

SUMMARY: This order withdraws 270 acres of public land from surface entry and mining for a period of 50 years to protect important paleontological resource values that were recently discovered on Big Cedar Ridge near Ten Sleep. The land has been and will remain open to mineral leasing.

EFFECTIVE DATE: October 30, 1997.

FOR FURTHER INFORMATION CONTACT: Janet Booth, BLM Wyoming State Office, P.O. Box 1828, Cheyenne, Wyoming 82003, 307-775-6124.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. Ch. 2 (1994)), but not from leasing under the mineral leasing laws, for the Bureau of Land Management to protect important paleontological resource values:

Sixth Principal Meridian

T. 45 N., R. 89 W.,
 sec. 16, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 sec. 21, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 50 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1994), the Secretary determines that the withdrawal shall be extended.

Dated: October 21, 1997.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 97-28780 Filed 10-29-97; 8:45 am]

BILLING CODE 4310-22-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES-960-1420-00] ES-48891, Group 29, Illinois

Notice of Filing of Plat of Survey; Illinois

The plat, in four sheets, of the dependent resurvey of a portion of U.S. Survey No. 578, and the survey of the Locks and Dam No. 27 acquisition boundary, Township 3 North, Ranges 9 and 10 West, Third Principal Meridian, Illinois, will be officially filed in Eastern States, Springfield, Virginia at 7:30 a.m., on December 1, 1997.

The survey was requested by the U.S. Army Corps of Engineers.

All inquiries or protests concerning the technical aspects of the survey must be sent to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to 7:30 a.m., December 1, 1997.

Copies of the plat will be made available upon request and prepayment of the reproduction fee of \$2.75 per copy.

Dated: October 21, 1997.

Stephen G. Kopach,

Chief Cadastral Surveyor.

[FR Doc. 97-28778 Filed 10-29-97; 8:45 am]

BILLING CODE 4310-GJ-M

INTERNATIONAL TRADE COMMISSION

[Investigation 332-386]

Macadamia Nuts: Economic and Competitive Conditions Affecting the U.S. Industry

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and scheduling of hearing.

EFFECTIVE DATE: October 23, 1997.

SUMMARY: Following receipt on September 15, 1997, of a request from the Senate Committee on Finance (Committee), the Commission instituted investigation No. 332-386, Macadamia Nuts: Economic and Competitive Conditions Affecting the U.S. Industry, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)), for the purpose of providing a report on factors affecting trade between the United States and major world markets for macadamia nuts. As requested by the Committee, the Commission's report on the investigation will include the following information:

(1) A description of the competitive factors affecting the domestic macadamia nut industry, including competition from imports of macadamia nuts;

(2) To the extent data are available, a description of the prices U.S. consumers pay for macadamia nuts compared with the prices paid for macadamia nuts by consumers in other major markets for macadamia nuts, and a description of the degree to which quotas, tariffs, or other trade barriers affect such prices;

(3) A description of the extent to which trade practices and barriers to trade by other competing countries are impeding the marketing of domestically produced macadamia nuts; and

(4) An analysis of current conditions of trade in macadamia nuts between the United States and macadamia nut exporting countries (in particular, Australia, Brazil, South Africa, and the Central American countries) and between the exporting countries and the rest of the world, as well as any recent changes in such conditions, including information on prices, cost of production, marketing practices, and market shares of foreign suppliers in the U.S. market.

As requested by the Committee, the Commission will submit the results of its investigation by September 30, 1998.

FOR FURTHER INFORMATION CONTACT:

Information on industry aspects may be obtained from Stephen Burket, Office of Industries (202-205-3318) or John Reeder, Office of Industries (202-205-3319); and legal aspects, from William Gearhart, Office of the General Counsel (202-205-3091). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1820). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202-205-1810).

Public Hearings

Public hearings in connection with the investigation will be held in Kailua-Kona, Hawaii, and in Washington, DC.

Hawaii hearing.—The hearing will be held at King Kamehameha's Kona Beach Hotel, 75-5660 Palani Road, beginning at 8:30 a.m. on Wednesday, March 25, 1998. Requests to appear at the public hearing in Kailua-Kona should be filed with the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436, no later than 5:15 p.m. (Eastern Standard Time) March 11, 1998. Persons testifying at the hearing are encouraged to file prehearing briefs or statements; the deadline for filing such briefs or statements (a signed original and 14 copies) is March 13, 1998. The deadline

for filing posthearing briefs or statements is 5:15 p.m. (Eastern Daylight Time) May 15, 1998. In the event that, as of the close of business March 11, 1998, no witnesses are scheduled to appear, the hearing will be canceled. Any person interested in attending the hearings as an observer or non-participant may call the Secretary to the Commission (202-205-1816) after March 11, 1998 to determine whether the hearing will be held.

Washington, DC hearing.—The hearing will be held in Washington, DC at the International Trade Commission building, 500 E Street, SW, Washington, DC 20436, beginning at 9:30 am on Thursday, April 30, 1998. Requests to appear at the public hearing in Washington, DC should be filed with the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436 no later than 5:15 p.m. (Eastern Standard Time) April 14, 1998. Persons testifying at the hearing are encouraged to file prehearing briefs or statements; the deadline for filing such briefs or statements (a signed original and 14 copies) is April 21, 1998. The deadline for filing posthearing briefs or statements is 5:15 p.m. (Eastern Daylight Time) May 15, 1998. In the event that, as of the close of business on April 14, 1998, no witnesses are scheduled to appear, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202-205-1816) to determine whether the hearing will be held.

Written Submissions

In lieu of or in addition to participating in the public hearings, interested persons are invited to submit written statements concerning the matters to be addressed in the report. Commercial or financial information that a party desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons in the Office of the Secretary to the Commission. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted at the earliest practical date and should be received no later than

May 15, 1998. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

Issued: October 24, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97-28810 Filed 10-29-97; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-370]

In the Matter of Certain Salinomycin Biomass and Preparations Containing Same; Notice of Commission Hearing

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to hold a public hearing in the above-captioned investigation to allow parties to present oral argument on the recommendation of the presiding administrative law judge (ALJ) that the Commission order monetary sanctions.

FOR FURTHER INFORMATION CONTACT: Jean H. Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3104.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 6, 1995, based on a complaint filed by Kaken Pharmaceutical Co. Inc. (Kaken). On November 6, 1995, the ALJ issued his final initial determination (ID) in this investigation, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, by respondents Hoechst Aktiengesellschaft, Hoechst Veterinar GmbH, and Hoechst-Roussel Agri-Vet Co. (collectively, Hoechst). His determination was based on his findings that the patent at issue was invalid for failure to disclose the best mode of operation and unenforceable due to inequitable conduct during prosecution of the patent. The ALJ's ID was not reviewed by the Commission and was ultimately upheld on appeal, *Kaken Pharmaceutical Co. v. USITC*, Appeal

Nos. 96-1300-1302, nonprecedential opinion dated March 31, 1997.

On January 19, 1996, Hoechst filed a motion for sanctions against Kaken, which the Commission referred to the presiding ALJ for issuance of a recommended determination (RD). Hoechst's motion alleged, *inter alia*, that Kaken committed sanctionable conduct by filing a complaint totally lacking in merit. On May 14, 1997, the ALJ issued his RD in which he recommended that the Commission impose on Kaken and its attorneys joint and several liability for an amount of money equal to double the entire attorneys' fees and costs of the Hoechst respondents incurred in both the section 337 investigation on the merits and in the proceedings on sanctions. All parties filed comments on the RD. On August 8, 1997, Kaken and its attorneys requested leave to file a reply to Hoechst's comments and an opportunity for oral argument before the Commission. Hoechst and the Commission investigative attorney (IA) opposed the motion to file a reply brief, but agreed to the request for oral argument if the Commission believed oral argument would be useful in determining whether a sanction should issue, and if so, what the sanction should be. On August 29, 1997, Hoechst filed a motion to file a surreply in the event that the Commission granted Kaken's motion to file a reply. On September 11, 1997, Kaken and its attorneys responded that they had no objection to Hoechst's motion to file a surreply if the Commission also granted leave for Kaken and its attorneys to file their reply.

Commission Hearing

The Commission will hold a public hearing on Wednesday, December 10, 1997, in its main hearing room, 500 E Street, S.W., Washington, D.C., beginning at 9:30 a.m. The hearing will be limited to the issues raised by the presiding ALJ's recommendation on sanctions, dated May 14, 1997. The order and time limits for presentations shall be as follows:

Kaken and its attorneys—30 minutes.
The Office of Unfair Import

Investigations—30 minutes.
Hoechst—30 minutes.

These time limits shall be exclusive of questioning by the Commission. Kaken and its attorneys and the IA may set aside part of their times for rebuttal. The hearing will be open to the public.

Notices of Appearance

Written requests to appear at the Commission hearing must be filed with the Office of the Secretary by December 2, 1997.