

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

NOTE.—The FAA has determined that this document involves a proposed regulation which is not considered to be significant under the procedures and criteria prescribed by Executive Order 12044 and as implemented by interim Department of Transportation guidelines (43 FR 9582; March 3, 1978).

Issued in Fort Worth, Tex., on January 16, 1979.

PAUL J. BAKER,
Acting Director, Southwest Region.
[FR Doc. 79-2948 Filed 1-26-79; 8:45 am]

[4810-22-M]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 79-31]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Container With Cargo Covered by Multiple Bills of Lading; Reporting Requirements

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

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by establishing a simplified alternative for reporting bill of lading numbers covering containerized cargo. Presently, (1) all bills of lading for inward foreign cargo in a particular container must be listed in numerical sequence, (2) the number of the container which contains the cargo covered by that bill of lading and the container seal number must be listed opposite the bill of lading number, and (3) the number of any other bill of lading for cargo in that container also must be listed immediately under the container number. As a result, bill of lading numbers for containers covered by multiple bills of lading must be listed more than once. The amendment provides a simplified alternative for listing bill of lading numbers only once on a separate container list and thereby eliminates multiple listings of the same number which are burdensome to carriers and of no benefit to Customs.

EFFECTIVE DATE: January 29, 1979.

FOR FURTHER INFORMATION CONTACT:

John A. Mathis, Carriers, Drawback, and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue,

N.W., Washington, D.C. 20229 (202-566-5706).

SUPPLEMENTARY INFORMATION:

BACKGROUND

New cargo declaration forms for use as part of the manifest required in connection with the arrival and departure of vessels, and procedures for the use of those forms, were established by Treasury Decision 77-255, published in the FEDERAL REGISTER on October 25, 1977 (42 FR 56317), which amended Part 4, Customs Regulations (19 CFR Part 4). The forms involved, the Cargo Declaration, Customs Form 1302, and the Cargo Declaration Outward With Commercial Forms, Customs Form 1305, replaced the former Inward Foreign Manifest, Customs Form 7527-A, and the Outward Foreign Manifest, Customs Form 1374.

T.D. 77-255 provided for the use of the new forms any time after October 25, 1977, and for their mandatory use as of September 1, 1978. However, a number of U.S. ocean carriers advised Customs that mandatory use as of September 1, 1978, would impose a hardship. Accordingly, by a notice published in the FEDERAL REGISTER on August 18, 1978 (43 FR 36621), the effective date for mandatory use was delayed until January 1, 1979.

Section 4.7a(c)(2), Customs Regulations (19 CFR 4.7a(c)(2)), as amended by T.D. 77-255, provides (1) that all bills of lading for inward foreign cargo shipped in containers shall be listed in numerical sequence in the column headed "B/L Nr." on Customs Form 1302, (2) that the number of the container which contains the cargo covered by that bill of lading and the container seal number shall be listed in column No. 6, opposite the bill of lading number, and (3) that the number of any other bill of lading for cargo in that container also shall be listed in column No. 6 immediately under the container and seal numbers. Therefore, for containers with merchandise covered by more than one bill of lading number, the same bill of lading numbers must be listed more than once on Customs Form 1302.

Because multiple listings of the same bill of lading number impose a burden on carriers and are of no benefit to Customs, it has been decided to provide a simplified alternative that will eliminate the need for reporting bill of lading numbers more than once.

ALTERNATIVE PROCEDURE

As an alternative to the procedure provided in § 4.7a(c)(2), Customs Regulations, a separate container list made on a Cargo Declaration form or on a separate sheet attached to the Cargo Declaration, may be submitted.

If this procedure is used, container numbers shall be listed in alphanumeric sequence by port of discharge in Column No. 6 of Customs Form 1302, or on the separate sheet. Each bill of lading number covering cargo in that container, identifying the port of lading, shall be listed in the column headed "B/L Nr." on Customs Form 1302 opposite the container number, or either opposite or under the container number, if a separate sheet is used. The container list will not be required as part of the vessel's traveling manifest, but need be submitted only at each port of discharge.

The procedures set out in § 4.7a(c)(2) (i) and (ii), requiring the listing of bill of lading numbers opposite or under the numbers of the containers, are for the benefit of the importing public and Customs and are designed to enable Customs officers to expedite the clearance of containerized merchandise. Customs will not consider clerical errors in the listing of the bill of lading or container numbers under these provisions as manifest irregularities requiring penalty action.

EDITORIAL CHANGES

This document also makes several editorial changes in section 4.7a, Customs Regulations.

INAPPLICABILITY OF PUBLIC NOTICE AND DELAYED EFFECTIVE DATE REQUIREMENTS

Because this amendment imposes no duty or burden on the public but merely relaxes a present requirement by providing an alternative reporting procedure, notice and public procedure are unnecessary and good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553.

DRAFTING INFORMATION

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

AMENDMENTS TO THE REGULATIONS

Sections 4.7a(c) (1) and (2), Customs Regulations (19 CFR 4.7a(c) (1) and (2)), are amended to read as follows:

§ 4.7a Inward manifest; information required; alternative forms.

(c) *Cargo Declaration.* (1) The Cargo Declaration, Customs Form 1302, shall list all the inward foreign cargo on board regardless of the port of discharge. The block designated "Arrival" at the top of the form shall be checked. The cargo described in

column Nos. 6 and 7, and either column No. 8 or 9, shall refer to the respective bills of lading. Either column No. 8 or column No. 9 shall be used, as appropriate. The gross weight in column No. 8 shall be expressed in either pounds or kilograms. The measurement in column No. 9 shall be expressed according to the unit of measure specified in the Tariff Schedules of the United States (19 U.S.C. 1202).

(2)(i) When inward foreign cargo is being shipped by container, each bill of lading shall be listed in the column headed "B/L Nr." in numerical sequence according to the bill of lading number. The number of the container which contains the cargo covered by that bill of lading and the number of the container seal shall be listed in column No. 6 opposite the bill of lading number. The number of any other bill of lading for cargo in that container also shall be listed in column No. 6 immediately under the container and seal numbers. A description of the cargo shall be set forth in column No. 7 only if the covering bill of lading is listed in the column headed "B/L Nr."

(ii) As an alternative to the procedure described in subparagraph (i), a separate list of the bills of lading covering each container on the vessel may be submitted on Customs Form 1302 or on a separate sheet. If this procedure is used—

(A) Each container number shall be listed in alphanumeric sequence by port of discharge in column No. 6 of Customs Form 1302, or on the separate sheet; and

(B) The number of each bill of lading covering cargo in a particular container, identifying the port of lading, shall be listed opposite the number of the container with that cargo in the column headed "B/L Nr." if Customs Form 1302 is used, or either opposite or under the number of the container if a separate sheet is used.

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

R. E. CHASEN,
Commissioner of Customs.

Approved: January 11, 1979.

RICHARD J. DAVIS,
Assistant Secretary
of the Treasury.

[FR Doc. 79-2914 Filed 1-26-79; 8:45 am]

[4810-22-M]

[T.D. 79-32]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 6—AIR COMMERCE REGULATIONS

Vessels in Foreign and Domestic Trades; Air Commerce Regulations—Customs Regulations Amended

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

ACTION: Final Rule.

SUMMARY: This document amends the Customs Regulations to require that an aircraft commander or other authorized person furnish Customs with an export inspection certificate issued by the Veterinary Services, Animal and Plant Health Inspection Service, Department of Agriculture, at the time of departure from the United States of any aircraft carrying specified livestock for export. The purpose of this requirement is to prevent diseased livestock from being exported from the United States by air. The document also makes minor conforming changes to a similar provision of the Customs Regulations relating to the exportation of specified livestock by vessels.

EFFECTIVE DATE: February 28, 1979.

FOR FURTHER INFORMATION CONTACT:

Leonard Rosenberg, Carriers, Drawback and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C., 20229 (202-566-5706).

SUPPLEMENTARY INFORMATION:

BACKGROUND

Section 4.71, Customs Regulations (19 CFR 4.71), requires the master of a vessel which is exporting horses, mules, asses, cattle, sheep, swine, or goats to furnish Customs with a notice of inspection by the Animal and Plant Health Inspection Service, Department of Agriculture, to ensure that no diseased animals are exported.

However, there is no similar provision in Part 6, Customs Regulations, requiring an aircraft commander or other authorized person to furnish Customs an export inspection certificate before departure of an aircraft carrying these animals. The Department of Agriculture informed Customs of several instances when livestock subject to export health inspection and certification were exported by aircraft without proper documentation.

Therefore, a notice was published in the FEDERAL REGISTER on June 1, 1978 (43 FR 23731), proposing that section 6.8(a), Customs Regulations, be amended to require that an aircraft commander or other authorized person furnish Customs with an export inspection certificate issued by the Veterinary Services, Animal and Plant Health Inspection Service, Department of Agriculture, before departure of an aircraft carrying horses, mules, asses, cattle, sheep, swine, or goats. The notice also proposed to amend § 4.71 to conform to an organizational change within the Department of Agriculture and to a change of title in its required documentation.

DISCUSSION OF COMMENTS

Three comments were received in response to the notice, all of which strongly supported the proposal.

One commenter, the representative of a large dairy cattle breed registry organization, agreed that air transportation as well as surface transportation should be covered by health provisions applicable to exported animals.

The other commenters, representatives of the Department of Agriculture, pointed out that the proposed rule is an essential control measure which would avoid damage to the U.S. export market by preventing the exportation of uninspected livestock by aircraft. Such damage would seriously impair the United States balance of payments, which agriculture marketing abroad is now reducing.

AMENDMENT TO THE REGULATIONS

After consideration of the comments received, Customs has decided that the proposed amendments should be adopted without change, as set forth below.

DRAFTING INFORMATION

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

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: January 8, 1979.

RICHARD J. DAVIS,
Assistant Secretary
of the Treasury.

Section 4.71, Customs Regulations (19 CFR 4.71), is amended to read as follows:

§ 4.71 Inspection of livestock.

A proper export inspection certificate issued by the Veterinary Services, Animal and Plant Health Inspection Service, Department of Agriculture,

shall be filed before the clearance of a vessel carrying horses, mules, asses, cattle, sheep, swine, or goats (9 CFR Part 91).

Section 6.8(a), Customs Regulations (19 CFR 6.8(a)), is amended by inserting a new sentence between the first and second sentences to read as follows:

§ 6.8 Documents for clearance, or for certain departures.

(a) * * * The aircraft commander or authorized person also shall deliver a proper export inspection certificate issued by the Veterinary Services, Animal and Plant Health Inspection Service, Department of Agriculture (9 CFR Part 91), to the Customs officer in charge at the time of departure of any aircraft carrying horses, mules, asses, cattle, sheep, swine, or goats. * * *

(R.S. 251, as amended (19 U.S.C. 66), secs. 12, 13, 14, 34 Stat. 1263, as amended (21 U.S.C. 612, 613, 614), secs. 624, 644, 46 Stat. 759, 761, as amended (19 U.S.C. 1624, 1644), sec. 1109, 72 Stat. 799, as amended (49 U.S.C. 1509).)

[FR Doc. 79-2913 Filed 1-26-79; 8:45 am]

[3710-08-M]

Title 32—National Defense

CHAPTER V—DEPARTMENT OF THE ARMY

[Army Reg. 340-211]

PART 505—PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING THEIR PERSONAL RECORDS

Exemptions

AGENCY: Department of the Army.

ACTION: Final rule.

SUMMARY: The Department of the Army is adopting an exemption rule pertaining to a system of records subject to the Privacy Act of 1974 identified as A0402.01aDAJA, entitled General Legal Files.

EFFECTIVE DATE: January 29, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. Cyrus H. Fraker, Department of the Army, The Adjutant General Center, Washington, DC 20314; telephone 202/693-0973.

SUPPLEMENTARY INFORMATION: In 43 FR 59852, December 22, 1978, the Army published a proposed exemption rule to system notice A0402.01aDAJA General Legal Files. No comments were received. Accord-

ingly, the exemption rule as set forth below, is adopted.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, Washington Headquarters Services, Department of Defense.

JANUARY 23, 1979.

32 CFR Part 505 is amended as follows:

1. Section 505.9 is amended by adding the following exempted systems of records:

§ 505.9 Exemption rules for Army systems of records.

* * *

EXEMPTED RECORD SYSTEMS

(Specific Exemptions)

ID-A0402.01aDAJA

SYSNAME—General Legal Files.

EXEMPTION—Those portions of this system of records falling within 5 U.S.C. 552a(k)(1), (2), (5), (6), and (7) may be exempt from the following provisions of Title 5 U.S.C. Section 552a: (c)(3), (d), (e)(1), and (f).

AUTHORITY—U.S.C. 552a(k)(1), (2), (5), (6), and (7).

REASONS—Various records from other exempted systems of records are sometimes submitted for legal review or other action. A copy of such records may be permanently incorporated into the General Legal Files system of records as evidence of the facts upon which a legal opinion or review was based. Exemption of the General Legal Files system of records is necessary in order to ensure that such records continue to receive the same protection afforded them by exemptions granted to the systems of records in which they were originally filed.

[FR Doc. 79-2915 Filed 1-26-79; 8:45 am]

[3710-08-M]

[AR 725-1]

PART 621—LOAN AND SALE OF PROPERTY

Procedures and Responsibilities

AGENCY: Department of the Army.

ACTION: Correction of Final Rule.

SUMMARY: This amendment corrects editorial errors and omissions to 32 CFR Part 621 published in FR Doc. 77-25317 appearing at page 43799 in the FEDERAL REGISTER issue of August 31, 1977. These errors have been cor-

rected for clarity Part 621 is republished to read as set forth below.

EFFECTIVE DATE: August 1, 1977.

ADDRESS: Write to: Commander, U.S. Army Materiel Development and Readiness Command, ATTN: DRCMM-SP, 5001 Eisenhower Avenue, Alexandria, VA 22333.

FOR FURTHER INFORMATION CONTACT:

Mrs. Caryl L. Veth, (703) 274-9617.

By authority of the Secretary of the Army.

Dated: January 16, 1979.

ROME D. SMYTH,
Colonel, U.S. Army, Director,
Administrative Management,
TAGCEN.

Accordingly, 32 CFR Part 621 is hereby corrected to read as follows:

Sec.

621.1 Loan of Army/Defense Logistics Agency (DLA) owned property for use at national and State conventions.

621.2 Sales of ordnance property to individuals, non-Federal government agencies, institutions, and organizations.

621.3 Accounting for arms and accouterments loaned to other government agencies.

621.4 Issues, loans, and donations for scouting.

(Pub. L. 81-193; 10 U.S.C. secs. 2574, 4308, 4506, 4507, 4627, and 4655, and Pub. L. 92-249.)

1. Present § 621.1 is revised as follows:

§ 621.1 Loan of Army/Defense Logistics Agency (DLA) owned property for use at national and State conventions.

(a) General. This section—

(1) Prescribes procedures for loan of Army-owned property to recognized National Veterans' Organizations for National or State conventions as authorized by Pub. L. 81-193.

(2) Request for loans for National Youth Athletic or recreation tournaments sponsored by veterans' organizations listed in the "Veterans Administration Bulletin 23 (ALPHA)," will be processed by parent veterans' organizations.

(3) Loans are not authorized for other types of conventions or tournaments.

(b) Items authorized for loan. If available, the following items may be loaned for authorized veterans' organizations requirements.

(1) Unoccupied barracks.

(2) Cots.

(3) Mattresses.

(4) Mattress covers.

(5) Blankets.

(6) Pillows.

(7) Chairs, folding.

(8) Tentage, only when unoccupied barracks are not available.