

early history in this historic mining district.

For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may submit comments to the District Manager, Boise District, at the above address. Any adverse comments will be reviewed by the District Manager, who may vacate or modify this realty action to accommodate the protest. If the protest is not accommodated, the comments are subject to review of the State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior.

The reservations, terms and conditions of this sale are as follows:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States under the Act of August 30, 1890, (43 U.S.C. 945).

2. All mineral deposits in the lands so patented pursuant to the Act of October 21, 1976, (90 Stat. 2757; 43 U.S.C. 1719), and to it, or persons authorized by it the right to prospect, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.

3. Excepting and reserving to the public a right-of-way for existing roads over the lot for public access.

4. The patent will be subject to Silver City Zoning Ordinance No. 88-03, dated October 11, 1988.

Dated: March 1, 1995.

**J. David Brunner,**

*Ecosystem Manager.*

[FR Doc. 95-5764 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-GG-P

## Fish and Wildlife Service

### Notice of Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*):

PRT-799196

Applicant: Patricia Wainright, New Brunswick, NJ.

The applicant request a permit to import dropped feathers and blood taken from captive Cuban parrots (*Amazona leucocephala*) in Cuba for the purpose of the survival of the species through scientific research.

PRT-799556

Applicant: Charles Whitlow, Nunica, MI.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus dorcas dorcas*) culled from the captive herd maintained by J.B. Pohl, Shenfield, Grahamstown, Riebeeck East, Republic of South Africa, for the purpose of enhancement of the survival of the species.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 420(c), Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, *subject to the requirements of the Privacy Act and Freedom of Information Act*, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 420(c), Arlington, Virginia 22203. Phone: (703/358-2104); FAX: (703/358-2281).

Dated: March 3, 1995.

**Caroline Anderson,**

*Acting Chief, Branch of Permits, Office of Management Authority.*

[FR Doc. 95-5708 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-55-P

### Withdrawal of Proposed Guidelines on African Elephant Sport-hunted Trophy Permits

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of withdrawal of proposed guidelines.

**SUMMARY:** The Fish and Wildlife Service (Service) announces the withdrawal of the proposed guidelines for the issuance of Scientific Authority advice on permit applications under the Convention on International Trade in Endangered Species on Wild Fauna and Flora (CITES) for the import of sport-hunted African elephant trophies.

#### SUPPLEMENTARY INFORMATION:

##### Background

At the seventh meeting of the CITES Conference of the Parties, held on October 9-20, 1989, the Party nations voted to transfer the African elephant from Appendix II to Appendix I, and this action became effective on January

18, 1990. As a result of this action, Appendix I import permits for the importation of the sport-hunted African elephant trophies are required under CITES.

Under CITES, Appendix I import permits can be issued if the Scientific Authority of the importing country has advised the Management Authority of the importing country that the import will be for purposes not detrimental to the survival of the species. Additional guidance for issuance of such advice was provided by CITES resolution Conf. 2.11 on "Trade in Hunting Trophies of Species Listed in Appendix I," which had been adopted at the second meeting of the Conference of the Parties in 1979. Paragraph c of that resolution called for the Scientific Authority to conduct a "comprehensive examination concerning the question of whether the importation is serving a purpose which is not detrimental to the survival of the species," including whether the killing of the animals whose trophies are intended for import would enhance the survival of the species.

In reviewing permit applications for the importation of sport-hunted African elephant trophies, the Service believes that the populations to be hunted should be of sufficient size and stability to allow for the projected off-take and that the country's management and enforcement authorities should have the ability to ensure adequate management of the species. In addition, the Service has considered whether the activity associated with the importation would enhance the survival of the elephant. For these reasons, the Service developed internal guidelines that described all of the factors that might be considered in issuing a Scientific Authority advice, especially if the expected off-take approached the maximum allowable to sustain a population. One aspect of the guidelines called for clear evidence that the sport hunting activities enhance the survival of the species.

In response to the Service's use of these guidelines, Safari Club International filed suit challenging the procedure and substantive adequacy of the guidelines, *see Safari Club International v. Lujan, Civ. No. 91-2523* (D.D.C., filed Oct. 8, 1991). As a consequence, the Service voluntarily sought public review and comments on its guidelines through a February 9, 1993, **Federal Register** notice of proposed guidelines (58 FR 7813).

The U.S. Scientific Authority has issued general "non-detriment" advices covering African elephant trophies lawfully taken in South Africa and Zimbabwe and has issued "non-detriment" advices for trophies taken in

Namibia, Tanzania, and Cameroon. During 1993 and 1994, permits were issued for over 400 sport-hunted African elephant trophies (1 for Cameroon, 28 for Namibia, 31 for South Africa, 109 for Tanzania and 254 for Zimbabwe).

On June 10, 1994, the Government of Namibia submitted a proposed amendment to paragraph c of CITES resolution Conf. 2.11 to remove the expectation that the importing country's Scientific Authority would consider whether the killing of the animals whose trophies are intended for import would enhance the survival of the species. The amendment also proposed that the "Scientific Authority of the importing country accept the finding of the Scientific Authority of the exporting country that the exportation of the hunting trophy is not detrimental to the survival of the species". In November 1994, at the ninth meeting of the Conference of the Parties to CITES, Namibia's proposal was revised by adding the phrase, "unless there are scientific or management data to indicate otherwise," in recognition of the requirement in Article III.3.a of CITES that the Scientific Authority of the importing country make an independent assessment. With this revision, the CITES Parties adopted the proposal to revise paragraph c of Conf. 2.11.

Because of the revision of paragraph c of CITES resolution Conf. 2.11 and the perception, not intended by the Service, that the proposed guidelines would preclude the importation of sport-hunted African elephant trophies from properly managed populations, the Service is hereby withdrawing the proposed guidelines. In evaluating applications to import African elephant trophies, the Service will follow the guidance set forth in Conf. 2.11, as revised, as well as other appropriate authorities. A summary of relevant authorities is discussed later in this notice.

#### Comments on Proposed Guidelines

The Service received 27 letters from wildlife professionals, safari operators, and national wildlife department representatives; 105 letters from private individuals, and petitions from safari and hunting clubs containing 956 signatures. In addition, the Service received a petition with 3,360 signatures representing rural Zimbabweans participating in Communal Areas Wildlife Management Programme for Indigenous Resources (CAMPFIRE). The majority of responses indicated that there was significant confusion on the scope and intent of the internal guidelines.

Although the Service is withdrawing the proposed guidelines a discussion of some of the issues raised in the comments on the proposed guidelines is useful.

*Comment:* Sport-hunting is beneficial to elephant conservation and local economies. It is small scale, taking less than 1 percent of the elephant population annually.

*Response:* The Service has always accepted the premise that sport-hunting of non-endangered, properly managed wildlife populations can be beneficial to the survival of the population.

*Comment:* In lieu of population estimates, other measures such as weight limits for female and male tusks or surveys of trophy sizes and numbers would be sufficient to determine whether or not the level of harvest is sustainable.

*Response:* The Service agrees that other population indices or measures to ensure long-term population maintenance may be appropriate, and could be included in Scientific Authority findings by the exporting country.

*Comment:* Sport hunting provides needed revenue to local residents and governments.

*Response:* All such revenues may be used for purposes unrelated to the conservation of the African elephant, and monies may benefit an individual or group only for the immediate hunting season. The Service believes that when revenues are directed to management or enforcement activities or when there is long-term benefit to individuals or groups with proprietary interest in ensuring a viable elephant population, there is benefit to the survival of the elephant.

*Comment:* Some respondents felt that the guidelines should be a mechanism to allow dialogue with the exporting states.

*Response:* Although the guidelines are being withdrawn, the Service agrees that dialogue with the exporting states is important, and will endeavor to increase such dialogue when implementing the new CITES resolution Conf. 2.11 provisions.

*Comment:* The proposed guidelines are not stringent enough.

*Response:* Although the Service is withdrawing the proposed guidelines, the Service believes that its review of import permits for sport-hunted African elephant trophies is sufficient to ensure compliance with the Act and CITES.

*Comment:* Policies towards range states should be individually developed to support their strengths and "work against their weaknesses".

*Response:* The Service agrees that there may be significant differences in management situations in the different countries which should be considered.

#### African Elephant Conservation Act and CITES Quotas

Although the Service is withdrawing the proposed guidelines, the Service continues to be responsible for evaluating applications to import African elephant trophies based on applicable requirements of the African Elephant Conservation Act, the Endangered Species Act, and CITES, including Conf. 2.11, as revised.

The African Elephant Conservation Act authorizes individuals to import sport-hunted African elephant trophies "that have been legally taken in an ivory producing country that has submitted any ivory quota" to the CITES Secretariat. See 16 U.S.C. 4222(e). Before permit applications for sport-hunted African elephant trophies will be reviewed by the Service, the country in which the specimens are harvested must have submitted an ivory export quota for the year of export to the CITES Secretariat, and confirmation of receipt of this quota must be received by the Service (see discussion of the Endangered Species Act requirements later in this notice). This has led to some misunderstanding, because some trophy import permit applications have been received by the U.S. Management Authority almost a year before a CITES quota has been received from the country of origin. This has meant that final action on the applications had to be delayed until the Service received confirmation that the quotas had been received by the CITES Secretariat.

Before an importation can occur the importer must, in addition to having an import permit, have a valid CITES export permit from the country of origin, and the ivory specimens being imported must be marked in accordance with the marking requirements contained in the revised African Elephant special rule discussed in the next paragraph.

#### Endangered Species Act

The African elephant is listed as a threatened species under the U.S. Endangered Species Act (Act). Pursuant to section 4(d) of the Act, 16 U.S.C. 1533(d), the Service has promulgated a "special rule" for the African elephant (50 CFR 17.40(e)) that was most recently revised in 1992 (57 FR 35486, August 10, 1992). The special rule allows the import of sport-hunted elephant trophies into the United States subject to several provisions. First, the trophy must originate in a country for which

the Service has received notice of an ivory quota for the year of export (50 CFR 17.40(e)(3)(iii)(A)). In addition, the trophy may not be imported unless the Service determines that the killing of the animal whose trophy is intended for import would enhance the survival of the species (50 CFR 17.40(e)(3)(iii)(C)). The Service has been able to make this finding for trophy import permit applications that have been submitted in the last few years.

### CITES

Also applicable to the Service's procedures is the CITES requirement that the import permit be issued before the export permit, and it is obviously desirable for the sportsman to obtain, or at least have reasonable assurance of obtaining, the necessary import and export permits before committing to the safari hunt. Consistent with revised Conf. 2.11(c), the U.S. Scientific Authority will accept a "not detrimental" finding of the exporting country for that year, unless there are scientific or management data to indicate otherwise. If the scientific or management data indicate a concern about the reasonableness of an exporting country's "not detrimental" finding, the Service will consult with that country's Scientific and Management Authorities. Obviously, for the Scientific Authority advice and the subsequent export permit issued by the Management Authority to be accepted, the exporting country must have designated its Scientific Authority.

This notice was prepared under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

Dated: March 2, 1995.

**George T. Frampton, Jr.,**

*Assistant Secretary—Fish and Wildlife and Parks.*

[FR Doc. 95-5771 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-55-M

### Minerals Management Service

#### Availability of Outer Continental Shelf Official Protraction Diagrams

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Publication of New North American Datum (NAD) 83 Outer Continental Shelf Official Protraction Diagrams (OPD's).

Notice is hereby given that effective with this publication, the following NAD 83-based outer continental shelf (OCS) Official Protraction Diagrams (OPD's) for the Gulf of Alaska/Yakutat

area are on file and available in the Alaska OCS Region office, Anchorage, Alaska. They reflect current baseline and boundary information portrayed on a metric NAD 83 cadastre. These OPD's should be used for the Offshore Program within the Gulf of Alaska/Yakutat area.

Description	Date
NP 06-08, Cordova .....	September 1, 1994.
NP 07-07, Bering Glacier	September 1, 1994.
NO 06-02, Middleton Island.	September 1, 1994.
NO 07-01, Icy Bay .....	September 1, 1994.
NO 07-02, Yakutat .....	September 1, 1994.
NO 07-03, (Unnamed) .....	September 1, 1994.
NO 07-04, Alesk Valley ...	September 1, 1994.
NO 08-03, Mt. Fairweather.	September 1, 1994.

**ADDRESSES:** Copies of these OPD's may be purchased for \$2.00 each from the Minerals Management Service, Alaska OCS Region, 949 East 36th Avenue, Room 603, Anchorage, Alaska 99508-4302, Attention: Library, (907) 271-6435.

**FOR FURTHER INFORMATION CONTACT:** Technical comments or questions pertaining to these maps should be directed to Leasing and Environment, Chief, Leasing Activities Section, at the address stated above, or at (907) 271-6691.

Dated: February 22, 1995.

**Judith C. Gottlieb,**

*Regional Director, Alaska OCS Region.*

[FR Doc. 95-5766 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-MR-M

### National Park Service

#### Mississippi River Corridor Study Commission

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets the schedule for the forthcoming meeting of the Mississippi River Corridor Study Commission. Notice of this meeting is required under the Federal Advisory Committee Act (Public Law 92-463).

**MEETING DATE AND TIME:** March 27, 1995, 8 a.m. until 4:30 p.m.; March 29, 1995, 8 a.m. until 12 noon.

**ADDRESSES:** Radisson Barcelo Hotel, 2121 P Street NW., Hershwin Room, Washington, DC.

This business meeting will be open to the public. Space and facilities to

accommodate members of the public are limited and persons accommodated on a first-come, first-served basis. The Chairman will permit attendees to address the Commission, but may restrict the length of presentations. An agenda will be available from the National Park Service, Midwest Region, 1 week prior to the meeting.

#### FOR FURTHER INFORMATION CONTACT:

Alan M. Hutchings, Acting Associate Regional Director, Planning and Resource Preservation, National Park Service, Midwest Region, 1709 Jackson Street, Omaha, Nebraska 68102, or call 402-221-3082.

**SUPPLEMENTARY INFORMATION:** The Mississippi River Corridor Study Commission was established by Public Law 101-398, September 29, 1990.

Dated: February 24, 1995.

**William W. Schenk,**

*Regional Director, Midwest Region.*

[FR Doc. 95-5692 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-70-P

### INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-372]

#### Certain Neodymium-Iron-Boron Magnets, Magnet Alloys, and Articles Containing the Same; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 1, 1995, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Crucible Materials Corporation, State Fair Boulevard, P.O. Box 977, Syracuse, New York 13201-0977. A supplement to the complaint was filed on February 23, 1995. The complaint alleges a violation of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain neodymium-iron-boron magnets, magnet alloys, and articles containing the same, by reason of direct and induced infringement of claims 1-3 of U.S. Letters Patent 4,588,439. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation