contractors at $3.5 million in annual receipts, either for the contractor's last fiscal year or as averaged over his last 3 fiscal years. In addition, special trade construction contractors, who are already receiving surety bond guarantee assistance and now have annual receipts in excess of $3.5 million, will be eligible so long as their annual receipts do not exceed their old size standard of $5 million. Furthermore, the Agency proposed that the $3.5 million size standard be applied within the surety bond guarantee program to service contractors needing the program's assistance.

Since that time, the Agency has received three comments. Two of these favored, the other was against, the proposed size standard change. The negative comment was received from the Associated General Contractors of America which stated that: "The increase in the limit would permit more small firms, which lack the necessary expertise to secure bonding on the open market, to go into direct competition, buttressed with this SBA-created advantage, with self-sustaining contracting firms of similar size."

The SBA's position is that the increased size standard (1) provides a uniform measure as to what size of construction contractors are eligible for surety bond guarantee assistance; and, (2) the program provides the opportunity for many contractors, including minority contractors, to bid and (in many cases) obtain contracts, whereas before the SBA program's advent, they were totally excluded. The economic and social benefits of aiding the small business sector in general, and construction industry, individual contractors, small surety companies, and minorities in particular, weigh heavily in reflecting the overall soundness of the program. It is noted, also, that no objections to this proposal were received from any individual contractors, sureties, or any surety industry trade associations.

Accordingly, 13 CFR, part 121, is amended as follows:

§ 121.3-15 Definition of small business for the purpose of surety bond guarantee assistance.

A small business concern for the purpose of surety bond guarantee assistance is a concern that qualifies as a small business under § 121.3-10, with the following exceptions:

(a) *Construction.* Any constuction concern (general and special trade) is small if its annual receipts for its preceding fiscal year or its average annual receipts for its preceding three fiscal years do not exceed $3.5 million. Provided, that those special trade contractors now receiving surety bond guarantee assistance and having annual receipts in excess of $3.5 million, will be permitted to continue receiving surety bond guarantee assistance until such time as their annual receipts (or as averaged over the contractor's last 3 fiscal years) exceed $5 million.

(b) *Service.* Any concern performing a contract for services (including but not limited to services set forth in Division I, Services, of the Standard Industrial Classification Manual) is classified as small if its annual receipts for its preceding fiscal year or its average annual receipts for its preceding 3 fiscal years do not exceed $3.5 million.

(Catalog of Federal Domestic Assistance Program No. 59.016, Bond Guarantees for Surety Companies.)

Dated: August 4, 1978.

A. VERNON WEAVER,
Administrator.

[FR Doc. 78-22685 Filed 8-14-78; 8:45 am]

[6320-01]

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

[EDR-190C, PSDR-27C, Docket 22630, Dated: August 8, 1978]

PART 221—CONSTRUCTION, PUBLICATIONS, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

PART 399—STATEMENTS OF GENERAL POLICY

Rules Pertaining to Group Fares on Scheduled Services; Notice of Termination of Rulemaking

AGENCY: Civil Aeronautics Board.

ACTION: Termination of rulemaking in docket 22630; EDR-190, PSDR-27.

SUMMARY: The Civil Aeronautics Board is terminating an inactive rulemaking proceeding involving amendments to the conditions relating to affinity group fares. This action is being taken on the Board's initiative, to close this inactive proceeding.

DATES: Adopted: August 8, 1978.

FOR FURTHER INFORMATION CONTACT:

Daniel Prywes, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428, 202-673-5437.

SUPPLEMENTAL INFORMATION: In EDR-183, May 8, 1970, docket 22174, the Board proposed substantial revisions and extensions of its charter regulations aimed at preventing practices which had allegedly undermined the charter concept. Objections were made that unless affinity group fares were brought under the same set of regulations as affinity charters, adoption of the proposals in EDR-183 would result in a substantial shift of affinity charter passengers to affinity group fare serv- ices provided by the scheduled carriers. In order to prevent an undue competitive advantage for the route carriers, the Board initiated the rulemaking in EDR-190, PSDR-27, October 6, 1970, docket 22630,[1] which would have provided that the conditions relating to affinity group fares should conform to the Board's regulations governing pro rata charters.

However, in ER-659, adopted January 29, 1971, the Board decided to defer action on the restrictive proposals in EDR-183 dealing with affinity charters. Since the Board failed to make the affinity charter regulations more restrictive, as had been anticipated, the need for preventing a competitive imbalance has disappeared.

Because the underlying basis for EDR-190 no longer exists, the Board is formally terminating this inactive proceeding.

Accordingly, the Civil Aeronautics Board terminates the proceeding in docket 22630; EDR-190, PSDR-27.

(Sections 204(a), 401, 402, and 403 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 754 (as amended by 76 Stat. 143), 757 and 758 (as amended by 74 Stat. 445); 49 U.S.C. 1324, 1371, 1372, 1373; 5 U.S.C. 552.)

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 78-22717 Filed 8-14-78; 8:45 am]

[6750-01]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER H—RULES, REGULATIONS, STATEMENTS AND INTERPRETATIONS UNDER THE HART-SCOTT-RODINO ANTITRUST IMPROVEMENTS ACT OF 1976

PART 801—COVERAGE RULES

PART 802—EXEMPTION RULES

PART 803—TRANSMITTAL RULES

Premerger Notification; Reporting and Waiting Period Requirements; Corrections

AGENCY: Federal Trade Commission.

ACTION: Final rules corrections.

SUMMARY: The Commission's rules on premerger notification, reporting

[1] The Board explained its purposes in order 70-7-117, July 23, 1970.

and waiting period requirements under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 were published in the FEDERAL REGISTER of July 31, 1978 at page 33450. The appendix to the rules, the Antitrust Improvements Act notification and report form for certain mergers and acquisitions, was republished in the FEDERAL REGISTER of August 4, 1978, at page 34443. The Commission corrects both documents because they contain certain typographical and other errors which may tend to mislead or confuse the reader.

EFFECTIVE DATE: September 5, 1978.

FOR FURTHER INFORMATION CONTACT:

Malcolm R. Pfunder, Associate Director for Premerger Notification, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, telephone 202-523-3894.

SUPPLEMENTARY INFORMATION: In FR Doc. 78-20466 appearing in part II at page 33450 of the FEDERAL REGISTER of July 31, 1978, and at page 34443 of the FEDERAL REGISTER of August 4, 1978, certain typographical and other errors may tend to mislead or otherwise confuse the reader. These errors are corrected and are printed below.

The corrections in the FEDERAL REGISTER of July 31, 1978, beginning at page 33450 follow:

1. On page 33450, in column 2, on line 45 the dollar figure is corrected to read "$100,000,000."

2. On page 33452, in column 3, on line 34, the Federal Reports Act citation is corrected to read "44 U.S.C. 3512", and on line 46, the FEDERAL REGISTER page number is corrected to read "33450".

3. On page 33453, in column 2, on line 35, the rule citation is corrected to read "§ 801.1(c)."

4. On page 33457, in column 1, on line 14, the rules citation is corrected to read "Section 801.1(b);" in column 2, on line 41, the word "from" is inserted after the third word.

5. On page 33462, in column 2, on line 51, the rules citation is corrected to read "§ 801.32;" in column 3, on line 39 the year is corrected to read "1976."

6. On page 33463, in column 2, on line 29 and in column 3, on line 9, the rules citations are corrected to read "801.1(f)(3)."

7. On page 33464, in column 3, on line 46, the statutory citation is corrected to read "section 7A (a)(1) and (a)(2)."

8. On page 33465, in column 2, on line 46, the rules citation is corrected to read "Section 801.1(i)(1)."

9. On page 33485, in column 1, on line 65 the last word is corrected to read "an."

10. On page 33489, in column 1, on line 41, the rules citation is corrected to read "§ 802.6,".

11. On page 33498, in column 1, on line 66, the rule citation is corrected to read "§ 801.1(i)(2)."

12. On page 33524, in column 3, on line 13, the citation is corrected to read "14D-1."

13. On page 33535, in column 2, on lines 26 and 27 and in column 3 on lines 6 and 7, the comment period dates are corrected to read "Dec. 20, 1976-Feb. 18, 1977;" in column 3, on line 68 the comment date is corrected to read "1-11-77," and on line 89, the comment date is corrected to read "2-15-77."

14. On page 33536, in column 1, on lines 6 and 7 and in column 2, on lines 6 and 7, the comment period dates are corrected to read "Dec. 20, 1976-Feb. 18, 1977;" in column 3, on lines 49 and 78, the numbers at the end of the lines are deleted; on line 50, the comment number "1033" is inserted, and on line 79, the comment number "1049" is inserted.

15. On page 33537, in column 3, line 5 is corrected to read "§ 801.32 Conversion an acquisition."

16. On page 33539, in column 3, on line 18, the third word is corrected to read "any."

17. On page 33541, in column 1, on line 8, and on line 64, the semicolons and the words "and" are deleted.

18. On page 33543, in column 1, on line 13 the first word is corrected to read "than."

19. On page 33545, in column 3, on line 61, the third word is corrected to read "20th," on line 64, the fourth word and on line 74, the second word is corrected to read "30th."

20. On page 33548, in column 1 on line 49, the citation is corrected to read "Sec. 7A(d)," and on line 50, the citation is corrected to read "15 U.S.C. 18A(d)".

21. On page 33549, in column 3, on line 34, the sixth word is corrected to read "30th."

22. On page 33550, in column 1, a second example to 803.10(c) was deleted. That example is inserted and follows:

2. In an acquisition other than a tender offer, assume that requests for additional information are issued to both the acquiring and acquired persons on the 26th day of the waiting period. One person submits the additional information on the 35th day, while the other responds on the 44th day. Under this section, the waiting period expires twenty days following the last receipt of additional information, that is, it expires on the 64th day.

The corrections in the FEDERAL REGISTER of August 4, 1978, beginning at page 34443 follow:

1. On page 34445, item 2, parts (a) through (d)(ii) are out of sequence and should appear after item 1(f) and before item 2(e).

2. On page 34447, the number "3" was deleted from the beginning of item 3 and is corrected to read:

"3 *Holdings of acquiring persons.*"

3. On page 34448, line 8 of item 5(b)(ii) is corrected to read:

"Dollar revenues derived in 1972 by entities or assets acquired since that time . . ."

Dated: August 7, 1978.

CAROL M. THOMAS,
Secretary.

[FR Doc. 78-22683 Filed 8-14-78; 8:45 am]

[4810-22]

Title 19—Customs Duties

CHAPTER I—U.S. CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 78-273]

PART 12—SPECIAL CLASSES OF MERCHANDISE

Importation of Pre-Columbian Art

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs regulations to clarify that unless specifically permitted, no pre-Columbian monumental or architectural sculpture or mural exported from its country of origin, whether or not the exportation is directly to the United States, may be imported into the United States. The purpose of the amendment, which will conform the regulations to the statute which prohibits importation of these articles, is to make clear that these articles may not be imported into the United States even if entered from a country other than the country of origin.

EFFECTIVE DATE: August 15, 1978.

FOR FURTHER INFORMATION CONTACT:

Andrew N. Bernstein, Entry Procedures and Penalties Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-5765.

SUPPLEMENTARY INFORMATION:

BACKGROUND

Sections 12.105 through 12.109, Customs regulations (19 CFR 12.105-12.109), relate to the importation into the United States of pre-Columbian monumental or architectural sculpture or murals.

Pub. L. 92-587 (19 U.S.C. 2091-2095) defines "pre-Columbian monumental or architectural sculpture or mural" to

include, among other things, any stone carving or wall art which is the product of a pre-Columbian Indian culture of Mexico, Central or South America, or the Caribbean Islands, and which is subject to export control by the country of origin.

Section 12.105(a), Customs regulations, identifies countries of origin by applying the term "pre-Columbian monumental or architectural sculpture or mural" to certain specified articles of a pre-Columbian Indian culture of Bolivia, British Honduras, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Peru, or Venezuela.

Section 12.106, Customs regulations, provides that with certain limited exceptions provided in § 12.107, no pre-Columbian monumental or architectural sculpture or mural which is exported from its country of origin may be imported into the United States.

It has come to Customs attention that § 12.106 recently has been misinterpreted to mean that a pre-Columbian monumental or architectural sculpture or mural may be imported into the United States if it is entered from a country other than the country of origin.

Such an interpretation clearly is contrary to the language of the statute prohibiting the importation of pre-Columbian art. Section 202, title II, Pub. L. 92-587, October 27, 1972, 86 Stat. 1297 (19 U.S.C. 2092), provides that no pre-Columbian monumental or architectural sculpture or mural "which is exported (whether or not such exportation is to the United States) from the country of origin", may be imported into the United States.

To avoid any possible misinterpretation, section 12.106 is being amended to clarify that unless specifically permitted, no pre-Columbian monumental or architectural sculpture or mural which is exported from its country of origin may be imported into the United States whether imported directly or indirectly from its country of origin.

Section 12.106 also is being amended to substitute "June 1, 1973", the date T.D. 73-119, which incorporated sections 12.105 through 12.109 into the regulations, became effective, for "(the effective date of this regulation)".

INAPPLICABILITY OF PUBLIC NOTICE REQUIREMENT AND DELAYED EFFECTIVE DATE

Because this amendment merely clarifies an existing regulation that implements a statutory requirement, notice and public procedure are unnecessary, and good cause exists for dispensing with the delayed effective date provisions of 5 U.S.C. 553.

AMENDMENT TO THE REGULATIONS

Section 12.106 of the Customs regulations (19 CFR 12.106) is amended to read as follows:

§ 12.106 Importation prohibited.

Except as provided in section 12.107, no pre-Columbian monumental or architectural sculpture or mural which is exported (whether or not such exportation is to the United States) from its country of origin after June 1, 1973, may be imported into the United States.

(R.S. 251, as amended, sec. 624, 46 Stat. 759, sec. 204, 86 Stat. 1297 (19 U.S.C. 66, 1624, 2094).)

DRAFTING INFORMATION

The principal author of this document was Harold M. Singer, Regulations and Legal Publications Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Approved: August 4, 1978.

R. E. CHASEN,
Commissioner of Customs.

RICHARD J. DAVIS,
Assistant Secretary of the Treasury.

[FR Doc. 78-22728 Filed 8-14-78; 8:45 am]

[4810-22]

[T.D. 78-272]

PART 101—GENERAL PROVISIONS

Changes in the Field Organization of the Customs Service

AGENCY: United States Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document changes the field organization of the Customs Service by changing the status of Point Roberts, Wash., from a customs station under the supervision of the port of Blaine, Wash., to a new port of entry in the Seattle, Wash., customs district. This change is needed because of administrative problems resulting from the unique geographical location of Point Roberts.

This document also revokes the designation of Hogansburg, Morristown, and Waddington, N.Y., as customs stations in the Ogdensburg, N.Y., customs district. Due to minimal customs transactions at these stations, they have not been staffed for several years. The areas they once served are adequately covered by the ports of entry at Massena and Ogdensburg, N.Y.

EFFECTIVE DATE: These changes will become effective on September 14, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert Schenarts, Inspection and Control Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-8151.

SUPPLEMENTARY INFORMATION:

BACKGROUND

The customs station of Point Roberts, Wash., is located at the tip of a peninsula just south of the 49th parallel which is part of the boundary between the United States and Canada. It is almost entirely surrounded by the Strait of Georgia and Boundary Bay. Due to its location, Point Roberts is isolated from the port of Blaine, Wash., its supervising customs port. Customs officers from Blaine must either cross Boundary Bay by vessel or go north into Canada, proceed westerly and then southerly down the peninsula into Whatcom County, Wash., to reach Point Roberts. This isolation causes many administrative problems for the customs station of Point Roberts and the port of entry at Blaine.

Therefore, on May 26, 1978, a notice of a proposal to create a new port of entry at Point Roberts was published in the FEDERAL REGISTER (43 FR 22752) which would allow Customs to provide better on-site port administration and supervision of the border crossing station and would facilitate the entry and clearance of yachts at Point Roberts.

The notice also proposed to revoke the designation of Hogansburg, Morristown, and Waddington, N.Y., as customs stations in the customs district of Ogdensburg, N.Y. (Region I). Due to minimal customs transactions at these stations, they have not been staffed for several years. The areas they once served are adequately covered by the ports of entry at Massena and Ogdensburg, N.Y.

These field organization changes were proposed by the Customs Service as part of a continuing program to obtain more efficient use of its personnel, facilities and resources, and to provide better service to carriers, importers, and the public.

Interested parties were given until June 26, 1978, to submit comments regarding both proposals. No comments were received.

Accordingly, the status of Point Roberts is changed from a customs station to a port of entry in the customs district of Seattle, Wash. (Region VIII). The port limits are the same as

the present station limits, that is, all the land below the 49th parallel and constituting the peninsula known as Point Roberts, Whatcom County, Wash. Also, the designation of Hogansburg, Morristown, and Waddington, N.Y., as customs stations, is revoked.

AMENDMENTS TO THE CUSTOMS REGULATIONS

To reflect these changes, part 101 of the customs regulations (19 CFR part 101) is amended in the following manner:

§ 101.3 [Amended]

1. The table in § 101.3(b) is amended by inserting "Point Roberts, including the territory described in T.D. 78-272." directly below "Oroville (E.O. 5206, Oct. 11, 1929)." in the column headed "Ports of entry" in the Seattle, Wash., customs district (Region VIII).

§ 101.4 [Amended]

2. The table in § 101.4(c) is amended by making the following changes:

a. "Seattle, Wash—" is deleted from the column headed "District", "Point Roberts, Wash—" is deleted from the column headed "Customs stations", and "Blaine." is deleted from the column headed "Port of entry having supervision".

b. "Hogansburg, N.Y—" is deleted from the column headed "Customs stations", and the corresponding reference to "Massena." is deleted from the column headed "Port of entry having supervision".

c. "Morristown, N.Y—" is deleted from the column headed "Customs stations", and the corresponding reference to "Ogdensburg." is deleted from the column headed "Port of entry having supervision".

d. "Waddington, N.Y—" is deleted from the column headed "Customs stations", and the corresponding reference "Do." (indicating "Ogdensburg") is deleted from the column headed "Port of entry having supervision".

AUTHORITY

This change is made under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (CFR, 1949-1953 Comp., Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 15 (43 FR 11884).

DRAFTING INFORMATION

The principal author of this document was Teresa M. Polino, Regulations and Legal Publications Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other customs offices participated in its development.

Dated: August 3, 1978.

RICHARD J. DAVIS,
Assistant Secretary of the Treasury.

[FR Doc. 78-22724 Filed 8-14-78; 8:45 am]

[4810-22]

[T.D. 78-275]

PART 101—GENERAL PROVISIONS

Preclearance Offices in Foreign Countries

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: The Customs Service, the Immigration and Naturalization Service and the Animal and Plant Health Inspection Service, have established preclearance facilities in Freeport, The Bahamas, and Calgary, Alberta, Canada, to provide customs and other necessary clearances for United States-bound airline passengers. This document amends the Customs regulations to reflect the opening of these new facilities and the transfer of supervision over the Customs preclearance office in Winnipeg, Manitoba, Canada, to the Regional Commissioner of Customs, Chicago, Ill. In addition, all preclearance facilities are being listed in alphabetical order, together with the Customs officer having supervision.

EFFECTIVE DATE: The preclearance facility in Freeport, The Bahamas, was established on January 8, 1978, and the preclearance facility in Calgary, Alberta, Canada, was established on March 15, 1978. Supervision over Customs activities at the Winnipeg, Manitoba, Canada, office was transferred to the Regional Commissioner, Chicago, Ill., on November 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Arnold L. Sarasky, Inspection and Control Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-5607.

SUPPLEMENTARY INFORMATION:

BACKGROUND

To assist airlines and the traveling public, officers of the Customs Service, the Immigration and Naturalization Service, and the Animal and Plant Health Inspection Service are stationed at selected airports in foreign countries to provide customs and other necessary clearances to airline passengers on direct flights to the United States. The purpose of this procedure is to provide quicker and more efficient service to international travelers by clearing passengers before departure from the foreign country instead of at the point of first entry into the United States. Preclearance of passengers and their baggage enables inspecting officers to carry out their responsibilities while helping to prevent delays, minimize inconvenience to travelers, and reduce baggage handling.

As a part of a continuing effort to improve service to the international traveling public, Customs, the Immigration and Naturalization Service, and the Animal and Plant Health Inspection Service have expanded the preclearance program by establishing preclearance facilities in Freeport, The Bahamas, effective January 8, 1978, and in Calgary, Alberta, Canada, effective March 15, 1978.

In addition, after a review of its operations, Customs transferred supervision over its Winnipeg, Manitoba, Canada, preclearance office from the District Director, Pembina, N. Dak., to the Regional Commissioner, Chicago, Ill. (region IX), effective November 20, 1977. This change was designed to provide more efficient managerial control under the line authority of the Regional Director, Inspection and Control Division, region IX, and to enhance administrative support for the office.

CHANGE IN EXISTING REGULATIONS

Section 101.5, Customs regulations (19 CFR 101.5) lists seven preclearance facilities in foreign countries where Customs officers are stationed and the Customs officer having supervision. It is necessary to amend section 101.5 to reflect the opening of the offices at Freeport and Calgary and the change in supervision over the Winnipeg office. The section also is being revised to list all preclearance offices alphabetically, together with the Customs officer having supervision over each.

NOTICE AND PUBLIC PROCEDURE UNNECESSARY

Because this amendment involves matters relating only to agency organization and administration and does not impose any additional affirmative duty on the public, notice and public procedure thereon are unnecessary, and under 5 U.S.C. 553 good cause exists for dispensing with a delayed effective date.

DRAFTING INFORMATION

The principal author of this document was Teresa M. Polino, Regulations and Legal Publications Division, Office of Regulations and Rulings, U.S. Customs Service. However, other