

copies of the Program Announcement/ Application may be obtained by request.

**Brooke Holmes,**

*Director, Office of Science and Technology Cooperation, Bureau of Oceans and International Environmental and Scientific Affairs and, Co-Chair, U.S.-Egypt S&T Joint Board.*

[FR Doc. 98-23124 Filed 8-27-98; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 2877]

### Delegation of Authority No. 145-12

Pursuant to section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a), as amended and Executive Order No. 12938, as amended, Section 1(a) of State Department Delegation of Authority No. 145 of February 4, 1980, 45 F.R. 11655, as amended, is hereby further amended by adding a new subparagraph 12 as follows:

“(12) The functions conferred on the Secretary of State in Executive Order 12938 of November 14, 1994.”

Dated: July 30, 1998.

**Strobe Talbott,**

*Acting Secretary of State.*

[FR Doc. 98-23123 Filed 8-27-98; 8:45 am]

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## DEPARTMENT OF STATE

### Bureau of Economic and Business Affairs

[Public Notice 2874]

#### National Interest Determination Concerning Four Pipelines Operated on the Border of the United States at International Falls, Minnesota by Boise Cascade Corporation

Pursuant to the authority vested in me under Executive Order 11423 of August 16, 1968 as amended by Executive Order 12847 of May 17, 1993, and Department of State Delegation of Authority No. 118-1 of April 11, 1973, and subject to satisfaction of the requirements of sections 1(d) and 1(f) of the said Executive Order, I hereby determine that issuance of a permit to Boise Cascade Corporation, a Delaware Corporation, to operate and maintain four existing pipelines for the transportation of water, steam and filler material across the international boundary between the United States and Canada near International Falls, Minnesota would serve the national interest.

This determination shall become final fifteen days after the Secretaries of Defense, Treasury, Interior, Commerce, Transportation, the Attorney General, the Chairman of the Surface Transportation Board, and the Director of the Federal Emergency Management Agency have been notified of this proposed determination, unless the matter must be referred to the President for consideration and final decision pursuant to section 1(f) of said Executive Order.

Dated: August 4, 1998.

**Stuart E. Eizenstat,**

*Under Secretary of State for Economic, Business and Agricultural Affairs.*

[FR Doc. 98-23119 Filed 8-27-98; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 2876]

#### Revised Notice of Guidelines for Determining Comparability of Foreign Programs for the Protection of Sea Turtles in Shrimp Trawl Fishing Operations

**SUMMARY:** Section 609 of Public Law 101-162 (“Section 609”) provides that shrimp harvested with technology that may adversely affect certain species of sea turtles may not be imported into the United States unless there is an annual certification to Congress that the harvesting nation has a regulatory program and an incidental take rate comparable to that of the United States, or, alternatively, that the fishing environment in the harvesting nation does not pose a threat to the incidental taking of sea turtles. This notice revises the April 19, 1996 guidelines used by the Department of State in making such certification, in response to a decision made by the U.S. Court of Appeals for the Federal Circuit on June 4, 1998.

**EFFECTIVE DATE:** August 28, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bill Gibbons-Fly, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington DC 20520, telephone number (202) 647-2335.

**SUPPLEMENTARY INFORMATION:** Section 609 provides that shrimp or products from shrimp harvested with commercial fishing technology that may adversely affect certain species of sea turtles protected under U.S. law and regulations may not be imported into the United States unless the President certifies to Congress by May 1, 1991, and annually thereafter, that:

a. The government of the harvesting nation has provided documentary evidence of the adoption of a regulatory program governing the incidental taking of such sea turtles in the course of such harvesting that is comparable to that of the United States; and

b. The average rate of that incidental taking by vessels of the harvesting nation is comparable to the average rate of incidental taking of sea turtles by United States vessels in the course of such harvesting; or

c. The particular fishing environment of the harvesting nation does not pose a threat of the incidental taking of such sea turtles in the course of such harvesting.

The President has delegated to the Secretary of State the authority to make certifications pursuant to Section 609 (Memorandum of December 19, 1990; 56 FR 357; January 4, 1991).

The relevant species of sea turtles are: loggerhead (*Coretta caretta*), Kemp’s ridley (*Lepidochelys kempi*), green (*Chelonia mydas*), leatherback (*Dermodochelys coriacea*) and hawksbill (*Eremochelys imbricata*).

On October 8, 1996, the Court of International Trade held that Section 609 could not be enforced by the Department of State so as to allow entry into the United States of any shrimp or products from shrimp harvested by citizens or vessels of nations which had not been certified in accordance with Section 609. *Earth Island Institute v. Christopher*, 942, F. Supp. 597 (CIT 1996).

On November 25, 1996, the Court of International Trade issued an opinion which clarified the October 1996 ruling and stated that the State Department could allow entry into the United States of any shrimp or products from shrimp harvested by citizens or vessels of nations which have not been certified in accordance with Section 609 so long as the harvest was accomplished in a manner which did not adversely affect sea turtles (e.g. shrimp harvested in an aquaculture facility under certain circumstances; shrimp harvested by manual rather than by mechanical methods; or shrimp harvested in areas in which sea turtles do not occur). However, shrimp and products from shrimp harvested with turtle excluder devices (TEDs) could not be imported unless the harvesting nation was certified in accordance with Section 609. *Earth Island Institute v. Christopher*, 948 F. Supp. 1062 (CIT 1996).

On June 4, 1998, the U.S. Court of Appeals for the Federal Circuit vacated the trial court’s October 8, 1996 and November 25, 1996 rulings and held