily departs from the United States, may be readmitted for the remainder of the authorized period if he/she presents Form I-20 endorsed by the school to indicate the date to which such training was authorized by the district director.

2. It is proposed to amend 8 CFR 214.3(g) by adding a new sentence between the existing second and third sentences to read as follows:

§ 214.3 Petitions for approval of schools.

(g) *Reporting requirements.* \* \* \* An immediate report shall also be made if a student is failing to keep his/her passport valid for a period of six months or the school finds that a student granted permission to work under § 214.2(f)(6) no longer is in need of authorized employment. \* \* \*

(Sec. 103 and 214; 8 U.S.C. 1103 and 1184)

In accordance with section 553 of Title 5 of the United States Code, interested parties are invited to participate in this rulemaking proceeding by the written submission of relevant data, views and arguments. Representations should be submitted, in duplicate, to the Commissioner of Immigration and Naturalization, 425 I Street NW., Room 7100, Washington, D.C. 20536. All relevant comments received on or before August 25, 1978, will be considered.

It is necessary for this Notice of Proposed Rule Making to be published with a common period of less than 60 days because the Service desires to make the proposed rules effective no later than September 1, 1978 so the students entering school for the fall, 1978 term may be admitted for duration of status. Otherwise, under the current regulation they can only be admitted for up to one year, and will have to apply for an extension of stay or duration of status, as appropriate, at the end of the 1978-79 school year.

Therefore, the proposed rule is being published with a comment period of less than 60 days in order to expedite its implementation which is necessary for efficiency of Service operations.

Dated: July 24, 1978.

LEONEL J. CASTILLO,  
Commissioner of  
Immigration and Naturalization.  
[FR Doc. 78-20778 Filed 7-25-78; 8:45 am]

[6320-01]

## CIVIL AERONAUTICS BOARD

[14 CFR Ch. II]

[EDR-347C, PDR-49C; Docket No. 32219;  
Dated: July 19, 1978]

### U.S. CORPORATIONS WHICH DO NOT QUALIFY AS A "CITIZEN OF THE UNITED STATES"

Supplemental Advance Notice of Proposed Rulemaking Regarding Tentative Legal Ruling

AGENCY: Civil Aeronautics Board.

ACTION: Supplemental advance notice of proposed rulemaking.

**SUMMARY:** This notice extends until September 18, 1978, the date for filing comments in a rulemaking proceeding involving: (1) The correctness of the Board's tentative legal ruling that U.S. corporations are citizens of the United States for the purposes of section 408(a)(4) of the Federal Aviation Act, (2) to determine the extent and nature of the effect of such a ruling, and (3) to formulate possible regulatory solutions through rulemaking procedures for problems which may arise. The extension was requested by British Airways.

DATE: Comments by September 18, 1978.

FOR FURTHER INFORMATION CONTACT:

Donald H. Horn, Routes Division, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428, 202-673-5206.

**SUPPLEMENTAL INFORMATION:** By advance notice of proposed rulemaking EDR-347/PDR-49, March 9, 1978 (43 FR 10938, Mar. 16, 1978), the Civil Aeronautics Board gave notice of its tentative legal conclusion that U.S. corporations are citizens of the United States for purposes of section 408(a)(4) of the Federal Aviation Act and requested comments on that tentative legal conclusion, including the nature and extent of the problems which may be created by finalizing that tentative conclusion, and what regulatory action might be taken to minimize those problems consistent with statutory objectives. Comments were requested to be filed by May 1, 1978. By EDR-347A/PDR-49A (43 FR 18196, Apr. 28, 1978), the comment date was extended until June 30, 1978. By EDR-347B/PRR-49B (43 FR 29011, July 5, 1978) the comment date was extended until July 31, 1978.