The above-listed plats represent dependent resurveys, survey and subdivision.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, (1515 S.W. 5th Avenue) P.O. Box 2965, Portland, Oregon 97208.

Dated: December 1, 1997.

Robert D. DeViney, Jr.,

Chief, Branch of Realty and Records Services.

[FR Doc. 97–32420 Filed 12–10–97; 8:45 am]

BILLING CODE 4310–33–M

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–392]

In the Matter of Certain Digital Satellite System (DSS) Receivers and Components Thereof; Notice of Final Commission Determination of No Violation of Section 337 of the Tariff Act of 1930

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has made a final determination of no violation of section 337 of the Tariff Act of 1930, as amended, in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205–3107.

SUPPLEMENTARY INFORMATION: The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.45 of the Commission's Rules of Practice and Procedure (19 C.F.R. 210.45).

The Commission instituted this patent-based section 337 investigation on December 11, 1996, based on a complaint filed by Personalized Media Communications (''PMC'') of New York, New York.[1] PMC's complaint named seven respondents: DIRECTV, Inc., United States Satellite Broadcasting Company (''USSB''); Hughes Network Systems (''HNS''); Hitachi Home Electronics (America) Inc. (''Hitachi''); Thomson Consumer Electronics, Inc. (''Thomson''); Toshiba America Consumer Productions, Inc. (''Toshiba''); and Matsushita Electric Corporation of America (''Matsushita''). DIRECTV, USSB, HNS, and Hitachi will be collectively referred to as the ''broadcaster respondents'' or ''broadcasters,'' while Thomson, Toshiba, and Matsushita will be collectively referred to as the ''manufacturing respondents.''

At issue are PMC's allegations that the broadcaster and manufacturing respondents violated section 337 by importing into the United States, selling for importation, and/or selling within the United States after importation certain digital satellite system (''DSS'') receivers and components thereof that infringe claims 6, 7, and/or 44 of U.S. Letters Patent 5,335,277 (''the '277 patent''), owned by PMC. Other claims originally asserted by PMC were either withdrawn (claims 3, 12, and 15) or were found to be invalid as anticipated under 35 U.S.C. 102, on respondents' motion for summary judgment (claim 35).

The presiding administrative law judge (ALJ) held an evidentiary hearing from June 30, 1997, to July 12, 1997. On October 20, 1997, the ALJ issued his final initial determination (''ID''), in which he concluded that there was no violation of section 337, based on his findings that: (a) each of claims 6, 7, and 44 is invalid as indefinite under 35 U.S.C. 112, ¶ 2; (b) each of claims 6, 7, and 44 is invalid as non-enabled under 35 U.S.C. 112, ¶ 1; (c) claim 7 is invalid as anticipated under 35 U.S.C. 102; and (d) PMC failed to show that the accused receivers and components infringed any of claims 6, 7, or 44, either directly or through contributory or induced infringement. The ALJ rejected other invalidity and unenforceability defenses raised by respondents and found that PMC satisfied the domestic industry requirement.

On October 31, 1997, PMC filed a petition for review of the ID, arguing that the ALJ erred in finding that each of claims 6, 7, and 44 is invalid as indefinite and non-enabled, and further erred in finding that the accused receivers and components do not infringe any of the claims at issue. The manufacturing and broadcaster respondents filed separate contingent petitions for review, asserting that the Commission should also review the ALJ's findings rejecting certain invalidity and inequitable conduct arguments, provided the Commission grants PMC's petition for review. The broadcaster respondents also requested that the Commission reverse the ALJ's refusal to allow the testimony of their expert witness David Stewart and his rejection of their offer of proof. The Commission investigative attorney did not file a petition for review and, in his response to the petitions for review, generally supported the major findings in the ID.

Having reviewed the record in this investigation, including the parties' written submissions, the Commission determined not to review, and thereby adopted, the ALJ's construction of each of the claims at issue, and his findings that: (1) Each of claims 6, 7, and 44 is invalid as indefinite under 35 U.S.C. 112, ¶ 2; (2) the accused receivers and components do not infringe any of the three claims at issue, either directly or through contributory or induced infringement; and (3) there is consequently no violation of section 337. The Commission took no position on the remaining issues addressed in the ID. Finally, the Commission affirmed the decision of the ALJ to refuse to allow the Stewart testimony and to reject the broadcaster respondents' offer of proof.

Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205–2000. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205–1810.

Issued: December 4, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97–32333 Filed 12–10–97; 8:45 am]

BILLING CODE 7020–02–P

[1] *Notice of Investigation*, 61 F.R. 66,695–96 (Dec. 18, 1996).

DEPARTMENT OF JUSTICE

[AG Order No. 2131–97]

Guidance on Standards and Methods for Determining Whether a Substantial Connection Exists Between Battery or Extreme Cruelty and Need for Specific Public Benefits

AGENCY: Department of Justice.

ACTION: Notice of guidance; rescission of prior order.

SUMMARY: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (''PRWORA''), as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, provides that certain categories of aliens who have been subjected to battery or extreme cruelty in the United States are

''qualified aliens'' eligible for certain federal, state, and local public benefits. To be qualified under this provision, an alien must demonstrate, among other things, that there is a substantial connection between the battery or extreme cruelty and the need for the public benefit sought. As initially enacted, the PRWORA vested in the Attorney General the authority to determine whether a substantial connection exists between the battery or extreme cruelty suffered by the alien or alien's child and the specific benefits sought by the alien. The Attorney General exercised that authority in Attorney General Order No. 2097–97. Subsequent to the issuance of that Order, Congress passed the Balanced Budget Act of 1997, which amended the PRWOR to vest the authority for making substantial connection determinations in benefit providers, rather than the Attorney General. The Balanced Budget Act also requires the Attorney General to issue guidance to benefit providers on the standards and methods to be used in making substantial connection determinations. Pursuant to the Balanced Budget Act, this Notice rescinds Attorney General Order No. 2097–97 and provides guidance to benefit providers regarding substantial connection determinations.

DATES: This Notice is effective November 23, 1997.

FOR FURTHER INFORMATION CONTACT: Diane Rosenfeld, Senior Counsel, The Violence Against Women Office, United States Department of Justice, 950 Pennsylvania Ave., Washington, D.C. 20530, (202) 616–8894.

SUPPLEMENTARY INFORMATION: Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (''PRWORA''), Public Law 104–193, as added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104–208, and amended by sections 5571–72 and 5581 of the Balanced Budget Act of 1997, Pub. L. 105–33, provides that certain categories of aliens who have been subjected to battery or extreme cruelty in the United States are ''qualified aliens'' eligible for certain federal, state, and local public benefits. To be a qualified alien under this provision, an alien must demonstrate that: (1) The Immigration and Naturalization Service or the Executive Office for Immigration Review has granted a petition or application field by or on behalf of the alien, the alien's child, or the alien child's parent under one of several subsections of the Immigration and Nationality Act (INA), or has found that a pending petition or application sets forth a prima facie case for relief under the applicable provision of the INA; (2) the alien, the alien's child, or the alien child's parent has been battered or subjected to extreme cruelty in the United States: (a) In the case of an abused alien, by the alien's spouse or parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consents to or acquiesces in such battery or cruelty; (b) in the case of an alien whose child is abused, by the alien's spouse or parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consents to or acquiesces in such battery or cruelty and the alien did not actively participate in the battery or cruelty; (c) in the case of an alien child whose parent is abused, by the parent's spouse or a member of the spouse's family residing in the same household as the parent and the spouse consents to or acquiesces in such battery or cruelty; (3) there is a substantial connection between the battery or extreme cruelty and the need for the public benefit sought and (4) the battered alien, child, or parent no longer resides in the same household as the abuser.

As originally enacted, section 431(c) of the PRWORA vested in the Attorney General the responsibility for determining whether an alien applicant for benefits had demonstrated a substantial connection between the battery or extreme cruelty and the applicant's need for particular benefits. The Attorney General exercised that authority in Attorney General Order No. 2097–97, Determination of Situations that Demonstrate a Substantial Connection Between Battery or Extreme Cruelty and Need for Specific Benefits, 62 FR 39874 (July 24, 1997). In drafting this Determination, the Attorney General consulted with federal benefit-granting agencies that are implementing section 431(c) of PRWORA and with other interested parties.

Subsequently, Congress enacted the Balanced Budget Act of 1997, which amended section 431(c) of the PRWORA to require that benefit providers, rather than the Attorney General, determine whether an applicant for benefits under this section has demonstrated a substantial connection between battery or extreme cruelty and the need for the particular benefit sought. Although section 5571 of the Balanced Budget Act transfers the authority to make substantial connection determinations from the Attorney General to the benefit provider, it directs the Attorney General to issue guidance to benefit providers on the standards and methods for making such determinations.[1] That guidance is set forth below.

This Notice of guidance is an ''interpretive rule'' and therefore is not subject to the notice and comment or delay in effective date requirements of 5 U.S.C. 553. This Determination is not a ''significant regulatory action'' under Executive Order 12866 and is not a ''major rule'' under 5 U.S.C. 804.

Guidance on Standards and Methods for Determining Whether a Substantial Connection Exists Between Battery or Extreme Cruelty and Need for Specific Public Benefits

By virtue of the authority vested in me as Attorney General by law, including section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, I hereby issue the following guidance to federal, state, and local public benefit providers concerning the standards and methods to be used in determining whether an alien applicant for benefits demonstrates that there is a substantial connection between the battery or extreme cruelty suffered by the alien, the alien's child, or (in the case of an alien child) the alien's parent and the need for the public benefit(s) sought. The following list sets forth the circumstances under which I would find the existence of a substantial connection. Although this guidance is not binding upon benefit providers, it is intended to assist benefit providers in developing standards by which to make substantial connection determinations.

(1) Where the benefits are needed to enable the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent to become self-sufficient following separation from the abuser;

(2) Where the benefits are needed to enable the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent to escape the abuser and/or the community in which the abuser lives, or to ensure the safety of the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent from the abuser;

(3) Where the benefits are needed due to a loss of financial support resulting from the applicant's, his or her child's, and/or (in the case of an alien child) his or her parent's separation from the abuser;

[1] Section 5571 also requires the Attorney General to issue guidance on the meaning of the terms ''battery'' and ''extreme cruelty'' as employed in the PRWORA, as amended. That information can be found in Exhibit B to Attachment 5 of the Interim Verification Guidance.

(4) Where the benefits are needed because the battery or cruelty, separation from the abuser, or work absences or lower job performance resulting from the battery or extreme cruelty or from legal proceedings relating thereto (including resulting child support or child custody disputes) cause the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent to lose his or her job or require the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent to leave his or her job for safety reasons;

(5) Where the benefits are needed because the applicant, the applicant's child, and/or (in the case of an alien child) the applicant's parent requires medical attention or mental health counseling, or has become disabled, as a result of the battery or cruelty;

(6) Where the benefits are needed because the loss of a dwelling or source of income or fear of the abuser following separation from the abuser jeopardizes the applicant's and/or (in the case of an alien child) the applicant's parent's ability to care for his or her children (*e.g.,* inability to house, feed, or clothe children or to put children into day care for fear of being found by the abuser);

(7) Where the benefits are needed to alleviate nutritional risk or need resulting from the abuse or following separation from the abuser;

(8) Where the benefits are needed to provide medical care during a pregnancy resulting from the abuser's sexual assault or abuse of, or relationship with, the applicant, the applicant's child, an/or (in the case of an alien child) the applicant's parent and/or to care for any resulting children; or

(9) Where medical coverage and/or health care services are needed to replace medical coverage or health care services the applicant, the applicant's child, and/or (in the case of an alien child) the alien's parent had when living with the abuser.

Dated: November 23, 1997.

Janet Reno,

Attorney General.

[FR Doc. 97–32438 Filed 12–10–97; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Office of Justice Programs

Bureau of Justice Statistics; Agency Information Collection Activities; Existing Collection; Comment Request

ACTION: Revision to existing collection: Summary of sentenced population movement—Annual data collection.

Office of Management and Budget approval is being sought for the information collection listed below. This proposed collection was previously published in the **Federal Register** on September 16, 1997, allowing for a 60-day public comment period. One comment was received by the Bureau of Justice Statistics. Changes were performed where appropriate.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until January 12, 1998. All comments and/or questions pertaining to this pending request for approval must be directed to OMB, Office of Information and Regulatory Affairs, Attention Ms. Victoria Wassmer, Department of Justice Desk Officer, Washington, DC 20530. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points;

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond including through the use of appropriate automated, electronic mechanical, or other technology collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Overview of this Information Collection

(1) *Type of information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Summary of Sentenced Population Movement.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* NPS–1. Bureau of Justice Statistics.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Federal, State, and Local or Tribal Government. The National Prisoner Statistics—1 is the only national source of information on the number of persons under jurisdiction or in custody at midyear and yearend; the number and type of admissions and releases; the number of inmate deaths by cause; counts by sex, race and Hispanic origin; number of inmates with HIV/AIDS, and prison capacity and jail backups due to crowding.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond.* Fifty-two respondents at 6.5 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* Three hundred thirty-eight annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instruction, or additional information, please contact Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: December 5, 1997.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 97–32407 Filed 12–10–97; 8:45 am]

BILLING CODE 4410–18–M

LEGAL SERVICES CORPORATION

Sunshine Act Meeting of the Board of Directors Committee on Performance Reviews of the President and Inspector General

TIME AND DATE: The Board of Directors Committee on Performance Reviews of the President and Inspector General will meet on December 18, 1997. The meeting will commence at 9 a.m. and continue until conclusion of the committee's agenda.

LOCATION: Legal Services Corporation, 750 First Street N.E.—10th Floor, Washington, DC 20002.

STATUS OF MEETING: Except for approval of the committee's agenda and any miscellaneous business that may come before the committee, the meeting will