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Tuesday
March 5, 1985

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Environmental Protection Agency

Aviation Safety
Federal Aviation Administration

Banks, Banking
Federal Reserve System

Biologics
Food and Drug Admininstration

Credit
Federal Reserve System

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Hazardous Materials Transportation
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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. 84-328]

Khapra Beetle; Affirmation of Interim Rule

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This document affirms without change an interim rule published in the **Federal Register** on January 16, 1984, which amended the "Khapra Beetle" regulations by designating the following items as restricted articles: (1) Cumin seeds (*Cuminum cyminum*) in jute or burlap bags if from Pakistan; (2) seeds of the plant family Cucurbitaceae if in shipments greater than two ounces, if not for propagation, and if from Afghanistan, Algeria, Bangladesh, Burma, Cyprus, Egypt, India, Iran, Iraq, Israel, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syria, Tunisia, Turkey, or Upper Volta; (3) goatskins, lambskins, and sheepskins which are salted but not moist if from Sudan or India; and (4) used burlap bagging not containing cargo and used jute bagging not containing cargo if from Libya, Saudi Arabia or Syria. Additionally, the document amended the provisions concerning phytosanitary certificates of inspection for certain restricted articles to reflect statutory requirements and provided that a phytosanitary certificate of inspection must be issued not more than 15 days prior to the shipment of the restricted article from the country in which grown, in order for the certificate to be valid.

EFFECTIVE DATE: March 5, 1985.

FOR FURTHER INFORMATION CONTACT: Charles E. Miller, Staff Specialist, Biological Assessment Support Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 631, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8367.

SUPPLEMENTARY INFORMATION:

Executive Order 12291 and Regulatory Flexibility Act

The amendment has been issued in conformance with Executive Order 12291, and has been determined to be not a "major rule." Based on information compiled by the Department it has been determined that the amendment will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Managment and Budget has waived the review process required by Executive Order 12291.

With respect to cumin seed, an importer can avoid these seeds being designated as restricted articles if they are shipped from Pakistan in other than jute or burlap bagging. Further, these seeds are used as spices and represent an insignificant amount of the spices imported into the United States.

Almost all Cucurbitaceae seeds designated as restricted articles would be imported for food and would compete on the market with other types of seeds used as food. These imported Cucurbitaceae seeds represent an insignificant amount of total Cucurbitaceae seeds and other types of seeds used for food in the United States.

Under the amendment, goatskins, lambskins, and sheepskins from Sudan or India are not designated as restricted articles if they are salted and moist upon importation. In order to avoid having such salted skins designated as restricted articles, such skins can be shipped moist. Shipping such skins moist would not have a significant effect on the cost of preparing and shipping these skins. Further, it is a common practice in the industry to ship salted skins moist.

There is little, if any, importation of used jute or burlap bagging from Libya, Saudi Arabia, and Syria.

The amendment will not have a significant economic effect on United States importers and sellers of the affected articles. Almost all such importers and sellers are involved with a wide range of commodities. Activities involving these articles comprise an insignificant portion of such businesses.

Under the circumstances explained above, the Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities.

Background

A document published in the **Federal Register** on January 16, 1984 (49 FR 1872-1876) set forth an interim rule amending the "Khapra Beetle" regulations (7 CFR 319.75 *et seq.*) by designating the following items as restricted articles: (1) Cumin seeds (*Cuminum cyminum*) in jute or burlap bags if from Pakistan; (2) seeds of the plant family Cucurbitaceae if in shipments greater than two ounces, if not for propagation, and if from Afghanistan, Algeria, Bangladesh, Burma, Cyprus, Egypt, India, Iran, Iraq, Israel, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syria, Tunisia, Turkey, or Upper Volta; (3) goatskins, lambskins, and sheepskins which are salted but not moist if from Sudan or India; and (4) used burlap bagging not containing cargo and used jute bagging not containing cargo if from Libya, Saudi Arabia or Syria.

The above referenced articles have been designated as restricted articles, because, based on pest interception records, it has been determined that they have a significant risk of carrying khapra beetle at the time of importation.

The regulations provide that restricted articles are allowed to be imported only if they are imported by the Department for experimental or scientific purposes under certain conditions, or if imported in accordance with requirements concerning permits, methyl bromide treatments, marking and identity, arrival

notification, costs and charges, ports of entry, and phytosanitary certificates of inspection.

Additionally, the document amended the provisions concerning phytosanitary certificates of inspection for certain restricted articles to reflect statutory requirements and provided that a phytosanitary certificate of inspection must be issued not more than 15 days prior to the shipment of the restricted article from the country in which grown, in order for the certificate to be valid.

The amendment became effective on the date of publication. The document provided that the amendment was necessary as an emergency measure in order to protect against the introduction into the United States of the khapra beetle, (*Trogoderma granarium* Everts)

Comments were solicited for 60 days after publication of the amendment. No comments were received in response to the amendment. The factual situations which were set forth in the document of January 16, 1984, still provide a basis for the amendment. Accordingly, it has been dertermined that the amendment should remain effective as published in the **Federal Register** on January 16, 1984.

Also, it should be noted that published elsewhere in the final rule section of this issue of the **Federal Register** is another amendment to the Khapra Beetle regulation which adds additional articles to the list of regulated articles.

List of Subjects in 7 CFR Part 319

Agricultural Commodities, Imports, Plant Diseases, Plants (Agriculture), Quarantines, Transportation, Nursery stock.

PART 319—FOREIGN QUARANTINE NOTICES

Accordingly, the interim rule published at 49 FR 1872–1876 on June 16, 1984 is adopted as a final rule.

Authority: Secs. 5 and 9, 37 Stat. 316, 318, (7 U.S.C. 159, 162); Secs. 105, 106, and 107; 71 Stat. 32–34; (7 U.S.C. 150dd, 150ee, 150ff; 7 CFR 2.17, 2.51, and 371.2(c)).

Done at Washington, D.C. this 27th day of February, 1985.

Harvey L. Ford,

Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 85–5179 Filed 3–4–85; 8:45 am]

BILLING CODE 3410-34-M

7 CFR Part 319

[Docket No. 84–363]

Khapra Beetle

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends the khapra beetle regulations by designating as restricted articles: (1) plant gums shipped as bulk cargo (in an unpackaged state) if from Afghanistan, Algeria, Bangladesh, Burma, Cyprus, Egypt, India, Iran, Iraq, Israel, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syria, Tunisia, Turkey, or Upper Volta ("khapra beetle infested countries"), (2) used jute or burlap bagging from a khapra beetle infested country that contains cargo, and the cargo in such bagging, and (3) used jute or burlap bagging from a khapra beetle infested country that is used as packing material (such as filler, wrapping, ties, lining, matting, moisture retention material, or protection material), and the cargo for which the used jute or burlap bagging is used as a packing material.

The effect of these amendments is to require that the articles added to the list of restricted articles meet certain restrictions as a condition of importation. These amendments are necessary to protect against the introduction of khapra beetle into the United States.

EFFECTIVE DATE: April 4, 1985.

FOR FURTHER INFORMATION CONTACT: Charles E. Miller, Staff Specialist, Biological Assessment Support Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 631, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–8367.

SUPPLEMENTARY INFORMATION:

Background

A document published in the **Federal Register** on July 31, 1984 (49 FR 30475–30480) proposed to amend the khapra beetle regulations (contained in 7 CFR 319.75 *et seq.*, and referred to below as the regulations). The regulations were established to protect against the introduction into the United States of khapra beetle (*Trogoderma granarium* Everts).

The regulations are designed to impose restrictions on those articles which are determined to present a significant risk of carrying the khapra beetle at the time of importation, and which require special restrictions in order to protect against the introduction of the khapra beetle. The articles subject to restrictions are designated as restricted articles.

The document published on July 31, 1984, proposed to designate the following items as restricted articles: (1) Plant gums shipped as bulk cargo (in an unpackaged state) if from Afghanistan, Algeria, Bangladesh, Burma, Cyprus, Egypt, India, Iran, Iraq, Israel, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syria, Tunisia, Turkey, or Upper Volta ("khapra beetle infested countries"), (2) used jute or burlap bagging from a khapra beetle infested country that contains cargo, and the cargo in such bagging, and (3) used jute or burlap bagging from a khapra beetle infested country that is used as packing material (such as filler, wrapping, ties, lining, matting, moisture retention material, or protection material), and the cargo for which the used jute or burlap bagging is used as a packing material.

Comments

The document of July 31, 1984, provided that comments would be accepted until October 1, 1984. In response to the proposal, nine comments were received. Recommended modifications to the proposal were submitted by four commenters, and are discussed below. Five comments were submitted in support of the proposal. For the reasons set forth in the proposal and this document, the proposed rule is adopted as a final rule without change.

Two comments were received regarding shipments of guar gum in bulk. One commenter requested that guar gum shipped as bulk cargo either not be designated as a restricted article, or, alternatively, be exempted from the requirement that it be fumigated at the port of entry if the cargo had been fumigated in the exporting country at a schedule at least equal to that proposed by the Department. Another commenter requested that, prior to publishing a final rule, the Department review fumigation procedures that exist in foreign countries with regard to guar gum in bulk to determine whether they are adequate to prevent the introduction of khapra beetle into the United States. No changes have been made in the final rule based on these comments.

Guar gum shipped in bulk from a khapra beetle infested country is a known carrier of khapra beetle, and, as such, presents a significant risk of introducing khapra beetle into the United States. Further, guar gum shipped in bulk is very difficult to inspect and it

is almost impossible to determine by inspection alone whether a shipment is infested with khapra beetle. Fumigation with methyl bromide, as prescribed in the proposal, has been shown to be adequate to destroy any life stages of khapra beetle that might be present in a shipment of bulk guar gum. It appears that this is the only feasible treatment available for ensuring that infestations of khapra beetle are not introduced in the United States through guar gum shipped in bulk. Therefore, it is necessary to designate guar gum shipped in bulk from khapra beetle infested countries as a restricted article and to require that it be fumigated with methyl bromide as a condition of importation into the United States.

The regulations in § 319.75–4 require that fumigation be conducted "under the supervision of an inspector" in order to assure compliance with the fumigation procedures. Therefore, guar gum must be fumigated at the port of entry under the supervision of an inspector as a condition of importation into the United States, since the Department does not have the resources available at this time, to supervise fumigation other than at the port of entry in the United States.

One commenter raised concerns with respect to turkish tobacco packed in new jute or burlap bagging. Under the proposal, tobacco packed in jute or burlap bagging from khapra beetle infested countries would be required to be fumigated only if packed in used jute or burlap bagging. The commenter was concerned that port inspectors might misidentify new jute or burlap bagging as used jute or burlap bagging and unnecessarily require fumigation of the tobacco packed in new jute or burlap bagging. The commenter also asserted that tobacco was not a host of khapra beetle and requested that tobacco packed in jute or burlap bagging not be designated as a restricted article to avoid inadvertent and unnecessary fumigation.

No changes have been made in the final rule based on this comment. Tobacco (or any other commodity) if packed in used jute or burlap bagging has been designated as a restricted article because of the likelihood that it will become infested if packed in a jute or burlap which is infested. It has been demonstrated that used jute or burlap bagging is a host of khapra beetle, and that commodities carried in an infested jute or burlap bag can also become infested and a carrier of khapra beetle. As such, both the jute or burlap bag and the commodity contained in the bag present a significant risk of introducing khapra beetle into the United States, and are inseparable for regulatory purposes. Therefore, tobacco packed in used jute or burlap bagging from a khapra infested beetle country, is designated as a restricted article and will be required to be fumigated as a condition of entry into the United States. With regard to distinguishing new from used bagging, the Department has the expertise and experience to determine whether jute or burlap bagging is new or used.

Another commenter recommended that all agricultural products, especially spices, from khapra beetle infested countries, be designated as restricted articles and be required to be fumigated as a condition of entry into the United States.

No changes have been made in the final rule based in this comment. There is not basis at this time for designating all agricultural products as restricted articles. The Department currently designates agricultural products as restricted articles if it has shown that they present a significant risk of introducing khapra beetle into the United States. Agricultural products currently designated as restricted articles include seeds of the plant family Cucurbiticeae, whole chilies, whole red peppers, and cumin seed in jute or burlap bags if from Pakistan. Action will be taken to designate additional agricultural products as restricted articles if it appears necessary to prevent the introduction of khapra beetle into the United States.

Executive Order 12291 and Regulatory Flexibility Act

This rule is adopted in conformance with Executive Order 12291 and has been determined to be not a "major rule." Based on information compiled by the Department, it has been determined that this rule, will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Alternatives were considered in connection with this rule. Alternatives considered were (1) to rely on inspection of the articles designated as restricted articles for determinations as to whether they are infested with khapra beetle and to treat only those found to be infested with khapra beetle, (2) to prohibit the importation of such articles, or (3) to designate such articles as restricted articles and to thereby allow the importation of such articles only in accordance with certain restrictions as indicated above.

Alternative (1) has not been adopted because inspections are not adequate to always detect the khapra beetle when present.

Alternative (2) has not been adopted because it is unnecessarily restrictive.

Alternative (3) has been adopted because it is adequate to prevent a significant risk of introducing khapra beetle into the United States while still allowing such articles to be imported.

It appears that the benefits of adopting the rule far outweigh any costs of compliance, and it appears that the rule maximizes net benefits to society at the lowest net cost.

Almost all of the additional costs for the importation of the articles added to the list of restricted articles are costs associated with fumigation. Further, prior to the effective date of these regulations, these articles were being inspected under authority of the Federal Plant Pest Act (7 U.S.C. 151 *et seq.*) at time of importation, and many were required to be fumigated because of a finding of khapra beetle. Importers of cargo designated as restricted articles can avoid such fumigation costs by shipping with bagging made of other than used jute or burlap, such as new jute or burlap, fiber, paper, or polypropelene.

The articles added to the list of restricted articles are imported by a large number of importers; most of which import numerous other items not included as restricted articles. Also, a large portion of the articles designated as restricted articles are used as ingredients in products, and the costs associated with fumigation would not significantly increase the cost of the finished products.

Further, it is anticipated that fumigation costs would not be passed on to processors or other users of used jute or burlap bagging.

Bert W. Hawkins, Administrator of the Animal and Plant Health Inspection Service, has determined that, under the circumstances explained above, it is anticipated that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with section 3504(h) of the Paperwork Reduction Act of 1980, [44 U.S.C. 3504(h)], the information collection provisions included in 7 CFR Part 319.75 have been approved by the Office of Management and Budget and

have been assigned OMB Control Number 0579-0049.

List of Subjects in 7 CFR Part 319

Agricultural Commodities, Imports, Nursery Stock, Plant Pests, Plants (Agriculture), Quarantine, Transportation.

PART 319—FOREIGN QUARANTINE NOTICES

Accordingly, under the circumstances referred to above, the "Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products" regulations in 7 CFR Part 319 (7 CFR 319.37 *et seq.*) and the "Khapra Beetle" regulations in 7 CFR Part 319 (7 CFR 319.75 *et seq.*) are amended, as follows:

1. The definition of the term "Restricted article" in 7 CFR 319.37-1 is revised to read as follows:

§ 319.37-1 Definitions.

* * * * *

Restricted article. Any class of nursery stock or other class of plant, root, bulb, seed, or other plant product, for or capable of propagation, excluding any prohibited articles listed in § 319.37-2 (a) or (b) of this subpart, excluding any articles subject to any restricted entry orders in 7 CFR Part 321, (i.e., potatoes), and excluding any articles regulated in 7 CFR 319.8 through 319.34 or 319.41 through 319.74-7.

* * * * *

2. In § 319.75-1, all of the definitions remain but the letters (a) through (j) are removed, the definitions of "Inspector" and "Import" are rearranged in alphabetical order, and the following terms are added in alphabetical order:

* * * * *

Nursery stock. All field-grown florist's stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

* * * * *

Plant gum. Any of numerous colloidal polysaccharide substances of plant origin that are gelatinous when moist but harden on drying. Plant gums include but are not limited to acacia gum, guar gum, gum arabic, locust gum and tragacanth gum.

* * * * *

3. Section 319.75-2 is revised to read as follows:

§ 319.75-2 Restricted articles.[1]

(a) The following articles from the specified localities or countries are restricted articles:

(1) Seeds of the plant family Cucurbitaceae[2] if in shipments greater than two ounces, if not for propagation, and if from a country listed in paragraph (b) of this section;

(2) Brassware and wooden screens from Bombay, India;

(3) Goatskins, lambskins, and sheepskins (excluding goatskins, lambskins, and sheepskins which are fully tanned, blue-chromed, pickled in mineral acid, or salted and moist) from Sudan or India;

(4) Plant gums shipped as bulk cargo (in an unpackaged state) if from a country listed in paragraph (b) of this section;

(5) Used jute or burlap bagging not containing cargo if from a country listed in paragraph (b) of this section;[3]

(6) Used jute or burlap bagging from a country listed in paragraph (b) of this section that contains cargo, and the cargo in such bagging;[3]

(7) Used jute or burlap bagging from a country listed in paragraph (b) of this section that is used as a packing material (such as filler, wrapping, ties, lining, matting, moisture retention material, or protection material), and the cargo for which the used jute or burlap bagging is used as a packing material;[3] and

(8) Whole chilies (*Capsicum* spp.), whole red peppers (*Capsimcum* spp.), and cumin seeds (*Cuminum cyminum*) in new jute or burlap bags from Pakistan.

(b) Afghanistan, Algeria, Bangladesh, Burma, Cyprus, Egypt, India, Iran, Iraq, Israel, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syria, Tunisia, Turkey, and Upper Volta.

§ 319.75-4 [Amended]

4. The heading *"Treatments."* for § 319.75-4 is changed to *"Treatments.*[6]*"* and a corresponding footnote is added to read as follows:

"[6] There is a possibility that some articles, especially live plants, could be damaged by fumigation."

5. Section 319.75-4 is amended by revising the introductory text in paragraph (a), revising the introductory text in paragraph (b), and by adding a new paragraph (c) to read as follows:

§ 319.75-4 Treatments

* * * * *

(a) Brassware; wooden screens; goatskins; lambskins; sheepskins; plant gums; seeds of the plant family cucurbitaceae; jute or burlap bagging that contains cargo, and the cargo in such bagging (except for articles specified in paragraphs (b) and (c) of this section); and jute or burlap bagging that is used as a packing material, and the cargo for which the jute or burlap bagging is used as a packing material (except for articles specified in paragraphs (b) and (c) of this section).

* * * * *

(b) Burlap bagging and jute bagging not containing cargo; and flour or finely ground oily meals, and the jute or burlap bagging used as a container or packing material for such flour or meals.

* * * * *

(c) Baled cotton lint, cotton linters, cotton waste, and cotton piece goods; and the jute or burlap bagging used as a container or packing material for such baled cotton lint, cotton linters, cotton waste, or cotton piece goods.

(1) Fumigation with methyl bromide under a tarpaulin or in a chamber at normal atmospheric pressure at one of the following schedules:

(i) 128 g/m^3 (8 lb/1000 ft^3) for 24 hours at 15.5°C 60°F or above
(25 g (oz.) concentration in commodity 4–24 hrs.)
(65 g (oz.) concentration in space 4–12 hrs.)
(35 g (oz.) concentration in space 12–24 hrs.)

(ii) 176 g/m^3 (11 lb/1000 ft^3) for 24 hrs. at 4.5°–15°C (40°–59°F)
(30 g (oz.) concentration in commodity 4–24 hrs.)
(95 g (oz.) concentration in space 4–24 hrs.)
(50 g (oz.) concentration in space 12–24 hrs.)

Note.—Maximum volume of commodity being treated under subsection (1) shall not exceed 50% of the total volume of chamber. Concentration readings may be omitted for chamber fumigations.

(2) Fumigation with methyl bromide in a chamber at 660mm (26 inch) vacum at one of the following schedules:

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[1] The importation of restricted articles may be subject to prohibitions or restrictions under other provisions of 7 CFR Part 319. For example, fresh whole chilies (*Capsicum* spp.) and fresh whole red peppers (*Capsicum* spp.) from Pakistan are prohibited from being imported into the United States under the provisions of 7 CFR 319.56 *et seq.*

[2] Seeds of the plant family Cucurbitaceae include but are not limited to: Benincasa hispida (wax gourd), Citrullus Lanatus (watermelon) Cucumis melon (muskmelon, cantaloup, honeydew), Cumumis sativius (cucumber), Cucurbita pepo (pumkin, squashes, vegetable marrow), Lagenaria siceraria (calabash, gourd), Luffa cylindrica (dishcloth gourd), Mormoridica charantia (bitter melon), and Sechium edule (chayote).

[3] Such bagging may be subject to additional restrictions under the provisions in 7 CFR 319.8 *et seq.*

(i) 128 g/m³ (8 lb/1000 ft³) for 3 hrs. at 15.5°C (60°F) or above.
(ii) 144 g/m³ (9 lb/1000 ft³) for 3 hrs. at 4.5°–15°C (40°–59°F).

Note.—Maximum volume of commodity being treated under subsection (2) shall not exceed 75% of the total volume of chamber.

6. The following note is added at the end of § 319.75–4(b)(3)(ii):

"Note.—Maximum volume of commodity being treated under subsection (3) shall not exceed 75% of the total volume of chamber."

7. Section 319.75–9 is revised to read as follows:

§ 319.75–9 Inspection and phytosanitary certificate of inspection.

(a) Any nursery stock, plant, fruit, vegetable, root, bulb, or other plant product designated as a restricted article and grown in a country maintaining an official system of inspection for the purpose of determining whether such article is free from injurious plant diseases, injurious insect pests, and other plant pests shall be accompanied by a phytosanitary certificate of inspection from the plant protection service of such country at the time of importation or offer for importation into the United States. Such certificate may cover more than one article and more than one container kept together during shipment and offer for importation.

(b) Any nursery stock, plant, fruit, vegetable, root, bulb, seed, or other plant product designated as a restricted article which is accompanied by a valid phytosanitary certificate of inspection is subject to inspection by an inspector at the time of importation into the United States for the purpose of determining whether such article is free of injurious plant diseases, injurious insect pests, and other plant pests, and whether such article is otherwise eligible to be imported into the United States.

(c) Any nursery stock, plant, fruit, vegetable, root, bulb, seed, or other plant product designated as a restricted article and grown in a country not maintaining an official system of inspection for the purpose of determining whether such article is free from injurious plant diseases, or injurious insect pests, and other plant pests shall be inspected by an inspector at the time of importation into the United States for the purpose of determining whether such article is free of such diseases and pests and whether such article is otherwise eligible to be imported into the United States.

(Secs. 5 and 9; 37 Stat. 316; 318; 7 U.S.C. 159, 162; secs. 105, 106, and 107; 71 Stat. 32–34; 7 U.S.C. 150dd, 150ee, 150ff; 7 CFR 2.17, 2.51, and 371.2(c))

Done at Washington, D.C., this 27th day of February, 1985.

William F. Helms,

Associate Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 85–5180 Filed 3–4–85; 8:45 am]

BILLING CODE 3410–34–M

FEDERAL RESERVE SYSTEM

12 CFR Part 202

[Reg. B; Docket No. R–0540]

Equal Credit Opportunity; Administrative Enforcement; Technical Amendment

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Administrative enforcement, technical amendment.

SUMMARY: The Board is making a technical amendment to Regulation B (Equal Credit Opportunity) to indicate that the Department of Transportation has assumed the enforcement responsibilities for the regulation previously carried out by the Civil Aeronautics Board.

EFFECTIVE DATE: March 4, 1985.

FOR FURTHER INFORMATION CONTACT: Lynn C. Goldfaden, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452–3867.

SUPPLEMENTARY INFORMATION: (1) Section 202.1(b)(1) and Appendix A of Regulation B refer to the Civil Aeronautics Board as one of the agencies responsible for administrative enforcement of the regulation. As of January 1, 1985, the Department of Transportation assumed the enforcement responsibilities previously carried out by the Civil Aeronautics Board, an agency no longer in existence. Therefore, the Board is amending its Regulation B to accurately reflect the change in enforcement authority.

List of Subjects in 12 CFR Part 202

Banks, banking, Civil rights, Consumer protection, Credit, Federal Reserve System, Marital status discrimination, Minority groups, Penalties, Religious discrimination, Sex discrimination, Women.

PART 202—[AMENDED]

Pursuant to section 703 of the Equal Credit Opportunity Act (15 U.S.C. 1691(b)), the Board amends Regulation B, 12 CFR Part 202, as follows:

§ 202.1 [Amended]

1. In § 202.1(b)(1), remove the words "Civil Aeronautics Board" and insert, in their place, the words "Secretary of Transportation."

Appendix A—[Amended]

2. In Appendix A, remove the words "Creditors Subject to Civil Aeronautics Board" and the address of that agency, and insert, in their place, the words "Air Carriers" and the following address: Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

Board of Governors of the Federal Reserve System, February 27, 1985.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85–5220 Filed 3–4–85; 8:45 am]

BILLING CODE 6210–01–M

12 CFR Part 205

[Reg. E; Docket No. R–0540]

Electronic Fund Transfers; Administrative Enforcement; Technical Amendment

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Administrative enforcement, technical amendment.

SUMMARY: The Board is making a technical amendment to Regulation E (Electronic Fund Transfers) to indicate that the Department of Transportation has assumed the enforcement responsibilities for the regulation previously carried out by the Civil Aeronautics Board.

EFFECTIVE DATE: March 4, 1985.

FOR FURTHER INFORMATION CONTACT: Lynn C. Goldfaden, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452–3867.

SUPPLEMENTARY INFORMATION: (1) Section 205.13(a)(1) and Appendix B of Regulation E refer to the Civil Aeronautics Board as one of the agencies responsible for administrative enforcement of the regulation. As of January 1, 1985, the Department of Transportation assumed the enforcement responsibilities previously carried out by the Civil Aeronautics Board, an agency no longer in existence. Therefore, the Board is amending its Regulation E to accurately reflect the change in enforcement authority.

List of Subjects in 12 CFR Part 205

Banks, Banking, Consumer protection, Electronic fund transfers, Federal Reserve System, Penalties.

PART 205—[AMENDED]

Pursuant to section 904 of the Electronic Fund Transfer Act (15 U.S.C. 1693b), the Board amends Regulation E, 12 CFR Part 205, as follows:

1. In § 205.13(a)(1), remove the words "Civil Aeronautics Board" and insert, in their place, the words "Secretary of Transportation."

2. In Appendix B, remove the words "Creditors Subject to Civil Aeronautics Board" and the address of that agency, and insert, in their place, the words "Air Carriers" and the following address: Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

Board of Governors of the Federal Reserve System, February 27, 1985.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85-5221 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

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12 CFR Part 213

[Reg. M; Docket No. R-0540]

Consumer Leasing; Administrative Enforcement; Technical Amendment

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Administrative enforcement, technical amendment.

SUMMARY: The Board is making a technical amendment to Regulation M (Consumer Leasing) to indicate that the Department of Transportation has assumed the enforcement responsibilities for the regulation previously carried out by the Civil Aeronautics Board.

EFFECTIVE DATE: March 4, 1985.

FOR FURTHER INFORMATION CONTACT: Lynn C. Goldfaden, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452-3867.

SUPPLEMENTARY INFORMATION: (1) Appendix D of Regulation M refers to the Civil Aeronautics Board as one of the agencies responsible for administrative enforcement of the regulation. As of January 1, 1985, the Department of Transportation assumed the enforcement responsibilities previously carried out by the Civil Aeronautics Board, an agency no longer in existence. Therefore, the Board is amending its Regulation M to accurately reflect the change in enforcement authority.

List of Subjects in 12 CFR Part 213

Advertising, Banks, banking, Consumer protection, Federal Reserve System, Leasing, Penalties, Truth in lending.

PART 213—[AMENDED]

Appendix D—[Amended]

Pursuant to section 105 of the Truth in Lending Act (15 U.S.C. 1604 as amended), the Board amends Appendix D of Regulation M, 12 CFR Part 213, by removing the words "Those Subject to Civil Aeronautics Board" and the address of that agency, and inserting, in their place, the words, "Air Carriers" and the following address: Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

Board of Governors of the Federal Reserve System, February 27, 1985.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85-5219 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

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12 CFR Part 226

[Reg. Z; Docket No. R-0540]

Truth in Lending; Administrative Enforcement; Technical Amendment

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Administrative enforcement, technical amendment.

SUMMARY: The Board is making a technical amendment to Regulation Z (Truth in Lending) to indicate that the Department of Transportation has assumed the enforcement responsibilities for the regulation previously carried out by the Civil Aeronautics Board.

EFFECTIVE DATE: March 4, 1985.

FOR FURTHER INFORMATION CONTACT: Lynn C. Goldfaden, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452-3867.

SUPPLEMENTARY INFORMATION: (1) Appendix I of Regulation Z refers to the Civil Aeronautics Board as one of the agencies responsible for administrative enforcement of the regulation. As of January 1, 1985, the Department of Transportation assumed the enforcement responsibilities previously carried out by the Civil Aeronautics Board, an agency no longer in existence. Therefore, the Board is amending its Regulation Z to accurately reflect the change in enforcement authority.

List of Subjects in 12 CFR Part 226

Advertising, Banks, banking, Consumer protection, Credit, Federal Reserve System, Finance, Penalties, Truth in lending.

PART 226—[AMENDED]

Appendix I—[Amended]

Pursuant to section 105 of the Truth in Lending Act (15 U.S.C. 1604 as amended), the Board amends Appendix I of Regulation Z, 12 CFR Part 226, by removing the words "Creditors Subject to Civil Aeronautics Board" and the address of that agency, and inserting, in their place, the words "Air Carriers" and the following address: Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

Board of Governors of the Federal Reserve System, February 27, 1985.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85-5218 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 701 and 741

Supervisory Committee Audits and Verifications

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: This rule is a revision of § 701.12 of the National Credit Union Administration Rules and Regulations. The rule, consistent with other deregulation actions, removes the requirement that a specific manual or guideline be followed in the conduct of audits or other supervisory committee functions. Instead, the determination of the scope of audit is to be the responsibility of individual federal credit unions, with some general requirements. In addition, the rule addresses the requirement of verifying member accounts for federal credit

unions as well as federally insured state credit unions and incorporates language from a previous interpretive ruling allowing the use of sampling in satisfying the member account verification requirement.

EFFECTIVE DATE: March 28, 1985.

ADDRESS: National Credit Union Administration, 1776 G Street, NW., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Louis P. Acuna, Director, or Donald W. Sorrels, Department of Supervision and Examination. Telephone Number: (202) 357–1065.

SUPPLEMENTARY INFORMATION:

Background

The primary responsibility of the supervisory committee is to ensure that the books and records accurately and fairly report the financial condition of the credit union. Heretofore, the committee's statutorily prescribed minimum duties of an audit and verification of members' accounts have been regulated through the *Supervisory Committee Manual for Federal Credit Unions.*

However, in view of the statutory and regulatory changes governing credit union activities and the evolution of diverse operating and business activities since the manual was last updated in 1976, it is no longer feasible to issue a manual which statutorily mandates the frequency and detail of the supervisory committee's activities. Just as the operating and business activities of individual credit unions have evolved and become more diverse, so have the audit and review requirements become more widely varying for each credit union's supervisory committee.

On September 7, 1983, the NCUA Board approved the issuance of a Request for Comments on Rules Governing Audits of Federal Credit Unions. The 126 comment letters received supported the position that the supervisory committee should determine the scope of audit using guidance provided by the accounting as well as the credit union industry. The comments also supported updating the Supervisory Committee Manual but stated it should be a guideline as opposed to a regulatory prescription of audit detail.

On April 18, 1984, the NCUA Board issued a proposed change to § 701.12 of the NCUA Rules and Regulations removing the requirement to follow a specific manual or guideline and invited public comment over the proposed changes. Of the 95 comment letters received, 62 percent supported the premise that regulation of this nature is no longer considered sufficient. The Federal Credit Union Act clearly lists the supervisory committee's audit and member account verification requirements, and since the committee is responsible for the audit, it should determine the scope of the work to be performed based upon the risk, exposure, and other circumstances of the individual credit union.

Audits

Some commenters expressed concern with the deregulation of the Supervisory Committee Manual stating that the action does not consider the needs of smaller credit unions and volunteers. Some other commenters suggested the regulation should contain minimum audit standards.

The revised rule, while deregulating the Supervisory Committee Manual, in no way lessens the responsibilities of the committee. Rather, it recognizes that a credit union's audit and reviews must reflect the business activities and financial and operating condition of the individual credit union. Subsection (b) of the rule does contain, in abbreviated form, the following broad categories which are the minimum objectives that must be covered by the audit.

—Determination of existence of assets and liabilities at a given date and occurrence of recorded transactions during a given period.
—Determination of completeness of financial statement presentation.
—Determination of ownershp of all assets and of liability obligations.
—Determination of appropriateness of the valuation or allocation of the financial statement components.
—Determination of proper classification, description, and disclosure of financial statement components.
—Determination of existence and appropriateness of internal controls.

The revised rule eliminates the regulation of audit scope and specific audit steps and workpapers, thereby giving supervisory committees and auditors for all types and sizes of credit unions the flexibility they need to devise the most effective audit program for their particular credit union.

Deregulation of the Supervisory Committee Manual does not eliminate it as a resource for supervisory committee volunteers and auditors. Various audit procedures and guidelines are available. Primary among these are the generally accepted auditing standards of the American Institute of Certified Public Accountants. The instructional text, "Credit Union Auditing" developed by the Credit Union National Association as well as the to-be-published "deregulated" *Supervisory Committee Guide for Federal Credit Unions* can also be used to assist in determining the audit's scope and developing an audit program.

Verifications

Section 115 of the Federal Credit Union Act requires the supervisory committee to verify members accounts not less frequently than once every two years. After many years of consistently interpreting the statute to require the supervisory committee to verify "all" members' accounts (active and closed) once every two years, the NCUA Board modified the Agency's position on this issue in 1981. Interpretive Ruling and Policy Statement (IRPS 80–12) dated January 28, 1981, allowed statistical sampling to be used to satisfy the verification requirement with certain minimum standards including parameters needed for determining sample size. The final rule eliminates the need for that interpretive ruling by incorporating its intent and part of its language into the regulations. Accordingly, IRPS 80–12 is rescinded in conjunction with the issuance of this rule.

Also, consistent with the intent of deregulation of the supervisory committee activities, certain specific minimum standards that were included in the interpretive ruling are not included in this final rule. These mimimum standards, however, should be used to provide assurance that the General Ledger accounts are fairly stated and that members' accounts are properly safeguarded when the verification is not done in conjunction with an opinion audit that is unqualified with respect to members' accounts. They include: (1) An error (occurrence) rate of 0.5 percent; a precision level of 1 percent; and a confidence level of 95 percent.

Several commenters suggested that a minimum number or percentage of accounts to be verified be specified for verification by sampling. Inclusion of these types of numbers in the rule would not be consistent with deregulating supervisory committee activities. There are a number of texts available on statistical sampling that describe the types of sampling plans that would be acceptable in the verification process to detect fraud or manipulation of members' accounts.

Other Comments

A number of commenters expressed concern or opposition to the language in subsection (a) of the proposed rule which stated: "The supervisory committee is also responsible for

providing adequate safeguards against error, carelessness, fraud, and self-dealing (conflicts of interest)." The commenters argued that establishing such policies is the responsibility of the board of directors and management. The Agency agrees that the original wording was not clear and the language has been modified.

A definition of "members of their immediate families" has been included in subsection (d) of the rule.

Regulatory Procedures

The NCUA Board hereby certifies that this final rule will not have a significant economic impact on a substantial number of small credit unions. The regulation eliminates the need to perform audits in accordance with the Supervisory Committee Manual and, therefore, provides supervisory committees with greater flexibility in performing audits required by the Federal Credit Union Act. Therefore, a Regulatory Flexibility Analysis is not required.

Paperwork Reduction Act

This regulation has been submitted to the Office of Management and Budget for approval of the collection of information contained herein and has been approved (approved for use through 10/31/88, OMB No. 3133-0075).

List of subjects.

12 CFR Part 701

Credit unions, Supervisory committee audits and verifications.

12 CFR Part 741

Requirements for insurance, Voluntary termination of insurance.

By the National Credit Union Administration Board on the 27th day of February, 1985.

Rosemary Brady,

Secretary of the Board.

1. NCUA Interpretive Ruling and Policy Statement 80-12—Verification of Member Accounts is rescinded.

2. Section 701.12 is revised to read as follows:

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

§ 701.12 Supervisory committee audits and verifications.

(a) The supervisory committee is responsible to determine that the financial condition of the credit union is accurately and fairly presented in the credit union's statements and that management practices and procedures are sufficient to safeguard members' assets. To accomplish this responsibility, the supervisory committee shall determine that the credit union's accounting records and reports are prepared promptly and accurately reflect operations and results, that internal controls are established and effectively maintained to safeguard the credit union's assets, and that the plans, policies, and procedures established by the board of directors are being properly administered. The supervisory committee is also responsible for reviewing policies and control procedures to safeguard against error, carelessness, fraud, and self-dealing (conflict of interest). The audit and verification of members' accounts, mandated in the Act, are the activities generally used to carry out these responsibilities; however, the committee is expected to exercise such other tests and reviews as may be necessary in the committee's judgment to meet its responsibilities.

(b) An audit of each Federal credit union shall occur at least once every calendar year and shall cover the period elapsed since the last audit. The audit shall be made using generally accepted auditing procedures and standards. However, each Federal credit union's annual audit shall, as a minimum, test the Federal credit union's assets, liabilities, equity, income, and expenses for existence, proper cut off, valuations, ownership, disclosures and classification, and internal controls. Upon completion, a report of the audit shall be made promptly to the board of directors of the Federal credit union and, upon request, to the National Credit Union Administration's regional director. It is the responsibility of the supervisory committee to ensure that the completion of the annual audit is timely, that generally accepted auditing procedures are used, that adequate audit of the credit union records is made, and that the audit report is promptly prepared and reported to the board of directors.

(c) The supervisory committee and/or its independent auditors shall be responsible for the preparation and the maintenance of workpapers used to support each audit. Such workpapers shall be made available by the supervisory committee and its independent auditors for review by any authorized employee of the National Credit Union Administration.

(d) Federal credit union compensated auditors, performing audits for supervisory committees, must be independent of the credit union's employees, members of the board of directors, supervisory and credit committees and/or the credit union's loan officers, and members of their immediate families. "Members of their immediate families" means a spouse, or a child, parent, grandchild, grandparent, brother or sister, or the spouse of any such individual.

(e) The verification of members' accounts shall be made using any of the following methods:

(1) A controlled verification of 100 percent of members' share and loan accounts;

(2) A controlled random statistical sampling method that accurately tests sufficient accounts in both number and scope to provide assurance that the General Ledger accounts are fairly stated and that members' accounts are properly safeguarded. The sampling procedure must provide each member account an equal chance of being selected.

Records of those accounts verified will be maintained and will be retained until the next verification of members' accounts is completed.

PART 741—[AMENDED]

§ 741.2 [Amended]

3. Additionally, 12 CFR 741.2 is amended with the addition of the following sentence: * * * Information on the verification procedures can be found in § 701.12(e).

(12 U.S.C. 1761, 1761d, 1766(a), and 1789(a)(11))

[FR Doc. 85-5244 Filed 3-4-85; 12:32 pm]

BILLING CODE 7535-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 6, 12, 18, 19, 141, 143, 144, and 146

[T.D. 85-38]

Customs Regulations Amendments Relating to Textiles and Textile Products

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: Section 204 of the Agricultural Act of 1956 grants authority to the President to negotiate agreements with foreign governments limiting exports of textiles and textile products from such countries into the U.S. The Act also grants authority to issue regulations governing the entry into the U.S. of articles covered by the agreements. This regulation amends the Customs Regulations to prevent

circumvention or frustration of visa or export license requirements contained in multilateral and bilateral agreements to which the U.S. is a party in order to facilitate the efficient and equitable administration of the U.S. Textile Import Program.

DATE: This regulation is effective on April 4, 1985.

FOR FURTHER INFORMATION CONTACT:

Operational Aspects:

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SUPPLEMENTARY INFORMATION:

Background

In order to implement import policies with respect to textiles and textile products, Congress provided authority to the President to negotiate textile restraint agreements in section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and authority to carry out such agreements by issuing regulations governing the entry of merchandise covered by the agreements into the United States.

In December, 1973, representatives of 50 nations meeting under the General Agreement on Tariff and Trade (GATT) aegis, negotiated the Multi-Fiber Arrangement Regarding International Trade in Textiles. The arrangement is usually known as the Multi-Fiber Arrangement, or MFA, and came in force on January 1, 1974. It was subsequently renewed and next expires on July 31, 1986.

Under the MFA, the U.S. has negotiated numerous bilateral restraint agreements. The U.S. also has several bilateral agreements with MFA non-signatories. The Committee for the Implementation of Textile Agreements (CITA) was established by Executive Order 11651 on March 3, 1972, to supervise the implementation of textile agreements. The future administration of these agreements was severely jeopardized by the decision of the United States Court of International Trade in *Cardinal Glove Co.*, v. *United States*, 4 C.I.T. 41, which concluded that, absent specific regulatory authority to the contrary, the bilateral textile agreement at issue therein was applicable only to textile products in which the agreement country was the "country of exportation." Furthermore, the U.S. Customs Service was faced with an ever increasing number and variety of instances where attempts had been made to circumvent the textile import program.

In part because of these problems and in order to prevent circumvention or frustration of the various multilateral and bilateral agreements to which the U.S. is a party and to facilitate efficient and equitable administration of the U.S. Textile Import Program, the President signed Executive Order 12475 on May 9, 1984. Under the Executive Order the Secretary of the Treasury was required to promulgate regulations governing the entry of textiles and textile products subject to section 204, Agricultural Act of 1956 within 120 days of the May 11, 1984, effective date of the Executive Order. Interim Customs Regulations implementing the Executive Order were published in the **Federal Register** on August 3, 1984 as T.D. 84-171 (49 FR 31248). Customs further requested public comment on the interim regulations. Over 650 comments were received in response to the solicitation of comments. A discussion of the interim regulations, comments received, changes made to the interim regulations during the comment period and further changes made by this document as a result of the comments are set forth below.

Discussion of Comments

Section 12.130

The interim regulations amended Part 12, Customs Regulations (19 CFR Part 12), by adding a new § 12.130 which provided specific regulatory authority mandating that "country of origin" rules be applied in determining whether textiles or textile products are subject to any of the multilateral or bilateral textile agreements negotiated by the U.S. pursuant to section 204, Agricultural Act of 1956.

For purposes of § 12.130, paragraph (a) defined country of origin. Under that paragraph, textiles or textile products subject to section 204, Agricultural Act of 1956, imported into the customs territory of the U.S. are a product of a particular foreign territory on country insular possession or of the U.S. if the article is wholly the growth, product, or manufacture of that foreign territory or country or insular possession. In the case of an article which consists, in whole or in part, of materials which originated or were processed in another foreign territory or country, the article must have been substantially transformed by means of a substantial manufacturing or processing operation into a new and different article of commerce with a name, character, or use distinct from the article or material from which it was so transformed to be a product of the latter territory or country or insular possession.

Paragraph (b) of interim § 12.130 listed criteria for determining whether there has been a substantial manufacturing or processing operation and whether a new and different article has resulted. It was indicated that the criteria set forth were not meant to be exhaustive. As the circumstances warrant, fewer than all, or additional factors could be considered determinative. However, paragraph (b) specifically stated that no article or material would be considered to have been substantially transformed in a particular foreign territory, country, or insular possession of the U.S. by virtue of having merely undergone any of the following: (i) simple combining or packaging operations, (ii) joining together by sewing, looping, linking or other means of attaching otherwise completed component parts, (iii) cutting or otherwise separating of articles from materials which have previously been marked with cutting lines or which contain lines of demarcation of any type, commercially requiring that material to be cut in a certain manner, or (iv) processing, such as dyeing, printing, showerproofing, superwashing, or other finishing operations.

It was stated that to determine whether there has been a substantial manufacturing or processing operation under paragraph (b)(2) a comparison would be made between the article or material before the manufacturing or processing operation and the article in its condition after the manufacturing or processing operation. The following criteria would be considered under paragraph (b)(2):

(i) Material costs,

(ii) Direct labor costs,

(iii) Other direct processing or manufacturing costs,

(iv) Time involved in the manufacturing or processing operation,

(v) Complexity of the manufacturing or processing operation,

(vi) Level or degree of skill or technology required in the manufacturing or processing operation,

(vii) Physical change of the material or article at each stage in the manufacturing or processing operation.

Paragraph (b)(3) of the interim regulation set forth criteria which would be used to determine whether, as a result of the manufacturing or processing operation, a new and different article has been produced. These criteria included such things as a change in (i) commercial designation or identity, (ii) essential character, (iii) commercial use.

To ensure that appropriate facts are available and to assist otherwise in the identification of the country of origin, the interim regulation provided that all importations of textiles or textile products subject to section 204, be accompanied by a declaration. If the textiles or textile products are wholly the growth, product, or manufacture of a single foreign territory or country or insular possession, the declaration set forth in paragraph (c)(1) of the interim regulation was required. If the textiles or textile products were subjected to manufacturing or processing operations in more than one foreign country or territory or insular possession, the declaration set forth in paragraph (c)(2) was required. The declaration required a description of the manufacturing and/or processing operations, materials used, costs involved and the identity of the country, territory or insular possession involved. In some cases, where mixed shipments are involved both declarations would be required. The interim regulations stated that the declaration(s), could be prepared by the manufacturer, producer, exporter or importer, and must be filed with the entry. If multiple manufacturers, producers, or exporters are involved, the interim regulations indicated that a separate declaration prepared by each could be filed with the entry. Under the interim regulations the determination of country of origin would normally be based upon the information contained in the declaration(s). The declaration(s) would not be treated as a missing document for which a bond could be filed. The interim regulations stated that entry of the merchandise would be denied unless accompanied by the declaration(s).

Customs recognized that importers would not be in a position to always get sufficient information to complete the declaration(s). Accordingly, under paragraph (d) of the interim regulations, if the district director determined that the information required by the declaration(s) was incomplete or insufficient and the importer was unable to provide the required information, the importer could submit to Customs with the declaration(s), a certification which stated that in the exercise of due diligence he was unable to obtain all of the information required.

If the district director was unable to determine the country of origin because of incomplete or insufficient information in the declaration, under the provisions of paragraph (e) of the interim regulations, release of the merchandise from Customs custody would be denied until a determination of country of origin was made based upon the best information available. In this regard, the interim regulations authorized the district director to consider the experience and costs of domestic industry in similar manufacturing or processing operations.

The interim regulation went on to state that although the rule of origin set forth in § 12.130 would determine the country of origin of textiles and textile products subject to section 204, the rule did not change the "foreign article" status of textiles or textile products under Headnote 2, Part 1, Schedule 8, TSUS (19 U.S.C. 1202). Under Headnote 2 any product of the U.S. which is returned after having been advanced in value or improved in condition abroad by any process of manufacture or other means, or any imported article which has been assembled abroad in whole or in part of products of the U.S., will be treated for purposes of the Tariff Act of 1930, as amended, as a "foreign article".

Date of exportation was defined in paragraph (f) of the interim regulation. Under this paragraph, for quota, visa or export license requirements and statistical purposes, the date of exportation for textiles and textile products, subject to section 204, was established as the date the vessel or carrier left the last port in the country of origin as defined by § 12.130. Contingency of diversion in another foreign territory or country would not change the date of exportation for quota, visa or export license requirements or for statistical purposes. The inclusion of this definition was necessary to ensure enforcement of the date of export provisions contained in various bilateral agreements.

Numerous comments were received with respect to the provisions of § 12.130. These comments fell into the following areas:

Insular Possessions

Many of the commenters expressed the belief that the interim regulation was inconsistent with the language and intent of General Headnote 3(a), TSUS, relating to products of insular possessions. The commenters stated that the legislative history of that Headnote indicates Congress wanted to encourage light industry and assembly operations in the insular possessions. Moreover, certain commenters pointed out that the preferences under General Headnote 3(a) are destroyed by repealing a statutory 50 percent test and imposing a new origin test. Other commenters noted an apparent conflict between section 204 which authorizes negotiations with foreign governments and regulation of trade with foreign countries and the Territorial Clause of the U.S. Constitution encompassing insular possessions which are considered to be part of the U.S. In addition, one commenter mentioned that the interim regulation is in contravention of an established practice whereby an article is considered to be a product of an insular possession within the meaning of General Headnote 3(a), TSUS, if substantial processing operations are performed in the insular possession. Another commenter opposed exemption of the insular possessions on the grounds that textile operations would be established in the insular possessions to avoid quota.

First, it should be pointed out that neither the interim nor the final regulation changes in any way the requirements of General Headnote 3(a), which grants preferential tariff treatment to insular possessions of the U.S. By the wording of that Headnote, to achieve the preferential tariff treatment, merchandise must both be the growth or product of the insular possession and satisfy a specified percentage of its value derived from that insular possession. Section 12.130 is concerned only with defining whether, in the case of General Headnote 3(a), merchandise is the growth or product of an insular possession. It does not, as one commenter noted, regulate imports from insular possessions, but, rather provides a rule of origin which allows Customs to determine in which foreign territory or country, or insular possession imported merchandise actually originated. To achieve this result, the regulations must cover all foreign territories or countries, or insular possessions outside the U.S. customs territory. General Headnote 2, TSUS, indicates that the customs territory of the U.S. includes only the states, the District of Columbia, and Puerto Rico. Therefore, the regulations apply to textiles and textile products that are imported into the customs territory of the U.S. from the insular possessions. To exempt the insular possessions from coverage under the regulations would grant them a preferential status not authorized by law.

Applicability to U.S. Articles Sent Abroad

Various comments were received concerning the treatment of articles assembled abroad from U.S. components and imported under item 807.00, TSUS. The proviso contained in § 12.130(a) of the interim regulations reflects the intent to retain the "foreign article" status of textiles or textile products under Headnote 2, Part 1, Schedule 8, TSUS. Several commenters noted that the "foreign article" proviso in the interim regulations conflicts with the rule of origin contained in § 12.130. Other commenters requested confirmation that the quota status of 807 and non 807-merchandise cut in the U.S. and assembled in a foreign country remains unaffected by § 12.130. Some commenters suggested amending the interim regulations to provide that textiles processed from U.S. components that have not been substantially transformed whether or not subsequently entered under 807 procedures are not subject to quotas. Other commenters suggested that reliance on Headnote 2, Part 1, Schedule 8 is not sufficient to ensure that the "foreign article" status of textiles and textile products entered under Schedule 8 is applicable for purposes of section 204.

Headnote 2, Part 1, Schedule 8, TSUS, provides that any product of the U.S. which is returned after having been advanced in value or improved in condition abroad, or assembled abroad shall be a foreign article for the purposes of the Tariff Act of 1930. Customs agrees that the applicability of the proviso in § 12.130(a) of the interim regulations is not sufficiently clear and should be amended.

The language of Headnote 2, Part 1, Schedule 8, is clear and unambiguous. It applies, without regard to degree of advancement in value, improvement in condition, or assembly, to such merchandise for duty and marking purposes. It is recognized that it is not, on its face, applicable to matters, such as country of origin determinations for quota purposes, which do not fall within the purview of any of the provisions contained in the Tariff Act of 1930, as amended.

Customs believes that Congress, by using similar language in statutes dealing with the origin of merchandise, clearly intended that there should be only one rule for determining the country of origin of merchandise, without regard to the particular statute requiring that determination. Therefore, it is believed that Congress did not intend for Customs to apply one rule of origin for duty and marking purposes and a different rule of origin for the purposes of section 204. In order to avoid this inconsistency, the proviso concerning the foreign status of U.S. articles sent abroad has been amended to state clearly that although Headnote 2 is not directly applicable to merchandise subject to section 204, Customs will apply the headnote to that merchandise in order to achieve the Congressionally intended result of a single rule for determining the country of origin of imported merchandise.

Customs recognizes that the language of Headnote 2 sets out a principle of origin that is not consonant with the original rules contained in the interim regulations. In this regard, Headnote 2, in and of itself, is not a rule of origin; rather, it is a statutory enactment by the Congress exempting a certain class of merchandise from the normal rules of origin. In order to achieve a single rule of origin, Customs believes that it is appropriate to extend this exemption to merchandise subject to section 204.

Customs also has been advised by the CITA that when the various bilateral agreements to which the U.S. is a party were negotiated, merchandise classifiable in item 807.00, TSUS (i.e. U.S. products assembled abroad) was considered for quota, visa, and export license purposes to be a product of the assembling country and not the U.S.

The final rule incorporates the modified language relating to Headnote 2, Part 1, Schedule 8, TSUS, in a new section 12.130(c).

Finishing Operations

Many commenters criticized the interim regulations on the grounds that finishing operations on greige goods are significant and substantial manufacturing processes that create a new and distinct final product. Other commenters pointed out that printing requires sophisticated machinery and advanced design. Some commenters suggested that § 12.130(b)(4) of the interim regulations refers to specific dyeing or printing operations and not to the entire process by which greige goods are transformed.

Other commenters in opposition observed that the term "other finishing operations" lacks precision. Several commenters noted that showerproofing and superwashing can be marginal operations, but the term "finishing" usually connotes sophisticated processing. One commenter recommended that a substantial transformation should not result from "minor processing, such as showerproofing and superwashing, which merely alter previously finished fabric or yarn". Some commenters pointed out that the courts have long recognized that finishing can result in a new and different article of commerce. In their view, the application of a *per se* rule with regard to finishing is contrary to law. One commenter observed that dyeing and printing adds 100 percent value to greige goods. This same commenter noted that dyeing and printing is considered by the European Economic Community (EEC) to connote origin.

Customs believes it is appropriate to amplify on the dyeing or printing example in the interim regulations to provide better guidance on the type or types of operations that will result in a change in the country of origin. Three examples concerning finishing operations have been inserted in the final regulations which are more specific and convey Customs views that, in the case of fabrics, usually any finishing operations short of a combination of both dyeing and printing together with at least two other major finishing operations will not result in a substantial transformation of the fabric.

To satisfy the objections of some commenters that certain marginal processing should not result in a substantial transformation, Customs has added language in § 12.130(e)(2) in the final rule indicating that dyeing or printing, or dyeing and printing of fabrics and yarns, or one or more finishing operations on yarns, fabrics, or garments, such as showerproofing, superwashing, bleaching, decating, fulling, shrinking, mercerizing, or similar operations, will not usually result in a substantial transformation.

Very few commenters touched on yarns and, therefore, that area was not addressed in the examples in the final rule of what finishing operations yarns must be subjected to in order to have a change in their country of origin. This area, as any other factual situation not specifically set out in the regulations, will be ruled upon by Customs in accordance with the general principles of origin in § 12.130, as the situations arise.

It is axiomatic, moreover, that because of the evolution of country of origin principles, as evidenced by longstanding American judicial and administrative precedent, it is not proper to resort to other countries or organizations rules of origin, such as the EEC, in defining U.S. rules of origin.

Cutting

Numerous commenters deem the concept of country of origin in the interim regulations to constitute a

critical departure from longstanding judicial precedent and existing administrative practice.

A considerable number of commenters regard cutting of fabric as a minor process in relation to the manufacture of a garment. Other commenters stated that cut parts are not articles of commerce even though a new and different article is created. Quite apart from this view are the statements of some commenters that cutting by itself, which requires great skill, can be a substantial transformation. Some commenters recommended removing the distinction between marked and unmarked fabric, because they consider marking a minor operation. This approach as noted by some commenters, is fully consistent with *Belcrest Linens* v. *United States*, Appeal No. 84–734 (Fed. Cir. August 21, 1984), in which the court found that the cutting and sewing operations which occur in the manufacturing of a pillowcase subsequent to the marking of fabric, resulted in a new and different article. The same commenters go on to say that the court indicated the marking of the fabric did not result in a dedication to use of the fabric as pillowcases.

Those commenters who contend that cutting does not substantially transform fabric misconstrue the principle of substantial transformation derived from court decisions and administrative practice. Cutting garment parts from fabric will result in a substantial transformation of the fabric. This is not to say, however, that the cut pieces will not undergo a later substantial transformation. Axiomatic to Customs definition of country of origin is the notion that in the case of textiles and textile products which consist of materials produced or derived from, or processed in, more than one foreign territory or country, or insular possession, the imported merchandise shall be a product of that foreign territory or country, or insular possession, where it last underwent a substantial transformation (see § 12.130(b) of the final rule).

In determining the country of origin of pre-marked fabric that is further processed in one or more countries, Customs will be guided by the facts in each particular case and by the principles developed in the *Belcrest Linens* decision and contained in § 12.130.

In this regard Customs has included two examples in §§ 12.130(e)(1)(iv) and (e)(2)(ii) in the final regulations which specifically deal with cutting. The first example is where fabric is cut into component parts and those parts are assembled in the same country into a completed article. In that example, the country where the article is cut and assembled is the country of origin of that article. The second example is where fabric which is readily identifiable as being intended for a particular commercial use (*e.g.* towelling or bed linen material) is merely cut to length or to width, with the edges then being either hemmed or overlocked. In this example, the foreign territory or country, or insular possession which produced the fabric is the country of origin, and not the country where the fabric was cut.

Uniform and Established Practice

A number of commenters have pointed out that the interim regulations, in effect, change various uniform and established practices and marking requirements. Section 315(d), Tariff Act of 1930, as amended (19 U.S.C. 1315(d)), provides that Customs may not administratively change an established and uniform practice of classification if that change will result in the imposition of a higher rate of duty without a publication in the **Federal Register** providing at least a 30-day notice of such change. Section 177.10(c), Customs Regulations (19 CFR 177.10(c)), further requires that a preliminary notice be published in the **Federal Register** giving interested parties an opportunity to make written submissions with respect to the correctness of the proposed change. It is contended that the interim regulations are violative of both the statute and the regulation.

The interim regulations and the final regulations have as their authority section 204, which authorizes the President to enter into international agreements to control the importation of textiles and textile products and to issue regulations to effectuate those agreements. In order to avoid circumvention of our international agreements, the President, by Executive Order 12475 of May 9, 1984, directed the Secretary of the Treasury to make clarifications in, or revisions to, country of origin rules for textiles and textile products subject to section 204.

Therefore, the origin rules in § 12.130 are effective only for textile restraint purposes. However, it is Customs' view that the origin rules in § 12.130 are derived from Customs' interpretation of various court cases, most particularly *Uniroyal, Inc.* v. *United States*, 3 C.I.T. 220, 542 F. Supp. 1026 (1982). Therefore, the principles of origin contained in § 12.130 are applicable to merchandise for all purposes, including duty and marking. Nevertheless, Customs recognizes that there are a few instances where the application of those principles will cause an increase in the rate of duty for merchandise subject to established and uniform practices. In those instances Customs will not apply the principles of origin in § 12.130 for duty purposes until such time as the formalized changes in practice have been effectuated. Customs will also continue its previous marking requirements pending the changes in practice. Section 12.130 will be used in determining the country of origin of textiles and textile products for quota, visa, and export license purposes. This latter application is not prevented by either 19 U.S.C. 1315(d) or § 177.10(d), Customs Regulations, because it does not raise the applicable rate of duty.

Assembly of Knit-to-Shape Garment Parts

Significant differences emerged among the numerous commenters on the issue of the joining together by looping or linking of knit-to-shape panels produced in a single country. Some commenters observed that the essential character and shape of a knit-to-shape garment is derived from the knitting. It was noted, too, that full fashion knit sweaters are produced using a labor intensive process known as "handlooming" whereby it takes one skilled laborer a full day to produce the component parts for one sweater. One commenter recommended that for garments made from knit-to-shape components produced in two countries, origin should be defined according to the portion knit in each country. Contrary to these statements are the claims of other commenters who contend that the panels which constitute approximately ten percent of the cost of a completed garment, do not resemble a sweater until they are joined together. Similarly, some commenters assert that the knitting of panels is an uncomplicated process that requires little skill. Compared to knitting, these commenters state that looping is a highly skilled process for which it takes up to 2 years to train an operator on more complicated and costly machines. Furthermore, it is contended that looping and related finishing processes represent proportionately the largest percentage of the total cost of the sweater.

Customs is well aware that the interim regulations have engendered much debate on the subject of the assembly of knit-to-shape components. Customs has thoroughly studied the submitted comments and remains convinced that the joining together by looping, linking, sewing, or other means, of knit-to-shape components produced

in a single country, even when accompanied by other processes (i.e., washing, drying, mending, etc.) normally incident to the assembly process, will not usually cause a substantial transformation. The evidence before us establishes that based on time, value added by processing at each stage, complexity, etc. such an assembly process does not cause the knit-to-shape components to be substantially transformed. The assembly of knit-to-shape component parts is a relatively simple processing operation that does not require a great deal of time. Therefore, one of the examples included in § 12.130(e)(2)(iii) in the final regulations as not constituting a change in the country of origin is the assembly into a completed garment of knit-to-shape component parts.

Assembly by Sewing

Virtually all of the comments received concerning garments made from cut pieces of fabric opposed the interim regulations. Many of the commenters observed that garments made of cut pieces that are sewn together derive much of their style from the multiplicity of small parts and the manner in which they are assembled. Similar statements running through the comments suggested that the essence of a garment is created by joining the pieces together. Consistent with the concept of substantial transformation articulated by the court in *Anheuser-Busch* v. *United States*, 207 U.S. 556, *Cardinal Glove Co., Inc.* v. *United States*, 4 C.I.T. 41, and *Uniroyal, supra*, these commenters argued that the sewing of components constitutes a substantial transformation so that the country of assembly is the country of origin of the completed garment. Only the assembly of incidental components, it was recommended, should not result in a substantial transformation. It was proposed that labor costs should not be considered as a criterion in the origin rule, but, rather, for garments assembled from cut pieces, the country of origin should be the country where at least 60 percent of direct labor in minutes of production time is expended in converting the finished fabric into a completed garment. If no country satisfies the 60 percent requirement, then it was suggested the country of origin should be the country where the majority of the labor in minutes was performed.

It is believed that the adoption of an arbitrary rule of origin based solely on the minutes of production in each country would be clearly contrary to judicial precedent. Customs believes that factors such as time, the nature of the sewing operation, and the skill required to sew together a tailored garment should be considered in determining whether the merchandise was substantially transformed.

After reviewing all the information available, Customs is persuaded that the assembly of all cut pieces making up a garment is sufficiently more complex and requires greater skill, time, and effort, than the assembly of knit-to-shape components into a garment to warrant a distinction between the two assembly operations. Accordingly, Customs believes that the assembly of all the cut pieces of a garment usually is a substantial manufacturing process that results in an article with a different name, character, or use than the cut pieces. It should be noted that not all assembly operations of cut garment pieces will amount to a substantial transformation of those pieces. Where either less than a complete assembly of all the cut pieces of a garment is performed in one country, or the assembly is a relatively simple one, then Customs will rule on the particular factual situations as they arise, utilizing the criteria in § 12.130(d).

To avoid confusion in this area, an example has been inserted in § 12.130(1)(e)(v) of the final regulation which states that a substantial assembly of all the cut pieces of a garment into the completed garment will be a substantial transformation. To further clarify additional examples, of some of the types of garments which Customs believes involve a substantial assembly have been included.

Substantial Transformation Criteria

Several commenters perceived § 12.130(a) of the interim regulations as instituting a two-step test for an article produced by multi-country operations, whereby such an article will be considered to have undergone a substantial transformation if it has been transformed by means of substantial manufacturing or processing operations into a new and different article of commerce.

Other commenters point out that the establishment in the interim regulations of separate criteria for determining substantial manufacturing or processing operations and a new and different article creates an inconsistency to these commenters who believe not all substantial transformations result in a new and different article. They have suggested that the concept of a "new and different article" should be replaced by the phrase "change in character and/or quality".

One commenter pointed out that the criteria for a new and different article are not found in the *Belcrest Linens* decision. Another commenter suggested eliminating the term "essential" in the phrase "essential character", because the term is defined in the case of *United China & Glass Co.* v. *United States*, 61 Cust. Ct. 386, C.D. 3637 (1968) as that which is indispensable to an article.

One commenter advised changing "substantial manufacturing or processing operation" to "further work or material", because it is the transformation and not the processing that is important. Some of these commenters argued that the criteria are too subjective and not definitive, because Customs officers may consider additional unstated factors.

There was little disagreement among the commenters that the detailed cost information required for determining whether a substantial manufacturing or processing operation occurred represented an arduous and formidable impediment to importers.

Many commenters opposed the specific provisions in the interim regulations which stated that certain operations would not result in substantial transformations. These commenters contended that the Customs Service is inconsistent by requiring country of origin determinations to be made on the basis of factual evidence and specific criteria, but then stating that certain operations will never result in a substantial transformation.

Customs submits that those commenters who state that Customs has fashioned a new two-step test to determine country of origin for articles produced in multi-country operations have overlooked past court decisions. For example, the court in *Belcrest Linens* stated that the name, character, or use of an article must be changed in order to have a substantial transformation. In determining whether the processing performed on the merchandise in that case constituted a substantial transformation, the court maintained that the issue is "the extent of the operations performed" and whether the merchandise subject to those operations loses its identity by becoming a new article.

In *Uniroyal* v. *United States*, the court characterized the attachment of the outsole to the upper as a "minor manufacturing or combining process which leaves the identity of the upper intact". The court went on to say that to consider attachments of this kind to be a "substantial transformation" would be to open the door wide to frustration of the entire marking statute.

It follows that the courts have determined that the concepts of a new

and different article and a substantial manufacturing or processing operation are particular aspects of a substantial transformation. In this regard, a specific statement defining substantial transformation in these terms has been inserted into the final regulations (see § 12.130(b)).

In order to provide guidance to both Customs officers who must make decisions on the country of origin of imported merchandise, and all other interested parties, the more important factors to be considered in determining whether merchandise has been subjected to substantial manufacturing or processing operations and whether a new and different article has been produced have been listed in the final regulations (see § 12.130(d)). These criteria are not intended to be all inclusive and any one, a combination, or other factors not listed may be controlling.

Customs agrees that the phrase "essential character" must be modified because of its particular significance in Customs parlance. Therefore, the word "essential" does not appear in the final regulations, and, in its place, the word "fundamental" is used (see § 12.130(d)(1)(ii)).

Customs has been persuaded that the cost information criteria listed in the interim regulations is not readily available to importers and, when that information is furnished by manufacturers, it may not be complete or entirely accurate. Accordingly, although the various costs of producing merchandise may be pertinent in determining the country of origin of that merchandise, the criterion of cost information has been dropped in the final regulations. However, if a district director deems cost information to be necessary to a country of origin determination in a particular case, he may still request the importer, manufacturer, or exporter to furnish that information.

In place of the deleted cost factors, a value added criterion has been inserted in the final regulations (see § 12.130(d)(2)(v)). Where appropriate, Customs will consider the value contributed to the imported merchandise in each country performing processing or manufacturing operations on that merchandise. It is recognized that this information may, in some instances, also be difficult to obtain, but it is believed that it will be much more readily available and more reliable than manufacturers' costs data.

The suggestions by several commenters that the list in the interim regulations of processing or manufacturing operations which do not constitute substantial transformations be expanded and that positive examples be included have been adopted in the final regulations (see § 12.130(e)(2)). These examples are also intended to provide guidance to Customs officers and other interested parties. Obviously, the examples represent clear factual situations where the country of origin of the imported merchandise is easily ascertainable. The examples are illustrative of how Customs, given factual situations which fall within those examples, would rule after applying the criteria listed in § 12.130(d). Any factual situation not squarely within those examples will be decided by Customs in accordance with the provisions of § 12.130 (b) and (d).

Scope of the Regulations

Relatively few comments were received concerning which tariff items are covered by the regulations. One commenter suggested limiting the scope of the regulations to wearing apparel. Another commenter noted that it is not the intent of the regulations to cover doll clothing. In light of the fact that the MFA was negotiated to prevent market disruption, and doll clothing is not manufactured by domestic industry, this same commenter states that the MFA does not apply to doll clothing. Moreover, this commenter noted that the tariff provision for doll clothing is eligible for duty-free treatment under the Generalized System of Preferences (GSP). Eligibility under GSP is significant according to the commenter because 19 U.S.C. 2463(c)(1)(A) prohibits textile and apparel articles which are subject to textile agreements from the GSP. Another commenter made a similar observation that the inclusion of artificial flowers must have been inadvertent, because artificial flowers are subject to GSP treatment. By contrast, a commenter suggested expanding the coverage of the regulations to include non-MFA fiber products. The commenter believes this is appropriate under section 204 because that section gives the President broad authority to negotiate and implement agreements on all textiles and textile products.

In *Mast Industries, Inc., et al.*, v. *Regan, et al.*, —— C.I.T. —— Slip Op. 84–111 (October 4, 1984), the court held that section 204 is a valid delegation of power to the President to limit textile imports, and that the interim regulations fall within this delegated authority.

Pursuant to section 204, the U.S. entered into a multilateral international agreement known as the "Arrangement Regarding International Trade in Textiles" (MFA) on January 1, 1974. The MFA provides a framework for the U.S. to negotiate bilateral agreements to limit textile imports.

Article 12 of the MFA defines the term "textile" to include tops, yarns, piece goods, made-up articles, garments and other textile manufactured products (being products which derive their chief characteristics from their textile components) of cotton, wool, man-made fibers, or blends thereof, in which any or all of those fibers in combination represent either the chief value of the fibers or 50 percent or more by weight (or 17 percent or more by weight of wool) of the product.

Under Article 12, the term "textiles" is defined to include the subject articles if they are composed of textile materials.

Although these articles are not subject to restraints under current bilateral agreements, restraints may be imposed in the future under the authority of the MFA.

In *Luggage and Leather Goods Manufacturers of America, Inc. and International Leather Goods, Plastics and Novelty Workers' Union, AFL–CIO* v. *United States et. al.*, —— C.I.T. —— Slip Op. 84–53 (May 11, 1984), the court determined that the MFA is a textile agreement within the meaning of section 2463(c)(1)(A), which is concerned with eligibility requirements for duty-free treatment under GSP. Furthermore, the court found the President's designation of flat goods covered by item 706.39, TSUS, as eligible articles under the GSP was contrary to law.

In sum, the decisions in *Luggage and Leather Goods Manufacturers* and *Mast, supra*, establish that any article that is subject to the MFA may be covered by the interim regulations. Nevertheless, to limit the uncertainty faced by the importer in ascertaining whether merchandise will be subject to the regulations, Customs has included in § 12.130(a) of the final regulations a specific statement concerning the coverage of the regulations. In essence, the new provision provides that the regulations are applicable to a textile or textile article if it is classifiable in any of the tariff item numbers specifically listed in General Headnotes 3(g)(iii)(C)(1), 3(g)(iii)(C)(2), and 3(g)(iii)(E), TSUS, which exempts those textile and textile articles from coverage of the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2701 et seq.), and any other TSUS provisions which have been assigned textile category designations. Those TSUS provisions were determined by the President not to be subject to the CBERA because, pursuant to section 2703, CBERA (19 U.S.C. 2703(b)(1)), they

cover textile and apparel articles which are subject to textile agreements.

Customs does not believe the suggestion that the regulations cover non-MFA products has merit. Section 204 authorizes the President to issue regulations to carry out bilateral and multinational agreements that have been entered into pursuant to that section. There are no such agreements which cover non-MFA products. Therefore, there is no authority to include non-MFA products within the scope of these regulations, except insofar as information is required to distinguish those products from MFA products.

Other Country of Origin Comments

A few commenters regard the interim regulations as adding confusion to the area because of various definitions of the term "country of origin" used by GSP, CBI and other programs. Some of these commenters proposed exempting CBI nations and factories that have been established under the existing definition.

The interim regulations governing textiles and textile products which define when an article is considered to be "a product of" a particular country apply to all imports into the customs territory of the U.S. As noted in the discussion on insular possessions, the commenters have failed to recognize that the GSP and CBI statutes each require that merchandise be a "product of" the affected country. The CBI statute uses the phrase "growth, product, or manufacture", which is stated in *Belcrest Linens* to mean "product of". In this regard, the CBI and GSP programs begin from a common point of requiring an article to be "a product of" a specific country.

Customs believes it is improper to exempt, without specific authority, countries or manufacturers from the coverage of these regulations.

One commenter suggested issuing a public notice and comment period for all rulings requesting a country of origin determination, in addition to notifying CITA of such requests.

This proposal cannot be adopted. Section 177.1(d), Customs Regulations (19 CFR 177.1(d)), defines the term "ruling" in the following manner:

> (d) Definitions. (1) A "ruling" is a written statement issued by the Headquarters Office or the Regional Commissioner, Region II, that interprets and applies the provisions of the Customs and related laws to a specific set of facts.

Under 5 U.S.C. 551(b) "rule making" is defined as an "agency process for formulating, amending, or repealing a rule". Sections 553 (b) and (c) of title 5, contemplate the application of the notice and comment period to rule making proceedings and not to requests for rulings of the type covered by Part 177, Customs Regulations.

With specific reference to the comment about advising CITA regarding requests for rulings on country of origin determinations, section 2(c) of Executive Order 12475 states that the Department of Treasury shall, to the extent practicable, inform CITA of all rulings requests on matters that may reasonably affect the Textile Import Program and to take into consideration any comments on such requests that CITA may submit. That requirement of the Executive Order has been complied with administratively. Executive Order 12475 does not require such a procedure to be incorporated in the Customs Regulations and Customs can see no valid purpose to be served by doing so.

Declaration Requirements

Numerous comments were received on the documentary evidence of country of origin requirements set forth in § 12.130 (c) and (d) of the interim regulations. Several commenters stated that the declaration requires the disclosure of confidential business information concerning costs, which if revealed to the importer, could place the manufacturer/exporter at a competitive disadvantage. Some commenters recommended that only a description of the manufacturing or processing operation should be required on the declaration and not cost data.

Based on the comments received and Customs own evaluation it has been decided to modify the declaration requirements. Customs will not require that the direct costs of manufacturing and/or processing operations and cost or value of materials to be set forth on the declaration. If cost information is required by Customs at the time of entry of the merchandise to determine country of origin, the manufacturer or exporter in the country of origin or exportation must be prepared to submit directly to the district director, upon request, all pertinent cost information concerning the production or manufacture of the merchandise. He must also be prepared to provide the district director with any other information (e.g., time involved in the manufacturing or processing operation) considered necessary to determine the country of origin. With the elimination of the cost data requirement, the importer should have no difficulty in obtaining and providing on the declaration a complete description of the manufacturing and/or processing operation performed in each country involved in producing the article. Because of this Customs considers the importer's certification required by § 12.130(d) of the interim regulations to be unnecessary and has deleted it from the final rule.

Several commenters stated that Customs should establish guidelines for completing the declaration and state which products and types of transactions are subject to the requirements. Other commenters indicated the regulations should apply to products subject to visa requirements. Still others believed non-quota countries should be excluded from the declaration requirements.

Customs believes that guidelines can more properly be addressed in detail in administrative and operational instructions and rulings. With respect to product coverage, as stated earlier a new § 12.130(a) has been added to the final rule which addresses this matter. The country of origin rules and declaration requirements of § 12.130 must apply to textiles and textile products from all countries not just countries with which the U.S. has bilateral agreements or quotas since the rules followed to determine the country of origin are the same for all merchandise. Since merchandise is frequently processed in several countries Customs must have complete information in order to determine the correct country of origin.

One commenter suggested that the declaration be related to the commercial invoice and not the entry since an entry could cover merchandise from more than one declaration. The commenter stated that the manufacturer/exporter who executes the declaration prior to exportation will have no way of relating the declaration to an entry.

Customs agrees that this could be the case. However, upon review it is believed to be the better approach to allow the declaration to be related to either the invoice or entry at the declarant's option. Accordingly, the wording of the declarations have been changed to indicate that the declaration may be related to either the invoice or the entry.

Several commenters stated that they should be authorized to treat the declaration as a missing document for which a bond may be filed.

The main purpose of the textile regulations is to prevent circumvention of multilateral and bilateral agreements. In order to carry out this mandate Customs must have all the necessary documentation prior to release of the merchandise to determine the correct country of origin. The declaration must be presented at the time of entry so that a determination of the country of origin

can be made for quota and or visa purposes, when that is required. In addition, accurate trade statistics are needed for all importations of textiles and textile articles from all countries for monitoring and negotiating purposes. If the importer were allowed to present the declaration anytime after entry and the information reveals a different country of origin from that reported at the time of entry the trade statistics would reflect incorrect information. Also, the additional work involved in backlogging entries and the double handling of documents is too great to permit bonding for the declaration. With elimination of the cost data requirement, there appears little reason why the importer would be unable to provide the declaration at the time of entry. Consequently, the declaration (like the visa or export license) will not be treated as a missing document for which a bond may be filed.

The European Economic Community (EEC) should be considered as a single entity for purposes of filing the declaration thereby permitting the use of the single country declaration for products made in several EEC countries according to some commenters. Other commenters made the same recommendation with respect to the Nordic countries of Finland, Norway and Sweden.

Customs can not adopt this suggestion since a single country of origin must be determined for each imported article. The detailed declaration is necessary to make this determination when several countries are involved in the production of the article. Further, when negotiating textile agreements the U.S. does so with individual countries and not associations of countries.

Other commenters recommended that a third declaration be added for use when goods are cut and sewn in one country from fabric imported from another country. As opposed to this, another commenter wanted to eliminate the declaration requirement in these cut and sew operations.

Even though it may appear that there is no doubt as to the identity of the country of origin in these cases, it is still the responsibility of the Customs officer to make that determination. This can only be done if he has all the facts. Accordingly, Customs has not adopted either suggestion.

The declaration requirement is a non-tariff barrier according to several commenters.

Customs believes the requirement to file a declaration serves a legitimate purpose in ensuring that the correct country of origin is identified for each shipment. Rather than being a non-tariff barrier it will enable the manufacturer, importer and Customs to be certain of the country of origin and facilitate the release of goods to the importer.

The determination of the country of origin is being transferred exclusively to U.S. authorities according to some commenters. These commenters believe the regulations give substantial discretion to individual U.S. Customs officers and will lead to subjective judgments being made.

Customs officers have always had the final responsibility and authority for determining the country of origin of imported merchandise. The interim regulations did not change that responsibility. In fact, the regulations codify court decisions and Customs administrative rulings thereby allowing greater certainty by all parties in the determination of the country of origin. Further, the district director's decision on origin, if protested, is subject to review by higher authority.

Other commenters stated that trim (underlinings, loops, buttons, sways, tapes, zippers, etc.) should not have to be reported on the declaration as they are insignificant compared to the assembly of the overall garment.

Customs agrees that it is unlikely that trim will be a consideration in determining the country of origin. However, the identification of which items constitute trim is a matter for Customs to determine through the administrative ruling process. This should not be the subject of regulations. Customs has previously stated that trim need not be reported when it is from a country not directly concerned with the manufacture of the product. However, non-textile materials (not trim) must be reported on the declaration.

Many manufacturers ship identical merchandise over extended periods of time and must make repetitive filings of the same declaration. This serves no purpose according to one commenter who recommended that the district director be authorized to waive the production of the declaration. In the alternative the commenter recommended that the importer be permitted to submit one declaration for each product and have the responsibility for updating the data.

Adoption of this recommendation could result in non-uniform application by the various Customs field offices. In addition, it would require each office to keep a separate declaration on file for the thousands of textile manufacturers, exporters, importers, and styles and types of merchandise being imported. This increased workload would be unacceptable. Finally, each entry of merchandise must stand on its own for entry admissibility purposes.

Where the value of material originating in a second country is *de minimis* (*e.g.* 5 percent), one commenter believes the short form (single country) declaration would be appropriate. An example of this *de minimis* principle would be where a small label on the textile article is produced in a second country.

Customs is opposed to attempting to establish a *de minimis* criterion at this time. In order to determine the origin of the material that was used in the article, Customs must have all pertinent facts. At some later date it may be appropriate to issue administrative guidelines with respect to the reporting of trim and other minor parts of garments.

According to one commenter shipments of textiles and textile products should be detained only when Customs can demonstrate a clear likelihood that the country or origin reflected in the declaration and/or export license or visa is incorrect.

This suggestion would place an unacceptable burden on Customs. It is incumbent upon the importer to provide the necessary documentary proof of origin.

Several other commenters maintained that requiring the declaration will cause delays in the release of shipments to importers.

With the elimination of the cost requirement from the declaration in the final rule, it should be easy to comply with the declaration requirement. The importer should be able, in most instances, to supply the information, without consulting the manufacturer or exporter. Consequently, delays in releasing shipments should be relatively rare.

Another commenter suggested that Customs allow the use of the single country of origin declaration when raw materials are imported into a country and all manufacturing operations are performed in that country.

Customs has already liberalized the reporting requirements by saying that in most instances, in regard to completed garments the information on the declaration should go back as far as the manufacture of the fabric. In regard to fabric, information on the yarn is required, and if yarn is being imported, the declaration should provide information on the fibers. This information is necessary only if the materials at the preceding stage were imported into the country of manufacture.

The declaration, according to other commenters, should be amended to

require only a simple statement of the country of origin. Customs publication and clarification of the criteria will enable most manufacturers, exporters or importers to declare the correct origin of their products. Companies seeking to avoid quota restrictions will not be deterred by the declaration requirements. The commenters maintain that a single statement of country of origin, subject to Customs audit, will relieve Customs officials of the burden of reviewing the information that must be submitted.

Requiring only a simple statement of origin by the manufacturer would nullify the intent of the regulations which is to provide Customs with sufficient information to make the determination of where the final substantial transformation took place. Far from relieving Customs of a burden the suggestion would require further investigation to make this determination.

Still other commenters maintain that the certificate of origin issued by the exporting country provides a guarantee that appropriate officials of that country have determined the correct country of origin. This certificate should be accepted in lieu of the declaration.

Only U.S. Customs can make the final country of origin decision based on judicial and administrative precedent. The certificate of origin does not provide the information necessary to make that determination.

Customs has received numerous inquiries from the importing public regarding whether a declaration is required with an informal entry. In light of the concern in this area a new paragraph (h) has been added to § 12.130 which states that while a declaration is not required for shipments covered by an informal entry, the district director may require such other evidence of the country of origin as deemed necessary. The provision further states that the filing of the appropriate declaration will be required in a case involving consolidation of individual shipments under §§ 12.131 and 143.22, Customs Regulations (19 CFR 12.131, 143.22).

While no comments were received on § 12.130 (f) of the interim regulations (this section has been redesignated as § 12.130(i) in the final rule) which relates to the date of exportation, Customs believes it worthwhile to repeat the information set forth in the interim regulation relating to the placement of date of exportation data on the Customs Form 7501, Entry/Entry Summary.

The Customs Form 7501, was revised by T.D. 84-129 which was published in the **Federal Register** on June 5, 1984 (49 FR 23161). As a January 1, 1985, the new Customs Form 7501 has been in use. On the revised form, the date of exportation, as defined by § 12.130, for quota, visa or export license requirements and statistical purposes, will be listed in block 34, the TSUSA, ADA/CVD, IRC rate, and/or visa number block, below the identified visa number. If a visa or export license is not required for the merchandise the date of exportation will be the last item identified for each line item. The alphabetical designation "DOE" will be placed in front of the identified date of exportation.

The foregoing does not change or modify the date of exportation required to be placed in the date of exportation block on the Customs Form 7501.

Even though the date of exportation appears on the revised Customs Form 7501 in block 34, based upon Customs review it has been determined that a need exists for this data on the declaration. Accordingly, Customs has modified the declaration forms to require the date of export from the first country and any subsequent country where further manufacturing and/or processing operations are involved. The final determination of which country is the country of origin for quota/visa purposes, i.e., whether a substantial transformation has taken place in this regard, is the responsibility of Customs and cannot be delegated to the importer. Listing these dates of export on the textile declaration provides Customs with necessary data to verify the importer's date of export declaration on the CF 7501. It insures that Customs will be able to furnish the Commerce Department with more accurate trade statistics for trade policy purposes as well as for its own trade enforcement purposes. At the same time, this requirement benefits the importer since he will seldom have to obtain further information in this matter if Customs questions the date of export shown on the Customs Form 7501.

It has become apparent that a cause of concern to both importers and Customs field officers is the problem of possible delays in the release of non-MFA textiles and textile products from Customs custody. This is due to uncertainties in identifying merchandise subject to the MFA for which a textile declaration is required to be filed prior to release of merchandise and merchandise not subject to the MFA for which, under the interim regulations, no declaration is required.

To assist Customs in distinguishing between the two classes of merchandise, Customs has decided to require the submission of a negative declaration, prior to release of the shipment, for products not subject to section 204, Agricultural Act of 1956.

Customs examination of merchandise, document review and timely release of cargo will be facilitated by use of the negative declaration. The uncertainty over whether a declaration is required will be removed and the number of shipments detained for documentation purposes and those shipments ordered to be redelivered to Customs will be greatly reduced. This new declaration is set forth in § 12.130(f)(3) of the final rule.

Textile Shipments Under $250

A new §12.131 was added to Part 12 by the interim regulations. This section requires that separate shipments of textiles and textile products, including samples, the country of origin of which is a country subject to visa or export license requirements, arriving in the customs territory of the U.S. for one consignee on the same conveyance on the same day, the combined value of which is over $250, to be entered under a formal entry. A consignee for purposes of this section is the ultimate consignee and does not include a freight forwarder or Customs broker not importing for its own account.

These provisions were necessary to prevent the splitting of shipments to circumvent visa or export license requirements. Importers were frequently entering shipments well in excess of $250 shipped on the same carrier, on the same day, from the same country, but from allegedly different manufacturers and using the informal entry procedures for the split shipments.

For purposes of this section, the interim document stated that separate unincorporated divisions or departments of the same U.S. corporation or company will be treated as one consignee for visa or export license purposes. It was further indicated that separate U.S. corporations of the same U.S. conglomerate will generally be treated as separate entities and therefore, separate consignees. Other forms of business organizations will be handled on a case-by-case basis. It was stated that Customs officers will look at the facts and circumstances involved in the importation before making a final decision.

Numerous comments were received in response to this provision. One commenter stated that textile shipments under $250 each for separate divisions of the same corporation arriving in the U.S. on the same carrier, the same day, from the same country should be treated as importations for separate consignees for visa or licensing purposes. According

to the commenter there could be freight consolidations for economy in shipping cost only.

Section 12.131 is necessary to prevent the splitting of shipments to circumvent visa or export licensing requirements. The bilateral textile agreements also require that shipments for the same consignee valued over $250 require a formal visa or export license. In addition, 19 U.S.C. 1484 states that all of the merchandise arriving in the U.S. on the same conveyance for the same consignee must be entered on one entry. Lastly, since separate unincorporated divisions of the same corporation are not separate legal entities, they may not be treated as separate consignees.

While freight consolidations by exporters to reduce cost is an important factor for them it cannot take precedence over the intent of the bilateral agreements and statutory requirements of 19 U.S.C. 1984.

However, if a freight forwarder is a consignee, for purposes of these textile provisions, he may designate a Customs broker to file a consolidated formal entry (where separate under $250 shipments to various ultimate purchases are involved). The entry must be accompanied by a visa(s) in the case of countries subject to visa requirements. If the freight forwarder is not the consignee for purposes of these textile provisions, he may not designate a Customs broker to file either a consolidated formal entry or separate informal entries for these under $250 shipments. In the latter case, the various ultimate purchasers must make their own arrangements for entry of their merchandise.

One commenter suggests that the § 12.131 definition for consignee should only include divisions of the same company or corporation where such divisions are importing goods on the same conveyance on the same day whose combined value totals more than $250 and fall in the same textile category number. Furthermore, where information for such shipments for separate divisions of the same corporation indicates that these divisions are operating independently of each other, e.g., separate trade names, distinctive differences in the goods, or separate imported samples for each division, the "one consignee" definition of this section should not be followed.

The bilateral textile agreements, the statutory language of 19 U.S.C. 1484, and the fact that there is no showing of separate legal entities involved under the circumstances set forth by the commenter argue forcefully for the enforcement of the "one consignee" definition found in § 12.131.

Section 12.131 according to one commenter should be amended to require formal entry only in instances where shipments from the same manufacturer arrive on the same day, on the same conveyance for the same U.S. consignee, and Customs determines that the shipments are intended to be consolidated for commercial sale.

The statutory language of 19 U.S.C. 1484 precludes the adoption of the commenter's suggestion.

The regulations for consolidating shipments are costly and overly broad according to another commenter.

The need to effectively and uniformly enforce the bilateral textile agreements and the formal entry requirements for importations pursuant to 19 U.S.C. 1484 dictate Customs policy in this matter. Moreover, because of recent attempts to circumvent quota/visa requirements by splitting shipments the necessity to take appropriate action to prevent these violations has become evident.

In light of the foregoing discussion and analysis Customs has concluded that no change in the provisions of § 12.131, is warranted. Accordingly, the section is adopted in the form set forth in T.D. 84-171 in the August 3, 1984 **Federal Register** document (49 FR 31248 at 31253).

In Bond Transportation

In the interim regulations it was stated that because of the numerous instances identified by Customs in which the provisions of the Customs Regulations relating to in-bond transportation had been used to frustrate and circumvent the textile products visa or export license requirements, district directors were advised to strictly enforce the provisions of § 18.11(h), Customs Regulations (19 CFR 18.11(h)). To insure the applicability of the § 18.11(h) requirements, § 18.11(e) was amended to incorporate the provisions of § 18.11(h). In addition, § 18.11(e) was amended to require the visa or export license, if applicable, to be presented with the entry. Section 6.18, Customs Regulations (19 CFR 6.18), relating to documentation for transit air cargo, was amended to cross-reference the requirements of §§ 18.11 (e) and (h).

Section 141.52, Customs Regulations (19 CFR 141.52), sets forth the circumstances under which district directors may authorize separate entries for different portions of all the merchandise arriving on one vessel or vehicle and consigned to one consignee. Section 143.21, Customs Regulations (19 CFR 143.21), sets forth the types of merchandise for which an informal entry may be used and § 143.22, Customs Regulations (19 CFR 143.22), sets forth the circumstances for which a formal entry may be required. Since both §§ 141.52 and 143.21 have been cited by importers as justification for attempts to circumvent the visa or export license requirements, §§ 141.52 and 143.22 were amended by the interim regulations to indicate that use of the provisions of § 141.52 and § 143.21 will be denied if use of the informal entry provisions would prejudice import admissibility enforcement efforts (i.e., visa or export license requirements). A cross-reference to the requirements of §§ 141.52 and 143.22 was included in § 143.21.

Customs received numerous comments in response to the solicitation of comments provision of the interim regulations regarding the presentation of the visa or export license prior to movement of textiles and textile products under the in-bond procedures. The **Federal Register** document containing the interim Customs regulations indicated that during the comment period an ongoing review would be made to determine if any situation arose which required action before the final rule was published. Based upon this ongoing review of public comments, it was concluded that compliance with this requirement of the interim regulations would be difficult. Accordingly, Customs deleted the requirement by notice published in the **Federal Register** on September 28, 1984, as T.D. 84-207 (49 FR 38245).

Further, the commenters expressed concern about the example of the rated invoice used in the interim regulations to indicate the type of evidence the district director could use to satisfy himself of the approximate correctness of the value and quantity stated in the in-bond entry. The rated invoice was chosen as an example not because of a need for this particular document but because it contained most of the information necessary for Customs to accurately assess the risk of possible diversion during the in-bond movement. Because the example generated so much adverse comment and concern, it was decided to delete it from the interim regulation and specifically list, by way of example, the information which Customs will use in making the determination of whether or not to examine the merchandise and whether or not to approve the in-bond movement. This information was also published in the September 28, 1984 **Federal Register** document. It includes the following:

(a) Detailed quantity description (e.g., 14 cartons, 2 dozen per carton),

(b) Detailed description of the textiles products including type of commodity

and chief fiber content (e.g., men's cotton jeans or women's wool sweaters),

(c) Net weight of the textiles or textile products, (including immediate packing but excluding pallets),

(d) Total value of the textiles or textile products,

(e) Manufacturer or supplier,

(f) Country of origin,

(g) Name(s) and address(es) of the person(s) to whom the textiles and textile products are consigned, and

(h) Harmonized code tariff number (when available).

It was stated that the harmonized code tariff number, if provided, would greatly assist Customs in determining the proper classification of the merchandise and the visa requirements. Customs further pointed out that not providing any one item or all of the listed information would not in and of itself result in a denial of the in-bond movement or examination of the merchandise. It would, however, be a factor considered by the district director along with all other facts and circumstances available as to the risk to the revenue, potential for diversion of the merchandise, and proper enforcement of the Textile Import Program.

Customs stated that the information could be provided by the carrier or his agent or the importer. If this information is available on existing documentation such as an invoice, a bill of lading, etc., providing a copy of that document would assist Customs in the consideration of whether or not to approve the movement or to examine the merchandise. In lieu of the foregoing, it was stated that the information could be included on the in-bond document itself. This flexible approach would allow the importer to determine the manner in which the information would be supplied.

In addition, Customs also decided that to effectively enforce the interm regulations and ensure that shipments of textiles and textile products arrive intact, no diversion from the destination, as shown on the in-bond document, would be allowed without the permission of the district director at the port of origin of the in-bond movement. This requirement which was included in the September 28, 1984, **Federal Register** notice as an amendment to § 18.5, Customs Regulations (19 CFR 18.5), provides Customs with the administrative control over shipments of textiles and textile products necessary to effectively ensure that those products subject to quota are not diverted into the commerce of the U.S. in violation of the quota.

One commenter believed that the change in § 18.5 was superfluous. This commenter was under the impression that diversions are not allowed for cargo moving in-bond.

This is not the case. Cargo entered for in-bond movement may be diverted to a port other than that shown on the in-bond documents. Since Customs will be examining selected textile shipments prior to in-bond movement, it was essential to the enforcement effort that the cargo be delivered to the port originally designated on the in-bond documents. This interim amendment now requires that diversions be approved by the district director at the port of origin of the in-bond movement.

Many commenters interpreted the interim regulations to mean that Customs would examine all textiles at the port of arrival. Customs does not intend to examine all textiles at the port of arrival. Customs has been examining and will continue to examine selected shipments at the port of arrival. These examinations will be based upon the information available to Customs with regard to the cargo, the carrier involved, the mode/method of transportation, and the importer of record. Cargo that is described sufficiently for the district director to determine the duty and taxes will remain in the custody of the importing carrier or his agent and will not generally be subject to examination at the port of arrival.

Some commenters questioned the need for a specific list of requested information. In the September 28, 1984, **Federal Register** document Customs removed the requirement for presentation of certain documents prior to approval of the in-bond movement. In its place Customs listed under §18.11(e) the information felt necessary for determining whether or not an examination prior to movement would be necessary. The commenters stated that while it was helpful to remove the requirement, when viewed in connection with statements by Customs in the documents removing the requirement that certain types of movements will be considered low risk and therefore exempt from the request for information substituted for the requirement, importers will not know when and if they should supply the requested information. This will result in confusion in the transportation and brokerage communities according to the commenters. Some commenters believed the list should be removed from the regulations.

Customs agrees with the commenters that some uncertainty may result in not knowing if the information may or may not be requested. However, it is better for the public to be aware of what information Customs needs to determine whether or not to approve the in-bond movement. Accordingly, the list has been retained.

In light of the foregoing the regulations amendments relating to §§ 6.18(d), 141.52, 143.21 and 143.22 (19 CFR 6.18(d), 141.52, 143.21 and 143.22) contained in T.D. 84–171 which was published in the **Federal Register** on August 3, 1984 (49 FR 31248) are adopted without change. Further, the amendments made to §§ 18.5(a), 18.5(f) and 18.11(e) (19 CFR 18.5(a), 18.5(f) and 18.11(e)) by T.D. 84–207, published in the **Federal Register** on September 28, 1984, are also adopted without change.

Bonded Warehouses and Foreign Trade Zones

Some importers have been using the bonded warehouse to circumvent or frustrate the visa or export license requirements. For example, suits which are in a specific textile category from a country subject to visa or export license requirements were entered into warehouse and separated into coats and pants which are in different textile categories. To prevent this type of practice which frustrates and circumvents agreements, § 144.38, Customs Regulations (19 CFR 144.38), which relates to withdrawals from warehouse for consumption was amended by the interim regulations by adding a new paragraph (f) relating to textiles and textile products. The new subsection indicated that textiles and textile products subject to visa or export license requirements in their condition at the time of importation may not be withdrawn from warehouse for consumption, if, during the warehouse period, there has been a change by manipulation or other means (1) in the country of origin of the merchandise, (2) to exempt from quota or visa or export license requirements other than a change brought about by statute, treaty, executive order or Presidential proclamation, or (3) from one textile category to another textile category.

Section 19.11(g), Customs Regulations (19 CFR 19.11(g)), which relates to withdrawals from warehouse, was also amended to cross-reference the restrictions contained in § 144.38 on withdrawal for consumption of manipulated textiles and textile products.

The enterim regulations published on August 3, 1984, also contained an amendment to the foreign-trade zones regulations found in Part 146, Customs Regulations (19 CFR Part 146), to prevent use of foreign-trade zones to frustrate or

circumvent quota or visa or export license requirements. The provision set forth in § 146.49 specifically provided that textiles and textile products admitted into a foreign-trade zone, regardless of whether the merchandise has privileged or nonprivileged foreign status, which would have been subject to quota or visa or export license requirements in their condition at the time of importation if entered for consumption rather than admitted to a foreign-trade zone, may not be subsequently transferred into the customs territory for consumption if during the time the merchandise is in the foreign-trade zone there has been a change by manipulation, manufacture, or other means.

(a) In the country of origin of the merchandise as defined by section 12.130 of the interim regulations,

(b) To exempt from quota or visa or export license requirements other than a change brought about by statute, treaty, executive order or Presidential proclamation, or

(c) From one textile category to another textile category.

Based upon public comment and after consultation with the Foreign-Trade Zones Board, it was decided to modify the foreign-trade zone provisions of the interim regulations to include a phrase which recognized the existing statutory authority of the Foreign-Trade Zones Board. The change was set forth as an amendment to § 146.49 of the interim regulations by Federal Register notice on September 28, 1984 as T.D. 84–207 (49 FR 38245).

One commenter indicated that the regulations would exclude manipulation of goods inside bonded warehouses and foreign trade zones that would change the duty classification of goods when they are brought into U.S. customs territory.

The exclusion in the interim regulations does not deal with tariff classification and dutiability, but rather with quota and/or visa status and admissibility. The only changes excluded are those affecting the textile category, country of origin, or exemption from quota and/or visa status. Other kinds of changes in tariff classification would continue to be permitted.

One commenter indicated it was unsure whether the Foreign-Trade Zones Board may approve an exception from the exclusion if it is in the public interest.

As pointed out above, the interim regulations were amended on September 28, 1984 by T.D. 84–207 to recognize the authority of the Foreign-Trade Zones Board in administering the Foreign Trade Zones Act, which could authorize exceptions in the public interest. However, Executive Order 12475 established a presumption that it is in the public interest not to allow the operations set forth in § 146.49 of the interim regulations. Accordingly, any person seeking an exception to § 146.49 would have a substantial burden of proof to overcome this presumption.

Another commenter stated that the exclusion of textile manufacturing and manipulation sets an unfortunate precedent that could lead to fragmentation of duty preference and deferral laws by rules and regulations created under pressure from protectionist special interest groups.

The exclusion in the interim regulations was made pursuant to section 204 and Executive Order 12475. The basis for an exception for other commodities would have to be found in legislation, executive order or proclamation.

Another commenter stated the exclusion would even cover the manufacture of wearing apparel from piece goods, nullifying one of the main purposes of foreign-trade zones, which is to encourage U.S. manufacturing. The commenter opined that textile manufacturing operations that result in products of the U.S. should not be excluded from foreign-trade zones.

The exclusion is not against textile manufacturing in zones, but against the entry for consumption in the U.S. of textile articles which would amount to a circumvention of quota and/or visa requirement. Zone firms may continue to manufacture textile articles for consumption if there is no circumvention of the quota, or for exporation in any case. If it is deemed to be in the public interest in selected instances for merchandise to be manufactured in a zone for U.S. consumption, the Foreign-Trade Zones Board may specifically grant an exception from the exclusion.

In light of the foregoing, the regulation amendment relating to bonded warehouses contained in § 144.38 (f) as set forth in T.D. 84–171, which was published in the Federal Register on August 3, 1984 (49 FR 31248 at 31253), is adopted without change. In addition, the amendment made to § 146.49 relating to foreign-trade zones as set forth in T.D. 84–171 and amended by T.D. 84–207, which was published in the Federal Register on September 28, 1984 (49 FR 38245), is adopted without further change.

Regulations Violate MFA

A few commenters expressed concern that the country of origin regulations violate the MFA and the various bilateral agreements negotiated by the U.S. under the aegis of the MFA to limit textile imports. This concern was also raised by the plaintiffs seeking to enjoin implementation of the interim regulations in *Mast Industries Inc., et al. v. Regan, et al.*, —— C.I.T. —— Slip Op. 84–111 (October 4, 1984). The plaintiffs therein argued that because "the interim regulations issued by Customs violate the MFA and the bilaterals and, therefore, do not 'carry out' [those] agreements," the "interim regulations are [invalid because they are] ultra vires." The *Mast Industries* court dismissed that argument, holding that the interim regulations were validly issued pursuant to the authority delegated to the President by section 204, the statute upon which the entire U.S. textile import program rests.

The *Mast Industries* decision which sustained the President's authority to promulgate origin regulations pursuant to section 204 is wholly consistent with the principles underlying our international agreements. The MFA, as well as any bilateral agreements negotiated thereunder, is expressly "determined to have full regard to the principles and objectives of the General Agreement on Tariffs and Trade (GATT)."

The GATT grappled with the issues involved in a country's determinations of origin in the 1950's but did nothing then and has not since been willing to define any specific or uniform rule, recognizing the essentially subjective nature of criterion of "substantial transformation" or any other criterion used for the determination of origin. The definitive statement by GATT draftsmen in 1947 on this issue has not, therefore, been changed by any subsequent GATT decision, and reflects the current status of origin rules as follows:

> it is within the province of each importing member country to determine, in accordance with the provisions of its law, for the purpose of applying the most-favored-nation provision, whether goods do in fact originate in a particular country. (UN DOC. EPCT/174 at pg. 3 (1947))

This right of each GATT member to determine origin on its own has been recognized with respect to all GATT agreements or obligations that depend on the origin of products. Consequently, there is no GATT, MFA, or bilateral agreement provision defining country of origin or restricting such definition. These agreements reflect the long-standing right of GATT members to determine their own origin rules.

Impairment of Contracts

Some commenters alleged that the interim regulations are a retroactive

impairment of contracts in violation of the impairment of contracts clause of the U.S. Constitution. The court in *Mast Industries* addressed this issue and held that the "impairment of contracts clause has never been interpreted to apply to the federal government. See *Washington Star Co.* v. *International Typographical Union Pension Plan*, 729 F. 2d 1502, 1507 (D.C. Cir. 1984)."

Customs, however, recognized that a problem existed with respect to existing contracts. Accordingly, to alleviate unnecessary hardships on persons in the U.S. who had made binding commitments for a fixed quantity of merchandise prior to publication of the interim regulations, the effective date for that merchandise was delayed from September 7, 1984 to October 31, 1984 by T.D. 84–190, published in the Federal Register on August 29, 1984 (49 FR 34199).

Unconstitutional Delegation of Authority

Other commenters contended that section 204 is an unconstitutional delegation of legislative authority to the President. The Court in *Mast Industries* disagreed and held that the authority of Congress to regulate foreign commerce and delegate significant portions of that power to the Executive is well established. Statutes granting broad discretion to the President to implement trade agreements are common and often contain language similar to section 204. The Court stated that in a constitutional delegation of powers Congress must state a policy or objective for the President to execute and also that it must establish a standard that makes clear when action is proper. The congressional policy expressed in section 204 is the limitation of the importation of textiles and agricultural commodities into the U.S. Where Congress has given the President discretion in delegating authority in international trade, the courts have uniformly sustained action taken by the Executive Branch against a claim that it has exceeded the delegated authority.

Accordingly, the court held that the President had the authority to issue the interim regulations and further held that the President acted within the scope of the authority constitutionally given him by Congress.

Inapplicability of Notice

Public notice is inapplicable to the regulations relating to country of origin and manipulation of textiles because they are promulgated pursuant to section 204, Agricultural Act of 1956, as amended (7 U.S.C. 1854), and are thus within the foreign affairs function of the U.S. and the foreign affairs exemption of 5 U.S.C. 553(a)(1). These regulations are necessary to prevent circumvention or frustration of multilateral and bilateral agreements to which the U.S. is a party and to facilitate efficient and equitable administration of the U.S. Textile Import Program as authorized in section 204. For the above reasons pursuant to 5 U.S.C. 553(b)(B), notice and public procedures are impracticable, unnecessary and contrary to the public interest. The regulations relating to in-bond transportation are within the general statements of policy exemption to 5 U.S.C. 553 found in 5 U.S.C. 553(b)(A) and are thus exempt from prior notice and comment. The authority to promulgate these regulations was delegated by the President to the Secretary of the Treasury by Executive Order 12475.

Executive Order 12291

This regulation is not a "major rule" as defined by section 1(b) of Executive Order 12291. Accordingly, a regulatory impact analysis is not required under E.O. 12291.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this document because the provisions of the Administrative Procedure Act, 5 U.S.C. 553, are not applicable to these regulations. However, in the interim regulation Customs requested public comment on the effects, with numerical estimates, of the amendments on costs, profitability, competitiveness, and employment in small entities. While numerous commenters alleged economic impact little economic data was provided.

Paperwork Reduction Act

The interim regulation is subject to the Paperwork Reduction Act of 1980, Pub. L. 96–511. Accordingly, applicable sections of the interim regulation have been cleared by the Office of Management and Budget and assigned control number 1515–0140.

Drafting Information

The principal author of this document was John Elkins, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects

19 CFR Part 6

Air carriers, Air transportation, Customs duties and inspection, Imports.

19 CFR Part 12

Customs duties and inspection, Imports, Textile products and apparel.

19 CFR Part 18

Common carriers, Customs duties and inspection, Freight forwarders, Imports.

19 CFR Parts 19 and 144

Customs duties and inspection, Imports, Warehouses.

19 CFR Parts 141 and 143

Customs duties and inspection, Imports.

19 CFR Part 146

Customs duties and inspections, Foreign-trade zones, Imports.

William von Raab,
Commissioner of Customs.

Approved: February 27, 1985.
John M. Walker, Jr.,
Assistant Secretary of the Treasury.

Amendments to the Regulations

PARTS 6, 12, 18, 19, 141, 143, 144 AND 146—[AMENDED]

Accordingly, 19 CFR Parts 6, 12, 18, 19, 141, 143, 144 and 146 are amended as follows:

1. The interim amendments to §§ 6.18, 19.11, 141.52, 143.21, 143.22, 144.38, and 146.49 and the addition of § 12.131, as published at 49 FR 31248, August 3, 1984 are adopted with change.

2. The interim amendments to §§ 18.5, 18.11 and 146.49 as published at 49 FR 38245, September 28, 1984 are adopted without change.

PART 12—SPECIAL CLASSES OF MERCHANDISE

3. Part 12 is amended by adopting as final and revising § 12.130 to read as follows:

Textiles and Textile Products

§ 12.130 Textiles and textile products country of origin.

(a) *General.* Textiles or textile products subject to section 204, Agricultural Act of 1956, as amended (7 U.S.C. 1854) include merchandise subject to General Headnote (3)(g)(iii)(C)(1) of the Tariff Schedules of the U.S. (TSUS) (19 U.S.C. 1202) and merchandise:

(1) In chief value of cotton, wool, man-made fibers, or blends thereof in which those fibers, in the aggregate, exceed in value each other single component fiber thereof, or

(2) In which either the cotton context or the man-made fiber content equals or

exceeds 50 percent by weight of all component fibers thereof, or

(3) In which the wool content exceeds 17 percent by weight of all component fibers thereof, or

(4) Containing blends of cotton, wool, or man-made fibers, which fibers, in the aggregate, amount to 50 percent or more by weight of all component fibers thereof, and

(5) Which is classified in the tariff item numbers provided for in General Headnotes (3)(g)(iii)(C)(2) or (3)(g)(iii)(E), TSUS.

(b) *Country of origin.* For the purpose of this section and except as provided in paragraph (c), a textile or textile product, subject to section 204, Agricultural Act of 1956, as amended, imported into the customs territory of the United States, shall be a product of a particular foreign territory or country, or insular possession of the U.S., if it is wholly the growth, product, or manufacture of that foreign territory or country, or insular possession. However, except as provided in paragraph (c), a textile or textile product, subject to section 204, which consists of materials produced or derived from, or processed in, more than one foreign territory or country, or insular possession of the U.S., shall be a product of that foreign territory or country, or insular possession where it last underwent a substantial transformation. A textile or textile product will be considered to have undergone a substantial transformation if it has been transformed by means of substantial manufacturing or processing operations into a new and different article of commerce.

(c) *Applicability to U.S. articles sent abroad.* Headnote 2, Part 1, Schedule 8, TSUS, provides that any product of the U.S. which is returned after having been advanced in value or improved in condition abroad, or assembled abroad, shall be a foreign article for the purposes of the Tariff Act of 1930, as amended. In order to have a single definition of the term "product of" and, therefore, a single country of origin for a textile or textile product, notwithstanding paragraph (b), merchandise which falls within the purview of Headnote 2, Part 1, Schedule 8, TSUS, may not, upon its return to the U.S., be considered a product of the U.S.

(d) *Criteria for determining country of origin.* The criteria in paragraphs (d) (1) and (2) of this section shall be considered in determining the country of origin of imported merchandise. These criteria are not exhaustive. One or any combination of criteria may be determinative, and additional factors may be considered.

(1) A new and different article of commerce will usually result from a manufacturing or processing operation if there is a change in:

(i) Commercial designation or identity,

(ii) Fundamental character or

(iii) Commercial use.

(2) In determining whether merchandise has been subjected to substantial manufacturing or processing operations, the following will be considered:

(i) The physical change in the material or article as a result of the manufacturing or processing operations in each foreign territory or country, or insular possession of the U.S.

(ii) The time involved in the manufacturing or processing operations in each foreign territory or country, or insular possession of the U.S.

(iii) The complexity of the manufacturing or processing operations in each foreign territory or country, or insular possession of the U.S.

(iv) The level or degree of skill and/or technology required in the manufacturing or processing operations in each foreign territory or country, or insular possession of the U.S.

(v) The value added to the article or material in each foreign territory or country, or insular possession of the U.S., compared to its value when imported into the U.S.

(e) *Manufacturing or processing operations.* (1) An article or material usually will be a product of a particular foreign territory or country, or insular possession of the U.S., when it has undergone prior to importation into the U.S. in that foreign territory or country, or insular possession any of the following:

(i) Dyeing of fabric and printing when accompanied by two or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing;

(ii) Spinning fibers into yarn;

(iii) Weaving, knitting or otherwise forming fabric;

(iv) Cutting of fabric into parts and the assembly of those parts into the completed article; or

(v) Substantial assembly by sewing and/or tailoring of all cut pieces of apparel articles which have been cut from fabric in another foreign territory or country, or insular possession, into a completed garment (*e.g.* the complete assembly and tailoring of all cut pieces of suit-type jackets, suits, and shirts).

(2) An article or material usually will not be considered to be a product of a particular foreign territory or country, or insular possession of the U.S. by virtue of merely having undergone any of the following:

(i) Simple combining operations, labeling, pressing, cleaning or dry cleaning, or packaging operations, or any combination thereof;

(ii) Cutting to length or width and hemming or overlocking fabrics which are readily identifiable as being intended for a particular commercial use;

(iii) Trimming and/or joining together by sewing, looping, linking, or other means of attaching otherwise completed knit-to-shape component parts produced in a single country, even when accompanied by other processes (*e.g.* washing, drying, mending, etc.) normally incident to the assembly process;

(iv) One or more finishing operations on yarns, fabrics, or other textile articles, such as showerproofing, superwashing, bleaching, decating, fulling, shrinking, mercerizing, or similar operations; or

(v) Dyeing and/or printing of fabrics or yarns.

(f) *Declaration of manufacturer, producer, exporter, or importer of textiles and textiles products.* All importations of textiles and textiles products subject to section 204, Agricultural Act of 1956, as amended, shall be accompanied by the appropriate declaration(s) set forth in paragraph (f)(1) or (f)(2) of this section. All importations of textiles and textile products covered by General Headnotes (3)(g)(iii)(C)(2) or (3)(g)(iii)(E), TSUS, and not subject to section 204 shall be accompanied by the declaration set forth in paragraph (f)(3) of this section. The declaration(s) shall be filed with the entry. The declaration(s) may be prepared by the manufacturer, producer, exporter or importer of the textiles and textile products. If multiple manufacturers, producers, or exporters are involved, a separate declaration prepared by each may be filed. A separate declaration may be filed for each invoice which is presented with the entry. The determination of country of origin, other than as set forth in paragraph (g) of this section, will be based upon information contained in the declaration(s). The declaration(s) shall not be treated as a missing document for which a bond may be filed. Entry will be denied unless accompanied by a properly executed declaration(s).

(1) *Single foreign territory or country, or U.S. insular possession.* Textiles or textile products which are wholly the growth, product, or manufacture of a single foreign territory or country, or insular possession of the U.S., or assembled in a single foreign territory or

country, or insular possession of the U.S. of fabricated components which are in whole the product of the U.S. and/or the single foreign territory or country, or insular possession of the U.S. shall be identified in a declaration which is substantially in the following form:

SINGLE COUNTRY DECLARATION

I, _____ (name), declare that the articles listed below and covered by the invoice or entry to which this declaration relates are wholly the growth, product, or manufacture of a single foreign territory or country, or insular possession of the U.S., or were assembled in the single foreign territory or country, or insular possession of the U.S. of fabricated components which are in whole the product of the U.S. and/or the single foreign territory or country, or insular possession of the U.S. as identified below. I declare, that the information set forth in this declaration is correct and true to the best of my information, knowledge, and belief.

A..... (country*)
B..... (country*)
C..... (country*)
D..... (country*)

etc.

Marks of identification, numbers	Description of article and quantity	Country* of origin	Date of exportation

Date _____
Name _____
Signature _____
Title _____
Company _____
Address _____

*Country when used in this declaration includes territories and U.S. insular possessions. If the entry or invoice to which the declaration relates covers merchandise from more than one country each country will be identified in the declaration by the alphalbetical designation appearing next to the named country. In the case of an assembly operation of U.S. components, both the country of assembly and the U.S. shall be reported (e.g. Haiti/U.S.) along with the date of exportation from the country of assembly.

(2) *More than one foreign territory or country, or U.S. insular possession.* Textiles and textiles products which were subjected to manufacturing or processing operations in, and/or incorporate materials originating in more than one foreign territory or country, or an insular possession of the U.S. or were assembled in, and/or incorporate fabricated components which are the product of the U.S. and more than one foreign territory, country or insular possession of the U.S., shall be identified in a declaration which is substantially in the following form:

MULTIPLE COUNTRY DECLARATION

I, _____ (name), declare that the articles described below and covered by the invoice or entry to which this declaration relates were exported from the country* identified below on the dates listed and were subjected to assembling, manufacturing or processing operations in, and/or incorporate materials originating in, the foreign territory or country* or countries*, or the U.S. or an insular possession of the U.S., identified below. I declare that the information set forth in this declaration is correct and true to the best of my information, knowledge, and belief.

A..... (country*)
B..... (country*)
C..... (country*)
D..... (country*)

etc.

Marks of identification, numbers	Description of article and quantity	Description of manufacturing and/or processing operations	Date and country of manufacture and/or processing		Materials		
			Country	Date of exportation	Description of material	Country of production	Date of exportation

Date _____
Name _____
Signature _____
Title _____
Company _____
Address _____

*Country or countries when used in this declaration includes territories and U.S. insular possessions. The country will be identified in the above declaration by the alphabetical designation appearing next to the named country.

(3) *Textiles and textile products not subject to section 204.* Textiles and textile products not subject to section 204, Agricultural Act of 1956, as amended, (see paragraph (a) of this section for products subject to section 204), shall be accompanied by the declaration set forth below:

NEGATIVE DECLARATION

I, _____ (name), declare that the articles described below and covered by the invoice or entry which this declaration relates are not subject to section 204, Agricultural Act of 1956, as amended (7 U.S.C. 1854) and the information set forth in this declaration is correct and true to the best of my information, knowledge, and belief.

Marks of identification, numbers	Description of article and quantity	Country of origin

Date _____
Name _____
Signature _____
Title _____
Company _____
Address _____

(g) *Incomplete or insufficient information.* If the district director is unable to determine the country of origin of an article from the information set forth in the declaration, the declarant shall submit such additional information as requested. Release of the article from Customs custody will be denied until the determination is made based upon the information provided or the best information available. In this regard if incomplete or insufficient information is provided, the district director may consider the experience and costs of domestic industry in similar manufacturing or processing operations.

(h) *Shipments covered by an informal entry.* While a declaration is not required for shipments covered by an informal entry, the district director may require such other evidence of the country of origin as deemed necessary. The filing of the appropriate declaration will be required in a case involving consolidation of individual shipments under §§ 12.131 and 143.22 of this chapter.

(i) *Date of exportation.* For quota, visa or export license requirements, and statistical purposes, the date of exportation for textiles or textile products, subject to section 204, Agricultural Act of 1956, as amended, shall be the date the vessel or carrier leaves the last port in the country of origin, as defined by this section. Contingency of diversion in another foreign territory or country shall not change the date of exportation for quota, visa or export license requirements or for statistical purposes.

(R.S. 251, as amended, section 484, 46 Stat. 722, as amended, section 624, 46 Stat. 759,

section 204, 70 Stat. 200, as amended (19 U.S.C. 66, 1464, 1624, 7 U.S.C. 1854) OMB approval #1515-0140)

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

[Reg. Nos. 4 and 16]

Disability Insurance and Supplemental Security Income; Determining Disability and Blindness; Multiple Impairments

AGENCY: Social Security Administration, HHS.

ACTION: Interim regulations with request for comments.

SUMMARY: To be found eligible for Social Security disability benefits, a person must be found to have a medically determinable physical or mental impairment(s) of such severity that he or she cannot work, i.e, engage in substantial gainful activity (SGA) (Sections 223(d) and 1614(a)(3) of Social Security Act (the Act)). The decision process used to determine such eligibility is a sequential one (20 CFR 404.1520 and 416.920). If a disability applicant is not working, the next step in the process is to determine if the individual has a severe impairment, i.e., one that significantly limits his or her physical or mental ability to do basic work activities. The decision at this step in the sequential evaluation process is based on medical considerations alone.

Under present Social Security Administration (SSA) general policy, if medical evidence establishes multiple impairments, none of which is considered severe, the *combined effect* of such impairments is considered to be not severe, i.e., to produce no significant limitation on a person's physical or mental ability to do basic work activities.

Section 4 of Pub. L. 98-460 (the Social Security Disability Benefits Reform Act of 1984) requires that in determining the degree of medical severity of an individual's physical or mental impairment(s), we must consider the combined effect of all the individual's impairments, regardless or whether such impairment, if considered separately, would be found severe. If all impairments considered together, irrespective of individual impairment severity, significantly limit a person's physical or mental ability to do basic work activities, the adjudicator must consider such combined effects throughout the disability determination (sequential evaluation) process.

The provision of the law implemented by these interim regulations is effective December 1, 1984.

DATES: These interim regulations are effective upon publication. Written comments may be submitted by May 6, 1985.

ADDRESSES: Send your written comments to the Commissioner of Social Security, Department of Health and Human Services, P.O. Box 1585, Baltimore, Maryland 21203, or deliver them to the Office of Regulations, Social Security Administration, 3-A-3 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, between 8:00 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

FOR FURTHER INFORMATION CONTACT: William J. Ziegler, Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 301-594-7415.

SUPPLEMENTARY INFORMATION: The enactment of section 4 of Pub. L. 98-460 requires SSA, when adjudicating claims of disability, to consider the combined effect of impairments which, when evaluated singly, might be found not severe but which, when combined, might be determined to be severe and thus require the adjudicator to consider that severity throughout the sequential evaluation process.

We believe Congress made three things clear in the statement and legislative history of section 4. See H. Conf. Rep. No. 98-1039, 98th Cong., 2nd Sess. 30 (1984):

- That if a person has multiple impairments, even if each impairment alone is not severe, the combined effect of all such impairments must be considered in determining whether there are significant limitations on the person's ability to do basic work activities;
- That if medical evidence does establish significant limitations on basic work activities resulting from an impairment or combination of impairments, the sequential evaluation process will be continued;
- That if medical evidence does not establish significant limitations on basic work activities resulting from an impairment or combination of impairments, a decision of "not disabled" may be made based solely on medical considerations.

These new regulations state that the combined effect of *all* impairments, regardless of their individual severity, must be evaluated to determine whether they result in significant limitations on the person's physical or mental ability to do basic work activities and thus may be of sufficient severity to be the basis of a finding of disability. If they are of such severity, we will proceed further through the sequential evaluation process to the point of allowance or denial, as appropriate. If the combined effect does not significantly limit the individual's physical or mental ability to do basic work activities, the claim will be denied at this point, based on medical considerations alone, just as a claim of an individual with a single impairment which is not severe is denied on medical considerations alone.

The members of the Conference Committee on the bill which became Pub. L. 98-460 expressed a belief that the change in the law provided by section 4 was needed because the evaluation policy SSA had been using might preclude realistic assessment of those cases involving individuals who have several impairments which in combination may be disabling. Their report further states, however, that the changed criteria for evaluating multiple impairments is not intended to eliminate or impair the use of the sequential evaluation process.

Present Policy

Since a not severe impairment is defined in existing regulations at §§ 404.1520(c) and 416.920(c) as one which produces no significant limitation on one's physical or mental ability to do basic work activities, SSA's general policy has been that two or more such impairments would not produce significant limitation.

New Policy

The new policy will carry out the terms and intent of the law by making clear the requirement that the combined effects of all impairments must be considered in deciding whether there is sufficient severity to be the basis of a finding of disability, even though any such impairment, if considered separately, might be found to be not severe.

It should be noted, however, that the Conference Report stated "that in the interests of reasonable administrative flexibility and efficiency, a determination that an individual is not disabled may be based on a judgment that an individual has no impairment, or that the medical severity of his or her impairment or combination of

impairments is slight enough to warrant a presumption, even without a full evaluation of vocational factors, that the individual's ability to perform SGA is not seriously affected. The current 'sequential evaluation process' allows such a determination, and the conferees do not intend to either eliminate or impair the use of that process." (Conference Report on H.R. 3755, H. Rep. No. 98–1039, 98th Cong., 2nd Sess. 30 (1984).)

In 20 CFR Parts 404 and 416, we are redesignating § 416.923 as § 416.924 and adding new §§ 404.1523 and 416.923 to implement the multiple impairments provision of the Social Security Disability Benefits Reform Act of 1984. Sections 404.1520 and 416.920 are revised to introduce in the general discussion of evaluation of disability the adjudicative consideration of multiple impairments and their combined effect. Sections 404.1521 an 416.921 are revised to include consideration of a "combination of impairments" where appropriate. Sections 404.1522 and 416.922 are revised to clarify those situations involving unrelated severe impairments or concurrent not severe impairments which may pose questions as to whether the 12-month duration requirement (i.e., that the impairment(s) has lasted or is expected to last for a continuous period of 12 months) is met in initial claims.

Section 4 of Pub. L. 98–460 is applicable to all title II and title XVI disability determinations made on or after December 1, 1984. Therefore, these regulations which implement section 4, are effective upon publication.

We are publishing these amendments to the regulations as interim final rules instead of proposed rules. The Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), provides exceptions to its notice and public comment rulemaking procedures when an agency finds that there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We find that at this time publication of a Notice of Proposed Rulemaking is impracticable and contrary to the public interest under the APA. The purpose of these regulations is to implement section 4 of Pub. L. 98–460, which Congress has mandated to be effective on December 1, 1984, only a brief period of time after the date of enactment, October 9, 1984. There was not sufficient time to publish final regulations before the effective date of the statute after publication of a Notice of Proposed Rulemaking with an appropriate comment period. Moreover, to hold cases affected by section 4 until regulations are finalized after a notice and comment period would leave individual claimants unable to pursue their claims during that period. Such an alternative would be contrary to the public interest.

Although we are publishing these regulations to be effective upon publication on an interim basis, we are asking for comments concerning these rules from members of the public. After the end of the comment period, we will carefully consider any comments we receive in order to determine whether any changes are necessary.

Regulatory Procedures

Executive Order 12291: These regulations will not result in an annual effect on the economy of $100 million or more or otherwise meet the criteria for a major rule described in Executive Order 12291. Title II and SSI program costs are estimated to be less than $5 million and negligible, respectively, for fiscal year 1985, and less than $5 million and $1 million, respectively, for fiscal year 1986. Medicaid costs are estimated to be negligible for fiscal year 1985 and $1 million for fiscal year 1986. Administrative costs are estimated to be $1.2 million for fiscal year 1985 and $1.7 million for fiscal year 1986. Based on these estimates, we have determined that this is not a major rule and that a regulatory impact analysis is not required.

Regulatory Flexibility Act: We certify that these regulations will not have a significant economic impact on a substantial number of small entities because they only affect a small number of disability claimants under title II and title XVI of the Act.

Paperwork Reduction Act: These interim regulations impose no reporting/recordkeeping requirements necessitating clearance by the Office of Management and Budget.

(Catalog of Federal Domestic Program Nos. 13.802, Social Security Disability Insurance; 13.807, Supplemental Security Income Program)

List of Subjects

20 CFR Part 404:

Administrative practice and procedure, Death benefits, Disability benefits, Old-Age, Survivors and Disability Insurance.

20 CFR Part 416:

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI).

Dated: November 30, 1984.

Martha A. McSteen,

Acting Commissioner of Social Security.

Approval: December 24, 1984.

Margaret M. Heckler,

Secretary of Health and Human Services.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–2—)

For the reasons set out in the preamble, Part 404, Subpart P, Chapter III of Title 20, Code of Federal Regulations, is amended as set forth below.

20 CFR Part 404, Subpart P is amended as follows:

1. The authority citation for Subpart P is amended as follows:

Authority: Secs. 202, 205, 216, 221, 222, 223, 225 and 1102 of the Social Security Act, as amended; 49 Stat. 623, as amended, 53 Stat. 1368, as amended; 68 Stat. 1080, 1081 and 1082 as amended, 70 Stat. 815 and 817, as amended, 49 Stat. 647, as amended (42 U.S.C. 402, 405, 416, 421, 422, 423, 425 and 1302); Sec. 505 (a) and (c) of Pub. L. 96–265, 94 Stat. 473; sec. 4 of Pub. L. 98–460, 98 Stat. 1800.

2. Section 404.1520 is revised to read as follows:

§ 404.1520 Evaluation of disability in general.

(a) *Steps in evaluating disability.* We consider all material facts to determine whether you are disabled. If you are doing substantial gainful activity, we will determine that you are not disabled. If you are not doing substantial gainful activity, we will first consider your physical or mental impairment(s). Your impairment(s) must be severe and meet the duration requirement before we can find you to be disabled. We follow a set order to determine whether you are disabled. We review any current work activity, the severity of your impairment(s), your residual functional capacity and your age, education, and work experience. If we can find that you are disabled or not disabled at any point in the review, we do not review further.

(b) *If you are working.* If you are working and the work you are doing is substantial gainful activity, we will find that you are not disabled regardless of your medical condition or your age, education, and work experience.

(c) *You must have a severe impairment.* If you do not have any impairment or combination of impairments which significantly limits your physical or mental ability to do basic work activities, we will find that you do not have a severe impairment and are; therefore, not disabled. We will not consider your age, education, and

work experience. However, it is possible for you to have a period of disability for a time in the past even though you do not have a severe impairment.

(d) *When your impairment(s) meets or equals a listed impairment in Appendix 1.* If you have an impairment(s) which meets the duration requirement and is listed in Appendix 1 or is equal to a listed impairment(s), we will find you disabled without considering your age, education, and work experience.

(e) *Your impairments(s) must prevent you from doing past relevant work.* If we cannot make a decision based on your current work activity or on medical facts alone, and you have a severe impairment(s), we then review your residual functional capacity and the physical and mental demands of the work you have done in the past. If you can still do this kind of work, we will find that you are not disabled.

(f) *Your impairment(s) must prevent you from doing any other work.* (1) If you cannot do any work you have done in the past because you have a severe impairment(s), we will consider your residual functional capacity and your age, education, and past work experience to see if you can do other work. If you cannot, we will find you disabled.

(2) If you have only a marginal education, and long work experience (i.e., 35 years or more) where you only did arduous unskilled physical labor, and you can no longer do this kind of work, we use a different rule (see § 404.1562).

3. Section 404.1521 is revised to read as follows:

§ 404.1521 What we mean by an impairment(s) that is not severe.

(a) *Non-severe impairment(s).* An impairment or combination of impairments is not severe if it does not significantly limit your physical or mental ability to do basic work activities.

(b) *Basic work activities.* When we talk about basic work activities, we mean the abilities and aptitudes necessary to do most jobs. Examples of these include—

(1) Physical functions such as walking, standing, sitting, lifting, pushing, pulling, reaching, carrying, or handling;

(2) Capacities for seeing, hearing, and speaking;

(3) Understanding, carrying out, and remembering simple instructions;

(4) Use of judgment;

(5) Responding appropriately to supervision, co-workers and usual work situations; and

(6) Dealing with changes in a routine work setting.

4. Section 404.1522 is revised to read as follows:

§ 404.1522 When you have two or more unrelated impairments—initial claims.

(a) *Unrelated severe impairments.* We cannot combine two or more unrelated severe impairments to meet the 12-month duration test. If you have a severe impairment(s) and then develop another unrelated severe impairment(s) but neither one is expected to last for 12 months, we cannot find you disabled, even though the two impairments in combination last for 12 months.

(b) *Concurrent impairments.* If you have two or more concurrent impairments which, when considered in combination, are severe, we must also determine whether the combined effect of your impairments can be expected to continue to be severe for 12 months. If one or more of your impairments improves or is expected to improve within 12 months, so that the combined effect of your remaining impairments is no longer severe, we will find that you do not meet the 12-month duration test.

5. A new § 404.1523 is added to read as follows:

§ 404.1523 Multiple impairments.

In determining whether your physical or mental impairment or impairments are of a sufficient medical severity that such impairment or impairments could be the basis of eligibility under the law, we will consider the combined effect of all of your impairments without regard to whether any such impairment, if considered separately, would be of sufficient severity. If we do find a medically severe combination of impairments, the combined impact of the impairments will be considered throughout the disability determination process. If we do not find that you have a medically severe combination of impairments, we will determine that you are not disabled (see § 404.1520).

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

For the reasons set out in the preamble, Part 416, Subpart I, Chapter III of Title 20, Code of Federal Regulations, is amended as set forth below.

20. CFR Part 416, Subpart I is amended as follows:

1. The authority citation for Subpart I is amended as follows:

Authority: Secs. 1102, 1614, and 1631 of the Social Security Act; 49 Stat. 647, as amended, 86 Stat. 1471, as amended by 88 Stat. 52, 86 Stat. 1475; 42 U.S.C. 1302, 1382c, and 1383; sec. 4 of Pub. L. 98-460, 98 Stat. 1800.

2. Section 416.920 is revised to read as follows:

§ 416.920 Evaluation of disability in general.

(a) *Steps in evaluating disability.* We consider all material facts to determine whether you are disabled. If you are doing substantial gainful activity, we will determine that you are not disabled. If you are not doing substantial gainful activity, we will first consider your physical or mental impairment(s). Your impairment(s) must be severe and meet the duration requirement before we can find you to be disabled. We follow a set order to determine whether you are disabled. We review any current work activity, the severity of your impairment(s), your residual functional capacity and your age, education, and work experience. If we can find that you are disabled or not disabled at any point in the review, we do not review further.

(b) *If you are working.* If you are working and the work you are doing is substantial gainful activity, we will find that you are not disabled regardless of your mental condition or your age, education, and work experience.

(c) *You must have a severe impairment.* If you do not have any impairment or combination of impairments which significantly limits your physical or mental ability to do basic work activities, we will find that you do not have a severe impairment and are, therefore, not disabled. We will not consider your age, education, and work experience.

(d) *When your impairment(s) meets or equals a listed impairment in Appendix 1.* If you have an impairment(s) which meets the duration requirement and is listed in Appendix 1 or is equal to a listed impairment(s), we will find you disabled without considering your age, education, and work experience.

(e) *Your impairment(s) must prevent you from doing past relevant work.* If we cannot make a decision based on your current work activity or on medical facts alone, and you have a severe impairment(s), we then review your residual functional capacity and the physical and mental demands of the work you have done in the past. If you can still do this kind of work, we will find that you are not disabled.

(f) *Your impairment(s) must prevent you from doing other work.* (1) If you cannot do any work you have done in the past because you have a severe impairment(s), we will consider your residual functional capacity and your age, education, and past work experience to see if you can do other

work. If you cannot, we will find you disabled.

(2) If you have only a marginal education, and long work experience (i.e., 35 years or more) where you only did arduous unskilled physical labor, and you can no longer do this kind of work, we use a different rule (see § 416.962).

3. Section 416.921 is revised to read as follows:

§ 416.921 What we mean by an impairment(s) that is not severe.

(a) *Non-severe impairment(s).* An impairment or combination of impairments is not severe if it does not significantly limit your physical or mental ability to do basic work activities.

(b) *Basic work activities.* When we talk about basic work activities, we mean the abilities and aptitudes necessary to do most jobs. Examples of these include—

(1) Physical functions such as walking, standing, sitting, lifting, pushing, pulling, reaching, carrying, or handling;

(2) Capacities for seeing, hearing, and speaking;

(3) Understanding, carrying out, and remembering simple instructions;

(4) Use of judgment;

(5) Responding appropriately to supervision, co-workers and usual work situations; and

(6) Dealing with changes in a routine work setting.

4. Section 416.922 is revised to read as follows:

§ 416.922 When you have two or more unrelated impairments—initial claims.

(a) *Unrelated severe impairments.* We cannot combine two or more unrelated severe impairments to meet the 12-month duration test. If you have a severe impairment(s) and then develop another unrelated severe impairment(s) but neither one is expected to last for 12 months, we cannot find you disabled, even though the two impairments in combination last for 12 months.

(b) *Concurrent impairments.* If you have two or more concurrent impairments which, when considered in combination, are severe, we must also determine whether the combined effect of your impairments can be expected to continue to be severe for 12 months. If one or more of your impairments improves or is expected to improve within 12 months, so that the combined effect of your remaining impairments is no longer severe, we will find that you do not meet the 12-month duration test.

§ 416.924 [Redesignated from § 416.923]

5. Existing § 416.923 is redesignated as § 416.924.

6. A new § 416.923 is added to read as follows:

§ 416.923 Multiple impairments.

In determining whether your physical or mental impairment or impairments are of a sufficient medical severity that such impairment or impairments could be the basis of eligibility under the law, we will consider the combined effect of all of your impairments without regard to whether any such impairment, if considered separately, would be of sufficient severity. If we do find a medically severe combination of impairments, the combined impact of the impairments will be considered throughout the disability determination process. If we do not find that you have a medically severe combination of impairments, we will determine that you are not disabled (see § 416.920).

[FR Doc. 85-5280 Filed 3-4-85; 8:45 am]

BILLING CODE 4190-11-M

Food and Drug Administration

21 CFR Part 864

[Docket No. 83N-0196]

Denial of Request To Change Classification of the Calibrator for Hematocrit Measurement

Correction

In FR Doc. 85-3020 beginning on page 5352 in the issue of Thursday, February 7, 1985, make the following correction: On page 5352, in the second column, in the heading "Government" should read "Governing".

BILLING CODE 1505-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD Regulation 6010.8-R, Amdt. No. 24]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); CHAMPUS and Medicare Eligibility in Relation to Age and End Stage Renal Disease

AGENCY: Office of the Secretary, DoD.

ACTION: Correction of amendment of final rule.

SUMMARY: This corrects Amendment No. 24 to the CHAMPUS Regulation, DoD 6010.8-R (32 CFR 199), published May 30, 1984 (49 FR 22475), pertaining to Medicare and CHAMPUS eligibility and the Medicare end stage renal disease program. This correction changes the effective date of the provisions given in the May 30, 1984 amendment affected by Pub. L. 95-292 from July 1, 1978 to October 1, 1978, revises the previously published language concerning attainment of age 65 under Medicare, and provides more detail concerning Medicare eligibility.

EFFECTIVE DATE: The effective date of Amendment 24 (published May 30, 1984, on page 22475) is corrected to read as follows. The provision of this technical change concerning the age limitation is effective retroactively to June 1, 1977. The provisions affected by Pub. L. 95-292, End Stage Renal Disease Program, are effective October 1, 1978.

FOR FURTHER INFORMATION CONTACT: Charles E. Guidice, Policy Branch, OCHAMPUS, telephone (303) 361-3586.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-7834, appearing in the **Federal Register** on April 4, 1977, (42 FR 17972), the Office of the Secretary of Defense published its regulation, DoD 6010.8-R, "Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as part 199 of this title.

Amendment No. 24 published in the **Federal Register** on May 30, 1984 (49 FR 22475), intended to bring the CHAMPUS Regulation up to date with current provisions of Medicare regulations concerning eligibility, contains technical errors which have been corrected by this change.

The provisions affected by Pub. L. 95-292 were erroneously published as being effective on July 1, 1978, and should have been effective October 1, 1978 the effective date of the law.

In addition, there were a number of other technical changes dealing with CHAMPUS and Medicare eligibility under the Medicare end stage renal disease program that required change in order to bring CHAMPUS in consonance with Medicare regulations.

Amendment No. 24 failed to indicate that for Medicare purposes a beneficiary attains age 65 on the day preceding his or her actual date of birth. This method of determining when age is attained for coverage purposes affects the CHAMPUS termination date in cases where the beneficiary is born on the first day of a month. This revised amendment reconciles the CHAMPUS termination date and the Medicare age determination date.

This correction also adds further detail concerning CHAMPUS and

Medicare coverage under the end stage renal disease program by adding a statement concerning termination of Medicare coverage with the twelfth (12th) month after dialysis is discontinued and a statement concerning when Medicare coverage begins when a transplant is delayed more than 2 months after preparatory hospitalization.

All other provisions previously published as Amendment No. 24 remain the same and are published with this correction for clarity.

List of Subjects in 32 CFR Part 199.

Health insurance, Military personnel, Handicapped.

Accordingly, 32 CFR, Chapter I is amended as follows:

PART 199—IMPLEMENTATION OF THE CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES

1. Section 199.9 is amended by revising paragraph (e)(3)(vi) introductory text, (e)(3)(vi)(*a*), (*b*)(*i*), (*c*)(*i*) and (*c*)(*ii*), to read as follows:

§ 199.9 Eligibility.

* * * * *

(e) * * *

(3) * * *

(vi) *Attainment of entitlement to hospital insurance benefits (Part A) under Medicare.* Retirees and all other CHAMPUS eligible persons except dependents of active duty members lose their eligibility for CHAMPUS if they become eligible for Hospital Insurance Benefits (Part A) of Medicare. This is true even though the persons attaining such status live outside the United States where Medicare benefits are not available.

(*a*) *Loss of CHAMPUS eligibility: Age.* All CHAMPUS beneficiaries, except dependents of active duty members, and beneficiaries not eligible for Part A of Medicare, lose CHAMPUS eligibility at midnight on the last day of the month preceding the month of attainment of age 65. (For Medicare purposes, an individual attains age 65 the day before his or her 65th birthday.) If the person is not eligible to Part A of Medicare, he or she must file a Social Security Administration "Notice of Disallowance" certifying to that fact with the Uniformed Service responsible for the issuance of his or her identification card so a new card showing CHAMPUS eligibility can be issued.

(*b*) *Loss of CHAMPUS eligibility: End stage renal disease and disability.*—(*i*) *End stage renal disease.* Medicare coverage begins with the third (3rd) month after the month a course of maintenance dialysis begins or with the first month of dialysis if the individual participates in a self-dialysis training program during the 3-month waiting period, or with the month in which a patient enters the hospital to prepare to receive a transplant (providing the transplant is performed within the following two months. If a transplant is delayed more than 2 months after the preparatory hospitalization, Medicare coverage will begin with the second month prior to the month of transplant. All beneficiaries, except dependents of active duty members, lose their CHAMPUS eligibility when Medicare coverage becomes available to a person because of chronic renal disease.

* * * * *

(*c*) *Reinstatement of CHAMPUS eligibility.*—(*i*) *Age limitation.* Beneficiaries who lose their CHAMPUS eligibility because they reached the age limitation and were eligible for Part A, cannot be reinstated under CHAMPUS.

(*ii*) *End Stage Renal Disease.* Medicare coverage ceases for end stage renal disease patients with the thirty-sixth (36th) month after the month in which a successful kidney transplant takes place or with the 12th month after the month in which the course of maintenance dialysis ends. At this point CHAMPUS eligibility resumes if the person is otherwise still eligible. He or she is required to take action to be reinstated as a CHAMPUS beneficiary and to obtain a new identification card.

* * * * *

2. Section 199.10 is amended by revising paragraph (e)(5)(iii)(*b*) to read as follows:

§ 199.10 Basic program benefits.

* * * * *

(e) * * *

(5) * * *

(iii) * * *

(*b*) In most instances, for costs related to kidney transplants, Medicare (not CHAMPUS) benefits will be applicable. If a CHAMPUS beneficiary participates as a kidney donor for a Medicare beneficiary, Medicare will pay for expenses in connection with the kidney transplant to include all reasonable preparatory, operation and postoperation recovery expenses associated with the donation (postoperative recovery expenses are limited to the actual period of recovery). (Refer to paragraph (e)(3)(vi) "Eligibility.")

* * * * *

(10 U.S.C. 1079, 1086; 5 U.S.C. 301)

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

February 27, 1985.

[FR Doc. 85-5250 Filed 3-4-85; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 153 and 154

[CGD 81-052]

Compliance Procedures for Self-Propelled Foreign Flag Vessels Carrying Hazardous Liquids and Bulk Liquefied Gases

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This Amendment revises the rules for self-propelled foreign flag vessels carrying bulk hazardous liquids and liquefied gases. It simplifies the examination and certification procedures for these vessels and makes them more consistent with the procedures for other tankers. It also reduces the amount of information the vessel owner must supply to Commandant (G-MTH) with the initial application. For the required examinations of a vessel accepted on the basis of an International Maritime Organization (IMO) Certificate of Fitness, the Amendment makes two important changes: it requires that the vessel owner request the examination directly with the Officer in Charge, Marine Inspection instead of through Commandant (G-MTH) and it reduces the advance notice for the request from fourteen to seven days. The fourteen day advance notice to Commandant (G-MTH) required previously is now required only for vessels accepted on the basis of Coast Guard plan review. In order to correspond with terminology used in the law, the Amendment replaces Letter of Compliance with Certificate of Compliance as the name of the document required for a foreign flag tanker carrying Subchapter O cargo in United States waters; however, until the new Certificate of Compliance is developed, the Letter of Compliance form will continue to be issued to fulfill the requirement for a Certificate of Compliance.

DATES: This Amendment is effective on April 19, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. E.P. Pfersich, Office of Merchant Marine Safety, (202) 426-1217.

SUPPLEMENTARY INFORMATION: On May 10, 1982, the Coast Guard published a proposal in the **Federal Register** (47 FR 20084) to revise the regulations governing self-propelled vessels carrying hazardous liquids and bulk liquefied gases. Intersted persons were given an opportunity to submit written comments to the Coast Guard concerning the proposal until August 9, 1982. On July 8, 1982 the Coast Guard received verbal comments from members of the Chemcial Carriers Association at the Association's meeting in New York, N.Y. A summary of the issues discussed at this meeting was placed in the public docket. A discussion of comments received is contained in the following paragraphs.

Discussion of Comments on Specific Sections

Section 1.01(b)(1) Organization. Reorganization of the Cargo and Hazardous Materials Division and the Merchant Marine Technical Division to form the Marine Technical and Hazardous Materials Division eliminated the need to revise subsection (iv) as proposed.

Section 153.1 Applicability. This section has been revised to be consistent with the authority citation for this part. Also, the footnote to this section has been removed since it is not essential to the understanding of the section. A new footnote 1 has been added. For further discussion of the new footnote see the preamble discussion of sections 153.9 and 154.5.

Section 153.9 Foreign flag vessel endorsement application and 154.5 Foreign flag vessel Certificate of Compliance endorsement application. One comment suggested that the Coast Guard specify a lead time for submission of the application for a Certificate of Compliance endorsed to authorize carriage of Subchapter O cargo. This is not necessary and is not the normal practice since the lead time needed depends on the relative completeness of an application. For a properly prepared, complete application it is usually possible for the Coast Guard to prepare a reply within five working days. A vessel owner may use that figure along with the time needed to transmit and receive exchanges of correspondence to estimate the lead time needed to complete the endorsement application process. The lead time required to request an examination for a Certificate of Compliance after the endorsement application is completed is specified in the regulations. To prevent delays to a vessel intended for service to the United States, it is good practice for the vessel owner to submit the application to the Coast Guard as soon as all of the application materials are available.

To conform with 46 U.S.C. 3711, this amendment replaces Letter of Compliance with Certificate of Compliance as the name of the document required for a foreign flag tanker carrying hazardous cargo. To minimize administrative changes the Coast Guard has chosen not to develop a new form entitled Certificate of Compliance at this time. This will be done at a later date. In the interim, the Letter of Compliance form will continue to be used and will serve the purpose of the Certificate of Compliance. The endorsement for the carriage of Subchapter O cargo will be the Cargoes and Restrictions List issued as an enclosure to the Letter of Compliance. To explain that the endorsed Letter of Compliance will be used in place of an endorsed Certificate of Compliance until the Certificate of Compliance form is developed, a new footnote 1 and footnote designations have been added to the following sections: 153.9, 153.900, 154.5 and 154.1802.

Sections 153.10 Equivalent standards and 153.214 Personnel emergency and safety equipment. The references to the "Letter of Compliance" were overlooked during drafting of the proposed rule. In this Amendment "Letter of Compliance" is changed to "Certificate of Compliance."

Sections 153.809 and 154.151 Procedures for having the Coast Guard examine a vessel for a Certificate of Compliance. The Coast Guard received six comments stating that twenty-four hours notice was not sufficient to arrange the examinations required by Section 153.808 and Section 154.150. The comments suggested forty-eight or seventy-two hours notice. An additional factor taken into account is the delayed capability in the Coast Guard's Marine Safety Information System (MSIS) to store the Cargoes and Restrictions list information needed by the Marine Inspection Offices. Until this capability is available, alternative methods for providing any outstanding information to the Marine Inspection Office before an examination necessitate a greater advance notice for the examination. Subsections 153.809(b)(2) and 154.151(b)(2) therefore have been revised to require seven days advance notice to request an examination for issue of a Certificate of Compliance. These subsections also have been revised to clarify that the examination request is separate from any other pre-arrival notice to the Coast Guard. When the capability of the MSIS is improved, the Coast Guard plans to reduce the required advance notice.

One comment stated that leaving the requirement for submission of plans before the examination to the discretion of the Officer in Charge, Marine Inspection, would be a hardship as an owner would not know from port to port whether or not plans would be required. This comment suggested that for examinations the required plans should be submitted twenty-four hours in advance. Two comments stated that it would be an unreasonable burden on foreign owners to deliver plans to the Officer in Charge, Marine Inspection, and that this provision alone might cause vessel delays greater than those experienced under the existing system. The Coast Guard agrees with the latter viewpoint. The original purpose of providing plans for the required examination was to make sure that the vessel was constructed to the plans approved during plan review; this is no longer necessary. The Coast Guard feels that the plans available on board a chemical or liquefied gas tanker should be sufficient to allow a Marine Inspector to conduct the required examination. Two additional comments were received supporting this position. Consequently, the Coast Guard has rewritten subsections 153.809(b)(3) and 154.151(b)(3) to require the specified plans to be available on board the vessel for the use of the Marine Inspector before the beginning of the examination required by sections 153.808 and 154.150.

In the proposed rule, sections 153.809(c) and 154.151(c) were written to require a 14 day advance notice to Commandant (G-MTH) only for the initial U.S. arrival of a vessel accepted on the basis of Coast Guard plan review. For subsequent examinations the proposed rule would have permitted the advance notice from the vessel owner to be sent directly to the cognizant Marine Inspection Office. Since such vessels will be subject to continued review of alterations and repairs by Commandant (G-MTH), the text of sections 153.809(c) and 154.151(c) has been revised to require the 14 day advance notice to Commandant (G-MTH) for any Certificate of Compliance examination of a plan review vessel; rather than just the initial examination. Thus for plan review vessels the present requirements for advance notice are retained; however, since virtually no vessels subject to Part 153 or Part 154 are accepted on the basis of plan review, there is no significant consequence to this approach.

Sections 153.900 Certificates, letters, endorsements required and 154.1802 Certificates, letters, and endorsements: Foreign flag vessels. One comment pointed out that with the removal of sections 153.811 and 154.153 foreign flag ships are prohibited from entering U.S. ports with Subchapter O cargo on board if they do not possess a valid Certificate of Compliance endorsed to authorize carriage of Subchapter O cargo. As stated in the preamble of the Notice of Proposed Rulemaking, the Coast Guard considers it unnecessarily burdensome to require a vessel to sail to a U.S. port without cargo on board solely for the purpose of being examined for issue of a Certificate of Compliance. Accordingly, sections 153.900 and 154.1802 have been revised to permit a vessel without a valid Certificate of Compliance to enter U.S. waters with Subchapter O cargo on board, when entry is for the purpose of being examined under 153.808 or 154.150.

Sections 153.900 and 154.1802 have been revised by adding reference to a footnote explaining that the Letter of Compliance endorsed to authorize carriage of Subchapter O cargo will be used in place of an endorsed Certificate of Compliance until the Certificate of Compliance form is developed. For further discussion see the preamble to sections 153.9 and 154.5.

Sections 153.903 Expiration of IMO Certificates and 154.1803 Expiration of Certificates of Compliance. As proposed, sections 153.903 and 154.1803 stated that upon expiration of a vessel's IMO Certificate of Fitness, its Certificate of Compliance becomes invalid for the carriage of cargoes listed in Table I of 46 CFR 153 or Table 4 of 46 CFR 154. Two comments pointed out that the Coast Guard frequently authorizes new cargoes for carriage before they are incorporated into Table I of 46 CFR 153 or Table 4 of 46 CFR 154. This carriage is authorized under sections 153.5(b) or 154.12 as appropriate. Sections 153.903 and 154.1803 have been revised to state that should a vessel's IMO Certificate of Fitness expire, its Certificate of Compliance becomes invalid for the carriage of cargoes authorized under 153.5(b) or 154.12 as well as those listed in Table I or Table 4.

Appendix I—List of Cargoes Not Regulated Under Part 153 or Subchapter D. The description of Table II has been reworded to describe more clearly its contents and to change "Letter of Compliance" to "Certificate of Compliance."

In this Amendment "Commandant (G-MHM)" has been changed to "Commandant (G-MTH)" to reflect the new organization of the Coast Guard's Office of Merchant Marine Safety. Throughout this Amendment "IMCO" has been changed to "IMO". IMO is the abbreviation for International Maritime Organization which was formerly the Intergovernmental Maritime Consultative Organization (IMCO). Finally, several typographical errors in the proposed rule have been corrected in this Amendment.

Several comments were received which addressed requirements in 46 U.S.C. 3703. Since legislative changes are beyond the scope of this rulemaking, these comments have not been addressed in the preamble. They have been retained on file for use in any legislative changes which may be undertaken in the future.

Regulatory Evaluation

This final rule is considered to be non-major under Executive Order 12291 and non-significant under the DOT regulatory policies and procedures (44 FR 11034; February 26, 1979). A final regulatory evaluation has been prepared and placed in the rulemaking docket. It may be inspected or copied in Room 2110, 2100 Second Street, S.W., Washington, D.C. from 8:00 a.m to 3:30 p.m. Copies may also be obtained by contacting the Executive Secretary, Marine Safety Council, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593 (202-426-1477). The principal benefit of this rulemaking will be reduced vessel delays associated with examination arrangements; this is estimated to be $1.2 million per year. Additional benefits will include an estimated 364 hour reduction in annual paperwork burden resulting in savings of $13,000 to the Coast Guard.

Regulatory Flexibility Evaluation

The agency certifies that this final rule will not have a significant economic impact on a substantial number of small entities. We do not expect this rulemaking to impose any new costs on vessel owners and operators. The $1.2 million per year benefits which will result from reduced vessel delays equals $2,400 per vessel per year which is only 10 percent of one day's operating costs. Though beneficial, we do not consider the impact significant.

Environmental Analysis

This regulation has been evaluated in accordance with DOT order 5610.IC National Environmental Policy Act Implementing Procedures and has been found to be Categorically Excluded from further environmental documentation. A copy of the Categorical Exclusion Determination statement has been placed in the public docket.

Paperwork Reduction Act

This rulemaking contains information collection requirements. These items have been submitted to the Office of Management and Budget for review under the Paperwork Reducton Act (44 USC 3501) and have been approved by OMB. The section numbers and the corresponding OMB approval number are as follows: sections 153.9, 153.809 and 153.901 under OMB approval number 2115-0089; sections 154.5, 154.151 and 154.1802 under OMB approval number 2115-0113. These numbers will be added to the display table in § 150.105 in a subsequent document.

Drafting Information

The principal persons involved in drafting this rulemaking are: Mr. E.P. Pfersich, Project Manager, Office of Merchant Marine Safety and Mr. Michael N. Mervin, Project Attorney, Office of the Chief Counsel.

List of Subjects

46 CFR Part 153

Tank vessels, Barges, Hazardous materials transportation.

46 CFR Part 154

Natural gas vessels, Gases, Hazardous materials transportation, Marine safety, Foreign trade, Harbors.

Accordingly, Title 46 of the Code of Federal Regulations is hereby amended as follows:

PART 153—SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS

1. By revising the authority citation for Part 153 to read as follows:

Authority: 46 U.S.C. 3703, 49 U.S.C. 1801-11; 49 CFR 1.46 (n)(4) and (t).

2. By removing footnote 1 to § 153.1 and revising § 153.1 to read as follows:

§ 153.1 Applicability.

This part prescribes rules that apply to tankships that have on board the cargoes described in § 153.5 for the purpose of implementing the laws governing vessels having on board hazardous liquid cargoes in bulk.

§ 153.2 [Amended].

3. By removing the definition for "Letter of Compliance" from § 153.2

4. By amending § 153.2 by adding in alphabetical sequence the following definitions:

"Certificate of Compliance" means a certificate issued by the Coast Guard that a foreign flag vessel had been examined and found to comply with the regulations in this chapter.

"Officer in Charge, Marine Inspection," is defined in § 1.05(b) of this chapter.

5. By revising § 153.7(a)(1) and adding (a)(3) to read as follows:

§ 153.7 Existing tankships.

(a) * * *

(1) "Permit" means a Certificate of Inspection, Letter of Compliance, or Certificate of Compliance.

* * * * *

(3) "Letter of Compliance" in this section means a letter issued by the Coast Guard before 27 December 1977 which permitted a foreign flag tankship to carry a bulk cargo regulated under this part.

6. By revising § 153.9, adding a new footnote 1 and revising footnote 2, to read as follows:

§ 153.9 Foreign flag vessel endorsement application.

(a) *Application for a vessel whose flag administration issues IMO Certificates.* A person who desires a Certificate of Compliance [1] endorsed with the name of a cargo in Table I of this part, as described in § 153.900, must submit to Commandant (G-MTH) an application which includes a copy of the IMO Certificates [2] issued by the vessel's flag administration with:

(2) An additional classification society statement that the vessel complies with § 153.370, § 153.371, and § 153.438 if a person desires a Certificate of Compliance endorsed with the name of a cargo whose vapor pressure exceeds 100 kPa absolute at 37.8 °C (approximately 14.7 psia at 100 °F).

(b) *Application for a vessel whose flag administration does not issue IMO Certificates.* A person who desires a Certificate of Compliance [1] endorsed with the name of a cargo in Table I of this part, as described in § 153.900, must submit an application to Commandant (G-MTH) that includes the following information:

* * * * *

(c) *Conditions applying to all Certificate of Compliance applications.*

(1) If requested by the Commandant (G-MTH), a person desiring a Certificate of Compliance for a vessel must furnish any other vessel information such as plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine that the vessel meets the standards of this part.

(2) Correspondence with the Coast Guard and vessel information submitted under this part must be in English except IMO Certificates which may be in French.

7. By revising § 153.10(a) to read as follows:

§ 153.10 Equivalent standards.

(a) A vessel that does not meet each standard required in this part for an endorsement on a Certificate of Inspection or Certificate of Compliance may meet an alternate standard if the Commandant (G-MTH) finds that the alternate standard provides an equivalent or greater level of protection for the purpose of safety.

* * * * *

8. By revising the introductory text of § 153.16 to read as follows:

§ 153.16 Requirements for foreign flag vessel permits.

To have its Certificate of Compliance endorsed with the name of a cargo listed in Table I, a foreign flag vessel must:

* * * * *

9. By revising § 153.214(b)(2) to read as follows:

§ 153.214 Personal emergency and safety equipment.

* * * * *

(b) * * *

(2) A set of overalls or large apron, boots, long sleeved gloves, and goggles, each made of materials resistant to the cargoes in Table I that are endorsed on the Certificate of Inspection or Certificate of Compliance.

* * * * *

10. By revising § 153.808 to read as follows:

§ 153.808 Examination required for a Certificate of Compliance.

Before a vessel receives either an initial or a reissued Certificate of Compliance endorsed with the name of a cargo from Table I of this part, the vessel must call at a U.S. port for an examination during which the Officer in Charge, Marine Inspection, determines whether or not the vessel meets the requirements of this chapter.

11. By revising the introductory text and paragraphs (b) and (c) in § 153.809 to read as follows:

§ 153.809 Procedures for having the Coast Guard examine a vessel for a Certificate of Compliance.

To have the Coast Guard examine the vessel for a Certificate of Compliance, as required in § 153.808, the owner of a foreign flag vessel must proceed as follows:

* * * * *

(b) Except when paragraph (c) of this section applies,

(1) after receiving notification from Commandant (G-MTH) that review is complete and the application is acceptable, dispatch the vessel to a United States port;

(2) notify the Officer in Charge, Marine Inspection, for the port where the vessel is to be inspected at least seven days before the vessel arrives and arrange the exact time and other details of the examination. This notification is in addition to any other pre-arrival notice to the Coast Guard required by other regulations and must include:

(i) The name of the vessel's first U.S. port of call;

(ii) the date the vessel is scheduled to arrive;

(iii) the name and telephone number of the owner's local agent; and

(iv) the names of all cargoes listed in Table I of this part that are on board the vessel;

(3) make sure that the following plans are available on board the vessel for the use of the Marine Inspector before beginning the examination required by § 153.808:

(i) a general arrangement (including the location of firefighting, safety, and lifesaving gear);

(ii) a capacity plan;

(iii) a schematic diagram of cargo piping on deck and in tanks (including the location of all valves and pumps); and

(iv) a schematic diagram of cargo tank vent piping (including the location of relief valves and flame screens).

(c) If the vessel was accepted for U.S. service on the basis of Coast Guard plan review under § 153.9(b), the vessel owner shall notify Commandant (G-MTH) fourteen days prior to the vessel's arrival at a U.S. port. This notification must include:

(1) The name of the vessel's first U.S. port of call;

(2) the date the vessel is scheduled to arrive;

---

[1] Until the Certificate of Compliance form is developed, the Letter of Compliance with a Subchapter O endorsement for the carriage of hazardous liquids will serve the purpose of the endorsed Certificate of Compliance.

[2] Generally, the IMO Certificate is sufficient for the Coast Guard to endorse the vessel's Certificate of Compliance with the names of those cargoes in Table I that are listed on the IMO Certificate. The IMO Certificate would not be sufficient when the Certificate authorized a cargo that is not permitted in U.S. waters, when the Certificate is in error or waives part of the Code, or when the regulations in this part exceed those of the Code.

(3) the name and telephone number of the owner's local agent; and

(4) the names of all cargoes listed in Table I of this part that are board the vessel.

§ 153.810 [Removed]

12. By removing § 153.810.

§ 153.811 [Removed]

13. By removing § 153.811.

14. By revising § 153.900 (b) (1) and (2) and (c) (1) and (2) to read as follows:

§ 153.900 Certificates, letters, endorsements required.

* * * * *

(b) * * *

(1) An IMO Certificate issued by the flag administration and, except when entering United States waters to be examined as required by § 153.808, a Certificate of Compliance issued and endorsed under this part with the name of the cargo; or

(2) prior written authorization under § 153.5(b) from the Commandant (G-MTH).

(c) * * *

(1) Except when entering United States waters to be examined as required by § 153.808, a Certificate of Compliance issued and endorsed under this part with the name of the cargo; or

(2) written authorization under § 153.5(b) from the Commandant (G-MTH).

15. By revising § 153.901 to read as follows:

§ 153.901 Certificates or letters required to be on bridge.

No person may operate a U.S. flag tankship unless the endorsed Certificate of Inspection is posted in a conspicuous place in the wheelhouse.

16. By revising § 153.902 to read as follows:

§ 153.902 Expiration of Certificates of Compliance.

A Certificate of compliance expires after a period not to exceed twenty-four months from the date of examination under § 153.808.

17. By adding a new § 153.903 to read as follows:

§ 153.903 Expiration of IMO Certificates.

If a vessel's IMO Certificate expires or otherwise becomes invalid, its Certificate of Compliance becomes invalid for the carriage of cargoes listed in Table I of this part or authorized under § 153.5(b). To maintain the validity of the Certificate of Compliance, the vessel's owner must submit a copy of any revised or reissued IMO Certificate to Commandant (G-MTH).

18. By revising § 153.904 to read as follows:

§ 153.904 Limitations in the endorsement.

No person may operate a tankship unless that person complies with all limitations in the endorsement on the tankship's Certificate of Inspection or Certificate of Compliance.

19. By revising the introductory text of Appendix I to read as follows:

Appendix I—List of Cargoes Not Regulated Under Subchapter D or Under Subchapter O

The following bulk liquid cargoes may be carried in a vessel which does not have a Certificate of Inspection or a Certificate of Compliance endorsed under Subchapter D nor under Subchapter O of this chapter:

* * * * *

PART 154—SAFETY STANDARDS FOR SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES

20. By revising the authority citation to read as follows:

Authority: 46 U.S.C. 3703, 49 U.S.C. 1801–11; 49 CFR 1.46(n)(4) and (t).

§ 154.3 [Amended]

21. By removing the definition of "Letter of Compliance" from § 154.3.

§ 154.3 [Amended]

22. By amending § 154.3 by adding in alphabetical sequence the following definitions:

"Certificate of Compliance," means a certificate issued by the Coast Guard that a foreign flag vessel had been examined and found to comply with the regulations in this chapter.

"Officer in Charge, Marine Inspection," is defined in § 1.05(b) of this chapter.

23. By revising the introductory text of paragraph (a) and (a)(9) and paragraphs (b) and (c) in § 154.5 to read as follows:

§ 154.5 Foreign flag vessel: Certificate of Compliance endorsement application.

(a) A person who desires an endorsed Certificate of Compliance [1] required under § 154.1802(a) for a foreign flag vessel, whose flag administration issues IMO Certificates, must submit to the Commandant (G-MTH), U.S. Coast Guard, Washington, D.C., 20593, an application which includes a copy of the IMO Certificate issued to the vessel with:

* * * * *

(9) Any additional plans, certificates, and information that the Commandant (G-MTH) may request.

(b) A person who desires an endorsed Certificate of Compliance [1] required under § 154.1802(b) for a foreign flag vessel, whose flag administration does not issue IMO Certificates, must submit to the Commandant (G-MTH) the plans, calculations, and information under § 154.4(b).

(c) Correspondence to the Coast Guard and vessel information submitted under this part must be in English, except IMO Certificates which may be in French.

24. By deleting the existing footnote 1 and adding a new footnote 1 to read as follows:

[1] Until the Certificate of Compliance form is developed, the Letter of Compliance with a Subchapter C endorsement for the carriage of liquefied gases will serve the purpose of the endorsed Certificate of Compliance.

25. By revising the undesignated center heading preceding § 154.150 to read as follows:

Examination Requirements for Foreign Flag Vessels

26. By revising § 154.150 to read as follows:

§ 154.150 Examination required for a Certificate of Compliance.

Before a vessel receives an initial or reissued Certificate of Compliance endorsed with the name of a cargo from Table 4 of this part, the vessel must call at a United States port for an examination, during which the Officer in Charge, Marine Inspection, determines whether or not the vessel meets the requirements of this chapter.

27. By revising § 154.151 to read as follows:

§ 154.151 Procedures for having the Coast Guard examine a vessel for a Certificate of Compliance.

To have the Coast Guard examine the vessel for a Certificate of Compliance, as required in § 154.150, the owner of a foreign flag vessel must proceed as follows:

(a) After submitting an application under § 154.5, await notification by the Commandant (G-MTH) that review of the vessel's plans or IMO Certificate and supporting documents is complete.

(b) Except when paragraph (c) of this section applies,

(1) after receiving notification from Commandant (G-MTH) that review is complete and the application is acceptable, dispatch the vessel to the United States port;

(2) notify the Officer in Charge, Marine Inspection, for the port where the vessel is to be inspected at least seven days before the vessel arrives and arrange the exact time and other details of the examination. This notification is

in addition to any other pre-arrival notice to the Coast Guard required by other regulations and must include:

(i) The name of the vessel's first U.S. port of call;

(ii) the date the vessel is scheduled to arrive;

(iii) the name and telephone number of the owner's local agent; and

(iv) the names of all cargoes listed in Table 4 of this part that are on board the vessel;

(3) make sure that the following items are available on board the vessel for the use of the Marine Inspector before beginning the examination required by § 154.150:

(i) A general arrangement (including the location of firefighting, safety, and lifesaving gear); and

(ii) the cargo manual required by § 154.1810.

(c) if the vessel was accepted for U.S. service on the basis of Coast Guard plan review under § 154.5(b), the vessel owner must notify Commandant (G-MTH) fourteen days prior to the vessel's arrival at a U.S. port. This notification must include:

(1) the name of the vessel's first U.S. port of call;

(2) the date the vessel is scheduled to arrive;

(3) the name and telephone number of the owner's local agent; and

(4) the names of all cargoes listed in Table 4 of this part that are on board the vessel;

§ 154.152 [Removed]

28. By removing § 154.152.

§ 154.153 [Removed]

29. By removing § 154.153.

30. By revising § 154.1802(a) (1) and (2) and § 154.1802(b) (1) and (2) to read as follows:

§ 154.1802 Certificates, letters, and endorsements: Foreign flag vessels.

(a) * * *

(1) an IMO Certificate issued by the flag administration that is endorsed with the name of the cargo that it is allowed to carry, and, except when entering United States waters to be examined as required by § 154.150, a Certificate of Compliance [1] issued by the Coast Guard endorsed under this part with the name of the cargo that it is allowed to carry; or

(2) special approval under § 154.12.

(b) * * *

(1) except when entering United States waters to be examined as required by § 154.150, a Certificate of Compliance [1] issued by the Coast Guard endorsed under this part with the name of the cargo it is allowed to carry; or

(2) special approval under § 154.12.

* * * * *

31. By revising § 154.1803 to read as follows:

§ 154.1803 Expiration of Certificates of Compliance.

(a) A Certificate of Compliance expires after a period not to exceed twenty-four months from the date of the examination under § 154.150.

(b) If a vessel's IMO Certificate of Fitness expires or otherwise becomes invalid, its Certificate of Compliance becomes invalid for the carriage of cargoes listed in Table 4 of this part or authorized by special approval under § 154.12. To maintain the validity of the Certificate of Compliance, the vessel's owner must submit a copy of any revised or reissued IMO Certificate to Commandant (G-MTH).

32. By revising § 154.1808 to read as follows:

§ 154.1808 Limitations in the endorsement.

No person may operate a vessel unless that person complies with all limitations in the endorsement on the vessel's Certificate of Inspection or Certificate of Compliance.

Dated: February 27, 1985.

B.G. Burns,

Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc. 85-5177 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

[Docket No. 31230-252]

Atlantic Groundfish (Cod, Haddock, and Yellowtail Flounder); Technical Amendment

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule; technical amendments.

SUMMARY: NOAA issues this final rule implementing technical amendments to the final regulations for the Interim Fishery Management Plan for Atlantic Groundfish (Interim Plan). Paragraphs of § 651.20 Large mesh area and § 651.21 Closed areas must be revised in relation to the new boundary between the United States and Canada in the Gulf of Maine announced on October 22, 1984, by the International Court of Justice. The intended effect is to present the new boundaries for the Large mesh area and Closed area II in the fishery conservation zone in the Gulf of Maine.

EFFECTIVE DATE: March 5, 1985.

FOR FURTHER INFORMATION CONTACT: William B. Jackson, 202-634-7432.

SUPPLEMENTARY INFORMATION: NOAA published a final rule on October 31, 1984, (49 FR 43676) to implement an amendment establishing the new boundary between the United States and Canada in the Gulf of Maine. A full discussion is found at 49 FR 43676 and is not repeated here. The boundary technical amendment was effective October 26, 1984 and was effective for 50 CFR Part 611, §§ 611.9, 611.50, 611.60, and 611.61 only.

NOAA issued final rules to implement the Interim Plan on October 4, 1982 (47 FR 43705). Points delineating by latitude and longitude parts of the Large-mesh area at § 651.20(a) (17) and (18) and parts of Closed area II § 651.21(2)(i)-(vi) now lie within Canadian waters.

NOAA, therefore, issues this final rule to revise those points of reference found at §§ 651.20(a) and 651.21(2), as discussed above, to alleviate any possible confusion that might occur as to the current lines of delineation for the Large mesh area and Closed area II.

List of Subjects in 50 CFR Part 651

Fish, Fisheries, Reporting and recordkeeping requirements.

Dated: February 27, 1985.

William G. Gordon,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

PART 651—[AMENDED]

For the reason set forth in the summary, 50 CFR Part 651 is amended as follows:

1. The authority citation for Part 651 is as follows:

Authority: 16 U.S.C. 1801 *et seq.*

§ 651.20 [Amended]

2. In § 651.20, paragraphs (a) (17) and (18) are revised to read as follows:

§ 651.20 Large-mesh area and gear limitations.

(a) * * *

(17) 42°10' N. latitude, 67°09' W. longitude;

(18) 41°00' N. latitude, 66°10' W. longitude;

* * * * *

§ 651.21 [Amended]

3. In § 651.21, paragraphs (a)(2)(i)—(iv) are revised and paragraphs

(a)(2)(v)–(vi) are removed to read, as follows:

§ 651.21 Closed areas.

(a) * * *

(2) * * *

(i) 41°59′ N. latitude, 67°00′ W. longitude;

(ii) 41°15′ N. latitude, 67°00′ W. longitude;

(iii) 41°15′ N. latitude, 66°22′ W. longitude; and

(iv) 41°59′ N. latitude, 67°00′ W. longitude.

* * * * *

[FR Doc. 85–5272 Filed 3–4–85; 8:45 am]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 50, No. 43
Tuesday, March 5, 1985

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

FEDERAL RESERVE SYSTEM

12 CFR Part 226

[Reg. Z; Doc. No. R-0539]

Truth in Lending; Intent To Make Determination of Effect on State Laws; Arizona

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of intent to make preemption determinations.

SUMMARY: The Board is publishing for comment a proposed determination as to whether certain provisions in the law of Arizona are inconsistent with the Truth in Lending Act or Regulation Z and therefore preempted. A determination that the provisions are preempted, which would trigger the prohibition against giving such preempted disclosures, would have an effective date of October 1, 1986, although creditors would have the option of complying from the date of the Board's determination.

This notice also includes a discussion of the procedures that the Board follows upon receipt of a request for a determination and a statement of the principles used in making preemption determinations.

DATE: Comments must be received on or before May 6, 1985.

ADDRESS: Comments should be mailed to William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or delivered to Room B-2223, 20th and Constitution Avenue, NW., Washington, D.C., between 8:45 a.m. and 5:15 p.m. Comments may be inspected in Room B-1122 between 8:45 a.m. and 5:15 p.m.

FOR FURTHER INFORMATION CONTACT: Margaret Stewart, Senior Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, at (202) 452-2412.

SUPPLEMENTARY INFORMATION:

(1) General

The Board has received a request for a determination as to whether certain provisions of Arizona law are inconsistent with the Truth in Lending Act and Regulation Z, and therefore, preempted. Section 111(a)(1) of the Truth in Lending Act authorizes the Board to determine whether any inconsistency exists between Chapters 1, 2, and 3 of the Federal act or regulation and any state law relating to the disclosure of information in connection with consumer credit transactions. These proposed preemption determinations are issued under authority delegated to the Director of the Division of Consumer and Community Affairs, as set forth in the Board's Rules Regarding Delegation of Authority (12 CFR 265.2(h)(2)).

The procedures for requesting a determination and the general procedures followed in making a determination are contained in Appendix A to 12 CFR Part 226. In addition, in order to obtain information and comment from interested parties as early as possible in the course of making determinations, the Board (1) forwards copies of requests for determinations to the attorneys general of the states involved and to the Federal Reserve Banks in whose districts the states are located, and (2) sends copies of the proposed determinations and final determinations directly to the requesting party, the State attorney general, and the Federal Reserve Bank.

(2) Principles Followed in Preemption Analysis

In determining whether a state law is inconsistent with the Federal provisions, § 226.28(a)(1) of Regulation Z, which implements section 111 of the act, provides that State requirements are inconsisent with the Federal provisions if the State law requires a creditor to make disclosures or take actions that contradict the Federal law. A State law is contradictory, and therefore preempted, if it significantly impedes the operation of the Federal law or interferes with the purposes of the Federal statute. Two examples of contradictory State laws are included in § 226.28(a)(1). They are (1) a law that requires the use of the same term for a different amount or a different meaning than the Federal law, or (2) a law that requires the use of a different term than the Federal term to describe the same item.

In previous preemption determinations (48 FR 4454, February 1, 1983) the Board developed the following principles that were applied in making the current proposed determinations:

- For purposes of making preemption determinations, State law is deemed to require the use of specific terminology in the State disclosures if the statute uses certain terminology in the disclosure provision.
- A State disclosure does not "describe the same item," under § 226.28(a)(1), if it is not the functional equivalent of a Federal disclosure.
- Preemption occurs only in those transactions in which an actual inconsistency exists between the State law and the Federal law.
- A State law is not inconsistent merely because it requires more information than Federal law or requires disclosure in transactions where Federal law requires none.

In general, preemption determinations will be limited to those provisions of State law identified in the request for a determination. At the Board's descretion, however, other State provisions that may be affected by the Federal law will also be addressed.

(3) Effect of Preemption Determination

If the Board determines that a state-required disclosure is inconsistent with the Federal law, the State law is preempted to the extent of the inconsistency. Creditors in that State may not make disclosures using the inconsistent term or form, even on a separate document from the Federal disclosures. Preemption determinations have an effective date of the October 1 that follows the determination by at least 6 months, as required by section 105(d) of the act. Since a final determination is not expected before April 1, 1985, the proposed determination, if adopted, will have an effective date of October 1, 1986, although creditors could begin complying with the determination before that time.

A determination on provisions in the law of one state will have no effect on the validity of similar provisions in other states.

(4) Discussion of Specific Request and Proposed Determination

The Board has been asked to examine section 6-621A.2 of Arizona's Small Loans Act as amended April 24, 1984. The requesting party believes that several requirements imposed by this provision in Arizona's law are inconsistent with section 128 of the federal act and §§ 226.18 and 226.27 of Regulation Z.

The pertinent provisions of the state statute (which became effective January 1, 1985) are as follows:

6-621. *Requirements for loan transactions*

A. Every licensee shall

* * * * *

2. Give to the borrower, or if there are two borrowers, to one of them, a statement written in both English and Spanish which shall read as follows:

I understand that the documents I have signed in this transaction obligate me to pay to ——— (Name of Lender) the total sum of $——— And that I am required to make a total of ——— payments of $——— each and ——— payments of $——— to be paid ——— (Weekly or Monthly) over the life of the loan. I further understand that, in the event that I fail to make the payments according to the terms contained in these documents, I may lose the property which I have given as security for this loan which is the following:

(Description of Property Given as Security)

Borrower

Borrower

The requesting party has asked for a determination as to whether the Spanish language requirement imposed by this section contradicts § 226.27 of Regulation Z, which provides that all of the disclosures required by the regulation be made in the English language (except in the Commonwealth of Puerto Rico). Since the State requires that the prescribed notice be given in both Spanish and English, the Board proposes to determine that the State's Spanish language requirement does not contradict and is not preempted by the Federal law because under the regulation Spanish translations are permissible as additional information. (See Regulation Z Official Staff Commentary § 226.27-2.)

The requesting party also argues that two terms required to be used in the prescribed notice are preempted by the Federal act and regulation. The term "Total Sum of $———" corresponds to § 226.18(h) of Regulation Z, which requires disclosure of the total dollar amount owed, using the term "total of payments." Because the state law requires the use of a different term than Federal law to describe the same item, the Board proposes to determine that the State disclosure is preempted.

The second term that the requesting party believes is preempted is the term "Total of ——— payments," because it allegedly requires the use of the federally prescribed term "total of payments" to represent a different meaning from the Federal law. The Board believes that the State term is not the same as the federally required "total of payments" disclosure because it requires the number of payments to be substituted for the blank shown in the phrase, clearly distinguishing it from the federal term, both in language and meaning. For instance, an example of the state disclosure would be "Total of 60 Payments" while the Federal term would appear as "total of payments = $10,000." Because the State law does not in this instance prescribe a Federal term, the Board proposes to determine that the State disclosure does not contradict Federal law and is therefore not preempted.

(5) Comment requested

Interested persons are invited to submit comments regarding the proposed determinations. After the close of the comment period and analysis of the comments received, notice of final action on the proposals will be published in the **Federal Register.**

List of Subjects in 12 CFR Part 226

Advertising, Banks, banking, Consumer protection, Credit, Federal Reserve System, Finance, Penalties; Truth in lending.

Board of Governors of the Federal Reserve System, February 27, 1985.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85-5214 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 84-ANM-27]

Proposed Amendment to VOR Federal Airways, Aspen, CO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend segements of VOR Federal Airways V-108, V-134, V-361 and V-421. This action is proposed due to the commissioning of the Red Table, CO, very high frequency omni-directional radio range and distance measuring equipment (VOR/DME).

DATES: Comments must be received on or before April 19, 1985.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA, Northwest Mountain Region, Attention: Manager, Air Traffic Division, Docket No. 84-ANM-27, Federal Aviation Administration, 17900 Pacific Highway South, C-68966, Seattle, WA 98168.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Burton Chandler, Airspace and Air Traffic Rules Branch (ATO-230), Airspace-Rules and Aeronautical Information Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing to FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 84-ANM-27." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket

both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426–8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of advisory Circular No. 11–2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to amend segments of VOR Federal Airways V–108, V–134, V–361 and V–421 due to the commissioning of the Red Table, CO, VOR-DME. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6 dated January 3, 1984.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

VOR Federal Airways, Aviation safety.

PART 71—[AMENDED]

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

V–108 [Amended]

By removing the words "Linden, CA. From Colorado Springs, CO;" and substituting the words "Linden, CA. From Meeker, CO; via Red Table, CO; Colorado Springs, CO;"

V–134 [Amended]

By removing the words "to INT Grand Junction 075° and Kremmling 203° radials." and substituting the words "Red Table, CO; Denver, CO."

V–361 [Amended]

By removing the words "From Kremmling, CO," and by substituting the words "From Farmington, NM, via Montrose, CO; INT Montrose 024 °T(010 °M) and Red Table, CO, 224 °T (211 °M) radials; Red Table; Kremmling, CO;"

V–421 [Amended]

By removing the words "INT Gunnison 010° and Kremmling, 203° radials, to Kremling," and by substituting the words "Red Table, CO; to Kremling, CO."

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(A)); (49 U.S.C. 106(g) Revised, Pub. L. 97–449, January 12, 1983)); and 14 CFR 11.65)

Issued in Washington, D.C., on February 26, 1985.

John W. Baier,

Acting Manager, Airspace—Rules and Aeronautical Information Division.

[FR Doc. 85–5209 Filed 3–4–85; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 85–ANM–6]

Proposed Removal of the Rifle; Colorado Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposed to remove the Rifle, Colorado, Transition Area. This transition area was established to ensure segregation of aircraft operating in instrument weather conditions, and other aircraft operating in visual weather conditions. It was established in anticipation of instrument approach procedures to the Garfield County Airport using the Rifle NDB. However, the Rifle NDB has failed certification tests despite efforts to correct the deficiencies and approach procedures cannot be authorized. Therefore, the transition area is no longer necessary.

DATES: Comments must be received on or before April 8, 1985.

ADDRESSES: Send comments on the proposal to: Manager, Airpace and Procedures Branch, ANM–530 FAA, Northwest Mountain Region, Docket No. 85–ANM–6, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

The official docket may be examined in the Office of Regional Counsel at the same address.

An informal docket may also be examined during normal business hours in the Airspace and Procedures Branch at the same address.

FOR FURTHER INFORMATION CONTACT: Art Corwin, Airspace and Procedures Specialist, ANM–532, at the same address. The telephone number is (206) 431–2532.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspect of the proposal. Communications should identify the airspace docket and be submitted to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 85–ANM–6." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Airspace & Procedures Branch, 17900 Pacific Highway South, Seattle, Washington, 98168, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal

Aviation Administration, at the addresses listed above. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The proposal

The FAA is considering an amendment to § 71.161 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to remove the Rifle, Colorado, transition area and thereby release that airspace below 1,200 feet above the ground level for other than instrument weather operations. Section 71.161 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6 dated January 3, 1984.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Remove the Rifle, Colorado, transition area.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 1.65)

Issued in Seattle, Washington, on February 14, 1985.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 85-5210 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 275

[Release No. IA 956; File No. S7-7-85]

Definition of "Client" of Investment Adviser for Certain Purposes Relating to Limited Partnerships

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is publishing for public comment a rule that would specify certain situations in which a limited partnership, rather than each of its limited partners, would be counted as a "client" of a general partner acting as investment adviser to the partnership, for purposes of an exemption from registration provided by the Investment Advisers Act. By creating a safe harbor, the proposed rule is intended to provide investment advisers with greater certainty in determining the circumstances under which they may rely on that exemption.

DATE: Comments must be received on or before April 26, 1985.

ADDRESSES: Send comments in triplicate to John Wheeler, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Comments should refer to File No. S7-7-85 and will be available for public inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT: Thomas P. Lemke, Chief Counsel (202) 272-2030, Stanley B. Judd, Deputy Chief Counsel (202) 272-2079, or Thomas S. Harman, Attorney (202) 272-2030, Office of Chief Counsel, Division of Investment Management, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Commission is publishing for public comment proposed rule 203(b)(3)-1 under the Investment Advisers Act of 1940 ("Advisers Act").[1] The proposed rule would specify certain circumstances in which a limited partnership, rather than each of its individual limited partners, would be counted as a "client" of a general partner or other person acting as investment advisor to the partnership, for purposes of section 203(b)(3) of the Advisers Act.[2] That section exempts from the registration requirement of the Advisers Act, but not from the antifraud provision of that act, any investment adviser[3] who during the course of the preceding 12 months has had fewer than 15 clients and who neither holds himself out generally to the public as an investment adviser nor acts as an investment adviser to any investment company registered under the Investment Company Act of 1940 ("Investment Company Act")[4] or a business development company ("BDC") which has elected to be regulated as such under the Investment Company Act. Thus, in reliance on the rule, a general partner acting as investment adviser to fewer than 15 partnerships (or other clients) could determine not to register even if there were 15 or more limited partners in any or all such limited partnerships. By creating a "safe harbor," the proposed rule is intended to provide investment advisers to limited partnerships with greater certainty in determining the circumstances under which they may rely on section 203(b)(3).[5]

The rule would be available to any (1) general partner or (2) any other person who is an investment adviser to the limited partnership (collectively referred to sometimes as the "general partner"), subject to three conditions. First, the limited partnership interests must be securities. Second, the general partner must provide investment advice to the partnership based on the investment objectives of the limited partners as a group. Third, the general partner or other person acting as investment

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[1] 15 U.S.C. 80b-1 *et seq.*

[2] Section 203(b)(3) [15 U.S.C. 80b-3(b)(3)] exempts any investment adviser who during the course of the preceding twelve months has had fewer than fifteen clients and who neither holds himself out generally to the public as an investment adviser nor acts as an investment adviser to any investment company registered under title I of this Act, or a company which has elected to be a business development company pursuant to section 54 of title I of this Act and has not withdrawn its election. For purposes of determining the number of clients of an investment adviser under this paragraph, no shareholder, partner, or beneficial owner of a business development company, as defined in this title, shall be deemed to be a client of such investment adviser unless such person is a client of such investment adviser separate and apart from his status as a shareholder, partner, or beneficial owner.

[3] Section 202(a)(11) [15 U.S.C. 80b-2(a)(11)] of the Advisers Act, in relevant part, defines an investment adviser as any person who, for compensation, engages in the business of advising others, ether directly or through publications or writings, as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as part of a regular business, issues or promulgates analyses or reports concerning securities.

[4] 15 U.S.C. 80a-1 *et seq.*

[5] Because the proposed rule is drafted as a safe harbor for general partners in certain circumstances, it is not intended to prescribe the exclusive means for a partnership, rather than each partner, to be counted as client of a general partner.

adviser to the partnership must not be the alter ego of a registered investment adviser. The proposed rule also defines certain other situations in which the safe harbor would not be available.

Background

Although section 203(b)(3) generally exempts certain investment advisers with fewer than 15 clients from the registration requirements of the Advisers Act, it does not specify whether a partnership, or each of its individual limited partners, should be counted as a "client" of the adviser for purposes of the exemption. In *Abrahamson* v. *Fleschner* [6], the Second Circuit held that the general partner of a limited partnership whose business is investing in securities is an investment adviser for purposes of the Advisers Act.[7] The Second Circuit originally characterized the individual limited partners as the "clients" of the general partner,[8] but it later withdrew this characterization,[9] leaving unanswered the question of whether the partnership, or each of the limited partners, should be counted as a client.

Whether the partnership of each limited partner should be counted as a client is significant primarily because it may determine whether the general partner must register under the Advisers Act. If it must register, the general partner will be subject to all provisions of the Advisers Act, including section 205(1),[10] which would limit the general partner's ability to charge a fee based on a share of capital gains or capital appreciation of a client's fund (a "performance fee"). In addition, the general partner would have to make certain disclosures mandated by the "brochure rule," [11] and would be required to keep books and records in accordance with rule 204–2 under the Advisers Act.[12]

Discussion

Where an adviser to an investment pool manages the assets of the pool on the basis of the investment objectives of participants as a group, it appears appropriate to view the pool—rather than each participant—as a client of the adviser. Thus, for example, an investment company organized as a corporation, rather than each of its stockholders, is generally regarded as the client of the company's investment adviser.

While a different approach could be followed in counting clients in the case of a limited partnership, the 1980 Amendments to the Advisers Act [13] provide that under certain circumstances a partnership itself, and not each limited partner, should be counted as a client of a general partner acting as investment adviser to the partnership. Among other things, the 1980 Amendments revised section 203(b)(3) to provide that, for purposes of counting the clients of an investment adviser to a privately-held BDC, it is the BDC, rather than each owner of an interest in the BDC, which is to be counted as a client of the adviser.[14] Although the 1980 Amendments expressly avoided resolving the question of whether a partnership that is not a BDC, or each limited partner thereof, should be counted as a client of the partnership's adviser,[15] it does not appear that the Commission should distinguish such a limited partnership from a business development partnership and, thus, treat such a limited partnership's partners differently from the partners of a BDC. Accordingly, the Commission has determined to incorporate the approach of the 1980 Amendments into a limited partnership rule, as discussed below.

1. The Proposed Rule

Paragraph (b)(1) of the proposed rule sets forth the general proposition of the safe harbor that, for purposes of section 203(b)(3), a limited partnership shall be counted as a client of any general partner or other person acting as investment adviser to the partnership. Paragraph (b)(2) sets forth the corresponding proposition that a limited partner of such a partnership shall not be counted as a client of the general partner provided that three conditions are met. The first condition, paragraph (b)(2)(i), requires that the limited partnership interests must be securities [16] subject to the antifraud provisions of the federal securities laws.[17]

Second, since the proposed rule is intended to be available to a general partner acting as an investment adviser to a limited partnership that in fact is a collective investment vehicle, rather than one which is merely a device for providing individualized investment advice, paragraph (b)(2)(ii) limits the availability of the rule to situations where the general partner advises the partnership based on the investment objectives of the limited partners as a group. That is, advice must be provided to the partnership as a common investment vehicle. This ensures that, like the investment company organized as a corporation, the limited partnership is in reality the client. Moreover, this condition would prevent a general partner, in contravention of section 208(d) of the Advisers Act,[18] from using the partnership to do what it could not do directly itself, namely, provide individualized investment advice to 15 or more clients without registering as an investment adviser.

The third condition, set forth in paragraph (b)(2)(iii), limits the availability of the proposed rule to situations where the general partner is not the alter ego of a registered investment adviser. In the absence of separate and distinct operations of the general partner and a related registered adviser, section 208(d) requires the two entities to be viewed as a single entity for purposes of section 203(b)(3). On the other hand, the fact that the general partner is related to a registered investment adviser is not itself sufficient to preclude reliance on the proposed rule, if the entities in fact are operated independently. For example, a general partner subsidiary of a registered investment adviser parent could not rely on the rule unless the entities are operated separately.[19] Similarly, the

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[6] 568 F.2d 862 (2d Cir. 1977), *cert. denied*, 436 U.S. 913 (1978).

[7] In *Wang* v. *Gordon*, 715 F.2d 1167 (7th Cir. 1983), a subsequent case in which limited partners sued a general partner on the theory that they were his investment advisory clients, the Seventh Circuit held that the general partner was not an investment adviser under the Advisers Act. The court distinguished *Abrahamson* on the ground that the case before it involved a real estate partnership rather than a securities investment partnership. *Id.* at 1192.

[8] [1976–1977] Fed. Sec. L. Rep. (CCH) ¶ 85,889, at 91,262 n. 16.

[9] 568 F.2d at 872 n. 16.

[10] 15 U.S.C. 80b–5(1).

[11] Rule 204–3 [17 CFR 275.204–3].

[12] 17 CFR 275.204–2.

[13] The Small Business Investment Incentive Act of 1980, Pub. L. No. 96–477, 94 Stat. 2275 (1980).

[14] In addition to counting the BDC as a client, the 1980 Amendments specify that each owner of an interest in a privately-held BDC shall be counted as a client of the adviser if such owner is an client of the adviser separate and apart from his status as an owner.

[15] *See* H.R. Rep. No. 1341, 96th Cong., 2nd Sess. 27 62 (1980).

[16] Limited partnership interests are generally considered securities. *See Goodman* v. *Epstein*, 582 F.2d 388 (7th Cir. 1978), *cert. denied*, 440 U.S. 939 (1979).

[17] Additional protections for limited partners will be provided by general partnership law. For example, under the Uniform Limited Partnership Act, a general partner has a fiduciary duty similar to that owed by corporate directors to shareholders. Furthermore, under general partnership law, a general partner is liable for partnership debts.

[18] Section 208(d) [15 U.S.C. 80b–8(d)] of the Advisers Act makes it unlawful for any person indirectly, or through or by any other person, to do any act which it would be unlawful for such person to do directly under the provisions of the Advisers Act or any rule or regulation thereunder.

[19] In Richard Ellis/R.E. Holdings Ltd. (pub. avail. Sept. 17, 1981), the staff stated that a subsidiary

Continued

proposed rule would not be available to a general partner under common control with a registered investment adviser unless the facts demonstrate that the entities are operated separately.[20]

Paragraph (b)(3) limits the availability of the safe harbor in certain respects. As discussed above, where the only investment advisory relationship between a limited partner and a general partner is that arising in connection with the limited partnership, the proposed rule would permit the general partner to count the limited partnership as the client and not to count the limited partners individually. In some cases, however, a limited partner may have an additional investment advisory relationship with the general partner, or with a "related person," [21] that would make it inappropriate to include that limited partner within the safe harbor. Accordingly, paragraph (b)(3) provides that the safe harbor provided by paragraph (b)(2) would not include a limited partner who, separate and apart from his status as a limited partner, is an "investment advisory client" (*see* discussion below) of the general partner or of a related person. Of course, the fact that a particular limited partner may be excluded from the safe harbor by paragraph (b)(3) would not affect the applicability of the safe harbor provided by paragraph (b)(2) to other limited partners in the partnership, provided they do not come within paragraph (b)(3).

The term "investment advisory client" is defined in paragraph (a)(2) of the proposed rule. Paragraph (a)(2) provides that a limited partner is an investment advisory client of another person (i) if the limited partner receives investment advice of a character that would make the person giving the advice an investment adviser under section 202(a)(11) of the Advisers Act or (ii) if the limited partner receives advice to transfer his assets from one limited partnership to another, regardless of whether the person giving the advice is or would be an investment adviser under section 202(a)(11). A proviso to paragraph (a)(2) makes clear, however, that a limited partner does not become an investment advisory client solely because of the activities of the general partner or a related person in connection with the offer, promotion, or sale of limited partnership interests to a prospective limited partner.

Finally, since the proposed rule is intended to be a safe harbor, it must be emphasized that the rule is not intended to specify the exclusive method for counting clients. Nor is it intended to create any presumptions about the status of any general partner not relying on, or unable to rely on, the rule. Thus, the fact that paragraph (b)(3) might preclude a particular limited partner from relying on the safe harbor provided by paragraph (b)(2) does not automatically mean that such limited partner must be counted as a client of a general partner. In such a case, the status of that limited partner must be determined on the basis of the facts and circumstances involved.

2. Limitations on the Availability of the Proposed Rule

Various provisions of the Advisers Act and Investment Company Act may limit the availability of the proposed rule. First, because of section 203(b) itself, the proposed rule would not be available to a general partner who holds himself out to the public as an investment adviser or who is an investment adviser to a registered investment company or to a BDC which has elected to be treated as such under the Investment Company Act. Second, where the limited partnership is an investment company required to be registered but for the exception provided by section 3(c)(1) of the Investment Company Act,[22] that section would restrict the limited partnership to no more than one hundred limited partners. Section 3(c)(1) also might, the absence of material differences between partnerships, similarly limit the total number of partners in all partnerships advised by a general partner.[23]

Finally, the non-public offering requirements of section 3(c)(1) [24] would, as a practical matter, limit participation to investors who, by themselves or with personal representatives, are sophisticated or who are accredited investors.[25]

3. Request for comments

The Commission requests public comment on proposed rule 203(b)(3)-1. Specific comment is invited on whether the condition in the proposed rule are appropriate, whether more restriction conditions are needed, or whether less restrictive conditions would be adequate.

List of Subjects in 17 CFR Part 275

Investment advisers, Reporting and recordkeeping requirements, Securities.

Text of Proposed Rule

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

It is proposed that Part 275 of Chapter II, Title 17 of the Code of Federal Regulations be amended by adding § 275.203(b)(3)-1 as set forth below:

§ 275.203(b)(3)-1 Definition of "Client" of an investment adviser for certain purposes relating to limited partnerships.

(a) As used in this section:

(1) A "related person" of another person is any person controlling, controlled by, under common control with, or any employee or employer of, such other person; and

(2) A limited partner is an "investment advisory client" of a general partner or other person acting as investment adviser to the partnership, or any related person of the foregoing persons,

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would be considered separate from its parent if it (1) is adequately capitalized, (2) has a buffer, such as a board of directors a majority of whose members are independent of the parent, between the subsidiary's personnel and the parent, (3) has employees, officers, and directors who, if engaged in providing advice in the day-to-day business of the subsidiary entity, are not otherwise engaged in an investment advisory business of the parent, (4) itself makes the decisions as to what investment advice is to be communicated to, or is to be used on behalf of, its clients and uses sources of information not limited to its parent, and (5) keeps its investment advice confidential until communicated to its clients.

[20] *See* Prudential-Bache Special Situations Fund (pub. avail. Oct. 8, 1984); Davis, Skaggs & Co., Inc. (pub. avail. Aug. 21, 1981).

[21] Paragraph (a)(1) defines a "related person" as any person controlling, controlled by, under common control with, or any employee or employer of, such other person.

[22] Section 3(c)(1) [15 U.S.C. 80a-3(c)(1)] excepts from the definition of investment company any issuer whose outstanding securities (other than short-term paper) are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities.

[23] Different partnerships may be aggregated for purposes of section 3(c)(1) if a partnership interest in one partnership is not materially different from a partnership interest in another partnership. Factors to be considered in determining whether partnership interests are materially different include the partnerships' investment objectives, their portfolio securities, and their portfolio risk return characteristics. Santa Barbara Securities (pub. avail April 8, 1983). Factors relevant in an integration analysis under section 4(2) of the Securities Act of 1933 [15 U.S.C. 77d(2)] may also be considered such as whether (1) the difference offerings are part of a single plan of financing, (2) the offerings involve issuance of the same class of securities, (3) the offerings are made at or about the same time, (4) the same type of consideration is received, and (5) the offerings are made for the same general purpose. William E. Hart (pub. avail. May 6, 1979). *See also* Securities Act Relase No. 4552 (November 6, 1962).

[24] A non-public offering under section 4(2) of the Securities Act of 1933 would generally be regarded as a non-public offering for purposes of section 3(c)1 of the Investment Company Act. Rule 506 of Regulation D [17 CFR 230.506], adopted pursuant to section 4(2), provides objective standards for identifing those offers or sales by an issuer which will be deemed to be non-public.

[25] Rule 501(a) of Regulation D [17 CFR 230.501(a)] defines the term "accredited investor."

if the limited partner receives from any of those persons (i) investment advisory services of a nature that the person providing the services would be an investment adviser, as defined in section 202(a)(11) of the Act or (ii) investment advice to transfer his assets from one limited partnership to another one; *Provided, however,* That a limited partner is not an investment advisory client of a person solely because such person offers, promotes, or sells interests in the limited partnership to the limited partner.

(b) For purposes of section 203(b)(3) of the Act:

(1) A limited partnership shall be counted as a client of any general partner or other person acting as investment adviser to the partnership; and

(2) A limited partner shall not be counted as a client of any general partner or other person acting as investment adviser to the partnership if:

(i) The limited partnership interests are securities;

(ii) The general partner or other person provides investment advice to the partnership based on the investment objectives of the limited partners as a group; and

(iii) The general partner or other person is not the alter ego of an investment adviser registered under the Act.

(3) Paragraph (b)(2) of this section shall not be available with respect to a limited partner who is, separate and apart from his status as a limited partner, an investment advisory client of (i) a general partner or other person acting as investment adviser to the partnership, or (ii) any related person thereof.

Summary of Regulatory Flexibility Analysis: Pursuant to section 605(b) of the Regulatory Flexibility Act, the Chairman of the Commission has certified that the rule proposed will not, if promulgated, have a significant economic impact on a substantial number of small entities. This certification, including the reasons therefor, is attached to this release.

Statutory Authority: Proposed rule 203(b)(3)–1 would be adopted by to that act because it does not involve an information collection requirement.

Statutory Authority: Proposed rule 203(b)(3)–1 would be adopted by the Commission pursuant to the authority granted the Commission in sections 206A [15 U.S.C. 80b–6A] and 211(a) [15 U.S.C. 80b–11(a)] of the Advisers Act.

Dated: February 25, 1985.

John Wheeler,

Secretary.

Regulatory Flexibility Act Certification

I, John S.R. Shad, Chairman of the Securities and Exchange Commission, hereby certify pursuant to 5 U.S.C. 605(b) that 203(b)(3)–1 under the Investment Advisers Act of 1940 [15 U.S.C. 80b–1 *et seq.*], will not have a significant economic impact on a substantial number of small entities. The reason for this certification is that, whether or not a substantial number of general partners managing limited partnerships investing in securities rely on the safe harbor provided by the rule, the economic impact of the rule, if any, on any general partner managing such partnerships, will not be significant, because the rule would, in large part, codify the rationale underlying the Commission's previous policy regarding such limited partnerships. The added certainty given by the rule may result in more of these limited partnerships being created, but the general conditions for application of the securities laws will remain the same.

Date: February 22, 1985.

John S.R. Shad,

Chairman.

[FR Doc. 85–5294 Filed 3–4–85; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 600 and 660

[Docket No. 83N–0169]

Additional Standards for Diagnostic Substances for Laboratory Tests; Proposed Amendment of Requirements for Blood Grouping Serum

AGENCY: Food and Drug Administration.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend its additional standards for Blood Grouping Serum as part of the agency's retrospective review of current regulations. FDA is making the standards more flexible and is revising the regulations to reflect recent scientific knowledge and experience in the use of Blood Group Serum.

DATES: Comments by May 6, 1985. FDA is propsing that any final rule based on this proposal be effective 30 days after the date of publication of the final rule in the **Federal Register**, except that labeling requirements would be effective 1 year after the date of publication.

ADDRESS: Written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Joseph Wilczek, Center for Drugs and Biologics (HFN–368), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–1306.

SUPPLEMENTARY INFORMATION: Blood Grouping Serum is a sterile preparation of serum or protein-rich fluid containing one or more blood grouping antibodies that is used to detect ABO, Rh, or other antigens or red blood cells. The preparation is an in vitro diagnostic product that usually is produced from high-titered human serum, with or without stimulation by the injection of group-specific red blood cells or blood group substances.

The additional standards for Blood Grouping Serum now in 21 CFR 660.20 through 660.29 were published in the **Federal Register** of October 7, 1977 (42 FR 54534). In the **Federal Register** of May 25, 1982 (47 FR 22519), the potency requirements for Blood Grouping Serum in § 660.25 were revised to permit use of chemically modified Blood Grouping Serum by adding new paragraph (d) *Equivalent methods.*

In the **Federal Register** of July 14, 1981 (46 FR 36333), FDA announced its plan for undertaking a systematic review of its existing rules in accordance with the requirements of the Regulatory Flexibility Act and Executive Order 12291. The notice also solicited data, information, and views from the public to assist the agency in identifying unduly burdensome regulations and in establishing an appropriate review schedule. In the **Federal Register** of July 2, 1982 (47 FR 29004), FDA announced its priorities for reviewing the agency's existing rules. Among the regulations listed as high priorities for review was Part 660—Additional Standards for Diagnostic Substances for Laboratory Tests, including Subpart C—Blood Grouping Serum.

During public meetings held on April 12, 13, 20, and 21, 1982, FDA received recommendations from the regulated industry and other interested persons on how the regulations on blood and blood products should be revised to relieve any unnecessary regulatory burdens or to increase flexibility (see 47 FR 12358; March 23, 1982). FDA presented the most controversial and scientifically significant of these recommendations to

the Blood Products Advisory Committee for its consideration during a June 3 and 4, 1982 open meeting. The written minutes of that meeting are on file in FDA's Dockets Management Branch.

The agency has completed its retrospective review of the regulations for this blood product and is proposing to amend the additional standards for Blood Grouping Serum. The following proposed amendments would relieve certain unnecessary regulatory burdens and increase the flexibility of the regulations without adversely affecting the purity, potency, or effectiveness of Blood Grouping Serum.

Current Requirements Regarding Sterility of Blood Grouping Serum

FDA's regulations in Subpart C of 21 CFR 660 currently require that Blood Grouping Serum be sterile. Manufacturers are required to sterilize the product by sterile-filtration, collect samples of each lot and, as required in § 610.1, perform final product sterility testing of each lot using procedures in § 610.12. Further, manufacturers of Blood Grouping Serum must comply with the current good manufacturing practice (CGMP) regulations for medical devices in 21 CFR Part 820, including validation of the sterilization process. Sterile process validation consists of careful attention to a number of factors including selecting of quality materials, adequate process design, control of the process, and in-process and final product testing. During sterile process validation, sterilization is challenged with a microbially contaminated product to determine whether the sterilization procedure eliminates microbial contamination. Sterile process validation is necessary because no sampling plan applying sterility tests to a specified proportion of discrete units in a lot is capable of showing with complete assurance that all of the untested units are in fact sterile. In the **Federal Register** of July 19, 1984 (49 FR 29272), FDA announced the availability of a working draft guideline entitled "Guideline on General Principles of Process Validation" (March 1984).

Further, FDA advises that it requires manufacturers of Blood Grouping Serum to add a preservative to the in vitro diagnostic product to prevent development of any microbial contamination during use of the product. In FDA's CGMP regulations for blood and blood components (21 CFR 606.65(c)), the agency also requires that blood banks perform daily checks for potency and specificity of Blood Grouping Serum to assure that the product continues to perform properly

1. In proposed § 660.20(a), FDA is proposing to require that Blood Grouping Serum be "manufactured by a method demonstrated to yield consistently a sterile product," instead of defining the product as a "sterile preparation." Under procedures in § 610.12(g)(4), FDA also is proposing to allow manufacturers of Blood Grouping Serum to submit data to FDA and request that FDA exempt the product from final product sterility tests. Where a manufacturer submits data which the Director, Office of Biologics Research and Review (HFN-800), finds adequate to establish that a manufacturer's methods of preparation and process controls for Blood Grouping Serum assure its safety and effectiveness without the manufacturer performing a final product sterility test on each lot, the Director may exempt the from the sterility testing requirements, subject to any conditions necessary to assure the safety, purity, and potency of the product. If FDA granted a manufacturer of Blood Grouping Serum an exemption under the proposed procedures above, the manufacturer still would be required to (1) assure the product is sterile, (2) perform scheduled final product sterility tests of certain lots of Blood Grouping Serum to show that the sterile process is validated as required by the CGMP regulations; and (3) add a preservative to the in vitro diagnostic product to prevent development of microbial contamination.

Accordingly, FDA is proposing to amend § 660.20(a) to provide that where a manufacturer submits data which FDA finds adequate to establish that the manufacturer's methods of preparation of Blood Grouping Serum assure the sterility of the product without performance of a final product sterility test on each lot, FDA may exempt the manufacturer from performing the final product sterility test on each lot that is required by § 610.12. The agency also is proposing to remove from § 660.21(a)(3) the phrase "and that each sublot is sterile as specified in § 610.12 of this chapter" and remove the word "sterile" from § 660.21(d) (redesignated § 660.21(c)), because the language is unnecessary.

FDA believes that implementation of these proposed exemption procedures would not reduce current levels of consumer protection and may reduce manufacturer's costs.

2. FDA is proposing to revise the definition of "source" in § 660.20(b) to allow the use of protein-rich fluid as a source of the product. This fluid may be derived from immunoglobulin-secreting cell lines maintained either in tissue cultures or in secondary hosts. The proposed revised definition of the term "source" allows the future use of monoclonal antibodies as a substitute for human or animal serum.

3. The agency is proposing to clarify § 660.21(a)(1) by cross-referencing the current requirements in 21 CFR 601.2 that stability testing be performed on representative samples of each group of Blood Grouping Serum manufactured in the same manner. The requirements in § 601.2 are intended to ensure the continued effectiveness of a biologic drug product, such as Blood Grouping Serum, throughout its dating period.

4. The agency is proposing to amend § 660.21(a)(2) to permit the preparation of sublots directly at the time of filtration. The current regulation, which prohibits the filtering of Blood Grouping Serum directly into sublot conteiners, is based on the concern that filtering the material may affect its potency and, therefore, the preparation of sublots at the time of filtration would create sublots of varying potencies. The proposed amendment would permit the bulk material that has been fully processed to be mixed in a single vessel prior to filtration and then filtered directly into more than one sublot vessel.

Experience in testing lots of Blood Grouping Serum since the additional standards were published in 1977 demonstrates that the passage of the product through filters subject to current FDA approvals does not significantly alter the product's potency. Filters currently used are unlikely to cause any significant dilution of the product in the first vessel filled during the filtration process. Accordingly, the proposed amendment would permit a lot of bulk material to be filtered directly into more than one sublot vessel.

5. The agency is proposing to delete from § 660.21(b) the restriction preventing the addition of color to the product to code certain types of Blood Grouping Sera. This restriction was imposed because of a concern that color additives might affect adversely the stability or performance of the product. The color restriction was also based on a concern that a technologist might identify a product solely by the color of the reagent. Recent experience has shown, however, that the antibody designation in large type on the container label eliminates the likelihood that the product would be identified solely by the color of the product. Furthermore, the addition of color to the product helps assure that automated equipment used by blood banks in processing large numbers of units is

properly adding the reagent. Therefore, proposed § 660.21(b) would create flexibility for manufacturers by permitting coloring in Blood Grouping Sera if the manufacturer can demonstrate that the added color additive does not affect adversely the stability or performance of the product and use of the color additive has been approved by the Director, Office of Biologics Research and Review, before it is used.

6. FDA is proposing to delete § 660.21(c) and to redesignate § 660.21(d) through (f) as § 660.21(c) through (e). Current section 660.21(c) requires that dropper bulbs be black in color if the dropper bulbs are not color coded to match the color of the label of each antiserum.

This requirement was imposed because the color white was being reserved for furture use with the container dropper bulbs for Anti-Human Globulin Serum. However, the proposed additional standards for Anti-Human Globulin Serum, published in the Federal Register of April 30, 1982 (47 FR 18623), do not require the use of white dropper bulbs so there is no need to continue the requirement that non-color coded dropper bulbs used with Blood Grouping Sera containers be colored black.

Current § 660.21(c) also contains language permitting the container dropper bulb to be color coded to match the color of the label of each antiserum. In proposing to delete current § 660.21(c), FDA does not intend to prohibit such color coding, which would continue to be permissible. The agency merely believes that this option need not be stated in the biologics regulations. Although the agency is proposing no further amendments to this paragraph, the agency advises that if a manufacturer chooses to color-code final container tops (caps) to match final container labels, the tops should be color-coded to match final container labels as specified in proposed § 660.28(a)(1). If a manufacturer chooses not to color-code final container tops, the tops should be either white or black. The agency believes that this restriction is necessary to avoid confusion and to avoid inadvertent contamination problems.

7. Current § 660.21(e) lists a volume restriction for final containers of Blood Grouping Serum to minimize the potential for errors in labeling and the potential for contamination that accompany the transfer of reagents from larger to smaller containers more suited for daily use. FDA has reconsidered this requirement and believes that the daily performance checks now required under § 606.65(c) are adequate for detecting any errors in labeling or inadvertent contamination. Accordingly, FDA is proposing to amend § 660.21(e) (redesignated § 660.21(d)) to delete restrictions on final product volume. FDA is proposing to require that the manufacturer identify in its product license application the acceptable final container volumes.

8. In § 660.21(f) (redesignated § 660.21(e)), FDA is proposing to clarify the regulation by specifying the date of manufacture as the date the manufacturer begins the last entire group of potency tests. The current text of this regulation defines the date of manufacture as the date of initiation by the manufacturer to the last valid potency test. The proposed language would preclude a manufacturer from postponing the date of manufacture thereby extending indefinitely the apparent shelf life of the product by performing one last potency test long after all other final potency tests are completed. The proposed revised text is not intended to be a change in FDA policy and would assure that the date of manufacture reflects the date of the last group of potency tests required for certain Blood Grouping Sera when tested with various red blood cell suspensions.

9. FDA is proposing to amend §§ 660.22 and 660.24 through 660.27 concerning the use of reference Blood Grouping Sera and procedures for potency tests, specificity tests, and avidity tests. In place of many of the existing codified testing requirements and in accordance with procedures in §10.90(b)(10) of its administrative practices and procedures regulations, FDA is making available for public examination at the Dockets Management Branch (address above) its recommended testing procedures in a document entitled "Docket No. 84S-0181 Recommended Methods for Blood Grouping Sera Evaluation." The document includes a list of reference Blood Grouping Sera preparations and describes FDA's recommended procedures for potency tests, specificity tests, and avidity tests. FDA is making available its recommended methods in accordance with procedures in § 10.90(b)(10) to make the regulations more flexible and to facilitate expeditious changes in testing procedures consistent with advances in science.

FDA is proposing the following specific changes in the current regulations.

9a. In § 660.22 *Reference preparations*, FDA is proposing to add new paragraph (a) to ensure the potency of Blood Grouping Serum. The proposed requirement specifies that a potency titer value at least equal to that of the reference serum is required for products for which reference Blood Grouping Sera are available.

9b. FDA is proposing to delete § 660.23 *Red blood cell preparations* and § 660.24 *Potency test with reference preparations*. These sections will not be necessary because the information related to preparation of cell suspensions and potency testing with reference preparations are included in the "Recommended Methods for Blood Grouping Sera Evaluaton" document described above in paragraph 9.

9c. In § 660.25 *Potency test without reference preparations*, for the reasons given above in paragraph 9b, FDA is proposing to delete the specific testing steps in paragraph (a)(1) through (4) and redesignate paragraph (a)(5), which specifies the required results of such potency testing, as paragraph (a). The information being deleted is included in the "Recommended Methods for Blood Grouping Sera Evaluation" document.

9d. FDA is proposing to delete the specific testing procedures in § 660.26 *Specificity tests*, and § 660.27 *Avidity test*, and add new § 660.26 *Specificity tests and avidity tests*. New § 660.26 would require that specificity and avidity tests be performed by test procedures approved by FDA. Recommended test methods for both procedures are included in the "Recommended Methods for Blood Grouping Sera Evaluation" document.

10. The agency is clarifying § 660.25(c) on use of Blood Grouping Sera in automated systems. The agency is proposing this revision to allow manufacturers greater flexibility in performing potency tests while assuring that the Blood Grouping Serum is sufficiently potent to detect weakly reacting blood group antigens.

11. The agency is proposing to amend § 660.28(b)(13) by revising the current labeling statement required by this section, "In-Vitro Diagnostic Reagent For Professional Use Only" to read "For In Vitro Diagnostic Use." The revised labeling statement would then be consistent with the medical device labeling requirement in 21 CFR 809.10(a)(4). Blood Grouping Sera are medical devices that will continue to be regulated by the Center for Drugs and Biologics in accordance with a working agreement between the Center for Drugs and Biologics and the Center for Devices and Radiological Health (formerly the National Center for Devices and Radiological Health), as announced in

the Federal Register of April 9, 1982 (47 FR 15412).

12. The agency is proposing to delete all synonyms used to identify blood group specificities currently listed in § 660.28(d). The agency is proposing this change in response to a consensus concerning blood group terminology reached in June 1983, at the International Conference of Investigative Immunohematologists at the Springhill Conference Center, Wayzota, MN. The recommendations from the conference were published in the scientific journal, *Transfusion* (Issit, P. D., and M. C. Crookston, "Invited Review—Blood Group Terminology: Current Conventions," January-February 1984, Vol. 24:1, p. 2). The agency agrees with the recommendation made at this meeting to use only one name for each blood group specificity to more clearly identify the product and reduce the possibility of confusion. The attendees at that conference also recommended deletion of the bar line over the letter in the name of each of the blood group specificities Anti-c, Anti-k, and Anti-s, when the name of each of these blood group specificities is used on a final container label. However, the agency disagrees with this recommendation. To avoid confusion with blood group specificities Anti-C, Anti-K, and Anti-S, FDA believes that, when the name of each of these three blood group specificities is used on a final container label, the bar line should continue to be used over the letter in the name.

Accordingly, the agency is proposing to amend § 660.28(d) by removing the optional synonyms for the package label and the package insert. On final container labels, FDA is proposing to continue to require that blood group specificities Anti-c, Anti-k, and Anti-s have a bar line over the letter in the name (i.e., the name on the final container label would be Anti-c̄, Anti-k̄, or Anti-s̄).

13. FDA believes that the specific lost release requirements in § 660.29 for Blood Grouping Serum products are no longer necessary to ensure safe, pure, potent, and efficacious products. The specific lot release requirements for Blood Grouping Serum products supplement the general lot release requirements in 21 CFR 610.1 and 610.2(a) that are applicable to any biological product. The general lot release regulations authorize the agency to require official lot release for any biological product at any time the agency believes lot release is necessary. To allow the agency the flexibility to modify or waive lot release requirements for Bood Grouping Serum products, the agency is proposing to delete the specific requirements for samples, protocols, and official release for such products now in § 660.29 and instead to use when necessary the authority for lot release in §§ 610.1 and 610.2(a) of the general biologics regulations.

14. FDA recently issued a rule (April 18, 1984; 49 FR 15186) to establish a new section "Equivalent methods" in 21 CFR 610.9. The new section allows manufacturers to use test procedures or manufacturing processes for any biological product that are different from those in the additional standards, when such different procedures or processes have been determined by the Director, Office of Biologics Research and Review (HFN–800), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205, to provide equal to or greater assurance of the safety and effectiveness of the product than the requirement in the additional standards. For a series of biological products, the agency also removed from the additional standards the separate provisions for equivalent methods, because such separate provisions now are unnecessary. Accordingly, in the rule FDA removed the equivalent methods provisions for Blood Grouping Serum which were in § 660.25(d).

In addition to the changes proposed above, the agency is proposing to make other minor clarifying changes in the regulations, such as making typographical corrections and adding three antibodies to its listing of Blood Grouping Serum antibodies in proposed § 660.28 (Anti-Co^b, Anti-Js^b, and Anti-Wr^a). For easier review, FDA has included in the proposed codified language both the proposed revisions to the regulations and any current codified language FDA proposes to continue without revision.

The agency has determined pursuant to 21 CFR 25.24(d)(10) (proposed December 11, 1979; 44 FR 71742) that this proposed action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an evironmental impact statement is required.

Sections 660.21, 660.22, 660.25, 660.26, and 660.28 of this proposed rule contain collection of information requirements. As required by section 3504(h) of the Paperwork Reduction Act of 1980, FDA has submitted a copy of this proposed rule to the Office of Management and Budget (OMB) for its review of these collection of information requirements. Other organizations and individuals desiring to submit comments on the collection of information requirements should direct them to FDA's Dockets Management Branch (address above) and to the Office of Information and Regulatory Affairs, OMB, Rm. 3208, New Executive Office Bldg., Washington, DC 20503, Attn: Bruce Artim.

The agency has examined the economic consequences of this proposed rulemaking and has determined that it does not require either a regulatory impact analysis, as specified in Executive Order 12291, or a regulatory flexibility analysis, as defined in the Regulatory Flexibility Act (Pub. L. 96–354). The proposed amendments to the additional standards are expected to be beneficial to manufacturers of Blood Grouping Serum because the proposed changes relieve certain burdens on the industry, such as deletion of the specific lot release requirements. Other proposed changes in the current biologic regulations are intended to allow manufacturers of these products greater flexibility and greater discretion in manufacturing and marketing their products while maintaining the same level of consumer protection. There are eight licensed manufacturers of Blood Grouping Sera. The agency estimates that annual sales of Blood Grouping Sera exceed $25 million. The proposed amendments to the additional standards will offer important, but difficult to measure, cost savings to manufacturers of these products. The agency concludes that the proposed rule is not a major rule as defined by Executive Order 12291. Further, the agency certifies that the proposed rule, if implemented, will not have a significant impact on a substantial number of small entities, as defined in the Regulatory Flexibility Act.

List of Subjects

21 CFR Part 600

Biologics.

21 CFR Part 660

Biologics, Labeling.

Therefore, under the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), it is proposed that Parts 600 and 660 be amended as follows:

PART 600—BIOLOGICAL PRODUCTS: GENERAL

1. In Part 600 by adding new § 600.1 to read as follows:

§ 600.1 Scope.

(a) The regulations regarding licensing of biological establishments and biological products in Parts 600, 601, and 610 shall apply to any manufacturer of a biological product intended for human use that is subject to licensure under section 351 of the Public Health Service Act, and where applicable, to unlicensed biological products or devices, to biological source materials, and to testing laboratories approved by the Food and Drug Administration. All of the regulations in Subchapter F—Biologics (Parts 606 through 680) shall be considered to supplement the regulations in Parts 600 and 601.

(b) The regulations in Part 606 regarding current good manufacturing practice for blood and blood components and Parts 207 and 607 regarding establishment registration and product listing shall be considered to supplement Parts 600 and 601 and apply to manufacturers that produce licensed blood and blood components and manufacturers that produce nonlicensed blood and blood components (such as manufacturers that ship blood and blood components only in intrastate commerce).

(c) The regulations in Parts 210 and 211 regarding current good manufacturing practice for drugs shall be considered to supplement, not supersede, Parts 600, 601, and 606. Parts 210 and 211 shall be considered to apply to manufacturers of a blood and blood component and manufacturers of a biologic product other than a blood and blood component, such as manufacturers of a poliomyelitis vaccine or an allergenic extract.

(d) The regulations in Part 820 regarding current good manufacturing practices for medical devices shall apply to manufacturers of those biological products that are also medical devices.

(e) In the event it is impossible to comply with two or more applicable regulations, the regulation specifically applicable to the biological product in question shall apply.

(f) References in Subpart F—Biologics to regulatory sections of the Code of Federal Regulations are to Chapter I of Title 21 unless otherwise noted.

PART 660—ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS

2. By revising Part 660, Subpart C, consisting of §§ 660.20 through 660.28, as follows:

Subpart C—Blood Grouping Serum

Sec.

660.20 Blood Grouping Serum.
660.21 Processing.
660.22 Potency requirements with reference preparations.
660.25 Potency tests without reference preparations.
660.26 Specificity tests and avidity tests.
660.28 Labeling.

Subpart C—Blood Grouping Serum

§ 660.20 Blood Grouping Serum.

(a) *Proper name and definition.* The proper name of this product shall be Blood Grouping Serum and it shall consist of an antibody-containing fluid prepared by a method demonstrated to yield consistently a sterile product and containing one or more of the blood grouping antibodies listed in § 660.28(d). Under procedures in § 610.12(g)(4), where a manufacturer submits data which FDA finds adequate to establish that the manufacturer's methods of preparation of Blood Grouping Serum assure the sterility of the product without performance of a final product sterility test on each lot, the Director, Office of Biologics Research and Review, may exempt the manufacturer from performing the final product sterility test on each lot that is required by § 610.12.

(b) *Source.* The source of this product shall be blood, plasma, serum, or protein-rich fluids, such as those derived from stable immunoglobulin-secreting cell lines maintained either in tissue cultures or in secondary hosts.

§ 660.21 Processing.

(a) *Processing method.* (1) The processing method shall be one that has been shown to yield consistently a specific, potent final product, free of properties that would affect adversely the intended use of the product throughout its dating period. Stability testing shall be performed on representative samples of each group of products manufactured in the same fashion, as required in § 601.2.

(2) Only that material that has been fully processed, thoroughly mixed in a single vessel, and sterile filtered shall constitute a lot.

(3) A lot may be subdivided into clean, sterile vessels. Each subdivision shall constitute a sublot. If lots are to be subdivided, the manufacturer shall include this information in the license application. The manufacturer shall describe the test specifications to verify that each sublot is identical to other sublots of the lot.

(4) Each lot of Blood Grouping Serum shall be identified by a lot number. Each sublot shall be identified by that lot number to which a distinctive prefix or suffix shall be added. Final container and package labels shall bear the lot number and all distinctive prefixes and suffixes that have been applied to identify the sublot from which filling was accomplished.

(b) *Color coding of antisera.* Blood Grouping Sera may be colored provided the added color additive does not adversely affect the stability or performance of the product.

(c) *Final containers and dropper assemblies.* Final containers and dropper pipettes shall be colorless and sufficiently transparent to permit observation of the contents to detect particulate matter or increased turbidity during use.

(d) *Volume of final product.* Each manufacturer shall identify the possible final container volumes in the product license application.

(e) *Date of manufacture.* The date of manufacture shall be the date the manufacturer begins the last entire group of potency tests.

§ 660.22 Potency requirements with reference preparations.

(a) *Potency requirements.* Products for which reference Blood Grouping Sera are available shall have a potency titer value at least equal to that of the reference sera.

(b) *Reference preparations.* Reference Blood Grouping Sera shall be obtained from the Office of Biologics Research and Review (HFN–890), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205, and shall be used as described in the accompanying package insert for determining the potency of Blood Grouping Sera.

§ 660.25 Potency tests without reference preparations.

Products for which Reference Blood Grouping Sera are not available shall be tested for potency by a method approved by the Director, Office of Biologics Research and Review (HFN–800), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205.

(a) *Potency requirements.* Blood Grouping Sera recommended for the test tube methods, including the indirect antiglobulin tests, shall have the following potency titer value, unless other values are approved by the Director, Office of Biologics Research and Review (HFN–800), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethedsa, MD 20205.

(1) For Anti-K, Anti-k, Anti-Jk^a, Anti-Fy^a, Anti-C^w, at least 1 + reaction with a 1:8 dilution of antiserum.

(2) For Anti-S, Anti-s, Anti-P_1, Anti-M, Anti-I, Anti-e (saline), Anti-c (saline), and Anti-A_1, at least 1+ reaction with a 1:4 dilution of the antiserum.

(3) For Anti-U, Anti-Kp^a, Anti-Kp^b, Anti-Js^a, Anti-Js^b, Anti-Fy^b, Anti-N, Anti-Le^a, Anti-Le^b, Anti-Di^a, Anti-M^g, Anti-JK^b, Anti-Co^b, Anti-Wr^a, and Anti-Xg^a, at least 2+ reaction with undiluted serum.

(b) *Products recommended for slide tests.* Blood Grouping Serum recommended for slide test methods shall produce clumps of agglutinated cells that provide a clearly positive, macroscopic result when both undiluted serum and a 1:2 dilution of serum are tested by all methods recommended in the manufacturer's package insert using red blood cells heterozygous for the corresponding antigen. The dilution shall be made with an equal volume of compatible serum or approved diluent.

(c) *Products recommended for use in an automated system.* The manufacturer of Blood Grouping Serum that is recommended for use in an automated system shall demonstrate that its product satisfactorily performs when tested with antigens representing the lower extremes of phenotypic expression.

§ 660.26 Specificity tests and avidity tests.

Specificity and avidity tests shall be performed using test procedures approved by the Director, Office of Biologics Research and Review (HFN-800), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205.

§ 660.28 Labeling.

In addition to the applicable labeling requirements of §§ 610.62 through 610.65 and § 809.10, and in lieu of the requirements in §§ 610.60 and 610.61, the following requirements shall be met:

(a) *Final container label*—(1) *Color coding.* The final container label of all Blood Grouping Sera shall be completely white, except that all or a portion of the final container label of the following antisera may be color coded with the specified color which shall be a visual match to a specific color sample designated by the Director, Office of Biologics Research and Review (HFN-800), Center for Drugs and Biologics, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205. Printing on all final container labels shall be in solid black.

Blood grouping serum	Color of labie paper
Anti-A	Blue.
Anti-B	Yellow.

Blood grouping serum	Color of labie paper
Slide and rapid tube test sera only:	
Anti-C	Pink.
Anti-D	Gray.
Anti-E	Brown.
Anti-CDE	Orange.
Anti-c	Lavender.
Anti-e	Green.

(2) *Required information.* The proper name "Blood Grouping Serum" need not appear on the final container label provided the final container is distributed in a package and the package label bears the proper name. The final container label shall bear the following information.

(i) Name of the antibody or antibodies present as set forth in paragraph (d) of this section.

(ii) Name, address (including ZIP Code), and license number of the manufacturer.

(iii) Lot number, including sublot designations.

(iv) Expiration date.

(v) Source of product if other than human.

(vi) Test method(s) recommended.

(vii) Recommended storage temperature in degrees Celsius.

(viii) Volume of product if a liquid, or equivalent volume for a dried product if it is to be reconstituted.

(ix) If a dried product, to remind users to record the reconstitution date on the label, the statement "RECONSTITUTION DATE . EXPIRES 1 YEAR AFTER RECONSTITUTION DATE."

(3) *Lettering size.* The type size for the specificity of the antibody designation on the labels of a final container with a capacity of less than 5 milliliters shall be not less than 12 point. The type size for the specificity of the antibody designations on the label of a container with a capacity of 5 milliliters or more shall be not less than 18 point.

(4) *Visual inspection.* When the label has been affixed to the final container, a sufficient area of the container shall remain uncovered for its full length or no less than 5 millimeters of the lower circumference to permit inspection of the contents.

The label on a final product container for antibodies Anti-c, Anti-k, or Anti-s shall display a bar immediately over the specificity letter used in the name, i.e., Anti-c, Anti-k, or Anti-s.

(b) *Package label.* The following information shall appear either on the package label or on the final container label if it is visible within the package.

(1) Proper name of the product.

(2) Name of the antibody or antibodies present as set forth in paragraph (d) of this section.

(3) Name, address (including ZIP Code), and license number of the manufacturer.

(4) Lot number, including sublot designations.

(5) Expiration date.

(6) Preservative used and its concentration.

(7) Number of containers, if more than one.

(8) Volume or equivalent volume for dried products when reconstituted, and precautions for adequate mixing when reconstituting.

(9) Recommended storage temperature in degrees Celsius.

(10) Source of the product if other than human.

(11) Reference to enclosed package insert.

(12) If a dried product, a statement indicating the period within which the product may be used after reconstruction.

(13) The statement: "FOR IN VITRO DIAGNOSTIC USE."

(14) The statement: "MEETS FDA POTENCY REQUIREMENTS."

(15) If human blood was used in manufacturing the product, the statement: "CAUTION: SOURCE MATERIAL FROM WHICH THIS PRODUCT WAS DERIVED WAS FOUND NONREACTIVE FOR HB$_s$Ag WHEN TESTED WITH LICENSED REAGENTS. NO KNOWN TEST METHOD CAN OFFER ASSURANCE THAT PRODUCTS DERIVED FROM HUMAN BLOOD WILL NOT TRANSMIT HEPATITIS." or "CAUTION: SOURCE MATERIAL FOR THIS PRODUCT WAS REACTIVE WHEN TESTED FOR HB$_s$Ag AND MAY TRANSMIT HEPATITIS," whichever is applicable. If the source material is nonreactive in a test for HB$_s$Ag and there is insufficient space on the package label to include the entire statement, the required statement may be included in the package insert and the statement: "CAUTION: HANDLE AS IF CAPABLE OF TRANSMITTING HEPATITIS" shall be used on the package label.

(16) A statement of an observable indication of an alteration of the product, e.g., turbidity, color change, precipitate, that may indicate possible deterioration of the product.

(c) *Package insert.* Each final container of Blood Grouping Serum shall be accompanied by a package insert meeting the requirements of § 809.10. If two or more final containers requiring identical package inserts are placed in a single package, only one package insert per package is required.

(d) *Names of antibodies.*

Blood group designation for container label	
Anti-A	
Anti-A_1	
Anti-B	
Anti-A,B	
Anti-Co^a	
Anti-Di^a	
Anti-Fy^a	
Anti-Fy^b	
Anti-I	
Anti-Jk^a	
Anti-Jk^b	
Anti-Js^a	
Anti-Js^b	
Anti-K	
Anti-k	
Anti-Kp^a	
Anti-Kp^b	
Anti-Le^a	
Anti-Le^b	
Anti-M	
Anti-N	
Anti-M^a	
Anti-P_1	
Anti-D	
Anti-CD	
Anti-DE	
Anti-CDE	
Anti-C	
Anti-E	
Anti-c	
Anti-e	
Anti-C^w	
Anti-S	
Anti-s	
Anti-U	
Anti-Wr^a	
Anti-Xg^a	

Interested persons may, on or before May 6, 1985 submit to the Dockets Management Branch (address above), written comments regarding this proposal. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: December 31, 1984.

Frank E. Young,

Commissioner of Food and Drugs.

[FR Doc. 85-5225 Filed 3-4-85; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-134-84; LR-167-84]

Foreign Management and Foreign Economic Processes Requirements of a Foreign Sales Corporation and FSC General Rules, Requirements, Definitions, and Special Rules; Public Hearing

AGENCY: Internal Revenue Service, Treasury Department.

ACTION: Notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to foreign management and foreign economic processes requirements of a foreign sales corporation, and relating to the requirements that a corporation must meet to be a foreign sales corporation (FSC) (or small FSC) and tax treatment of a FSC (or small FSC) and specific rules regarding the requirements for FSC or small FSC status, the methods of electing and terminating FSC status, and the definition of and computation of carrying charges on sales of property by a FSC.

DATES: The public hearing will be held on Monday, May 13, 1985, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by Monday, April 29, 1985.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. The requests to speak and outlines of oral comments should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-134-84, LR-167-84), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: B. Faye Easley of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, telephone 202-566-3935 (not a toll-free call).

SUPPLEMENTARY INFORMATION: One of the two subjects of the public hearing is proposed regulations under sections 924, 925 and 927 of the Internal Revenue Code of 1954. The proposed regulations appeared in the **Federal Register** for Wednesday, December 12, 1984 (49 FR 48321).

The second subject of the public hearing is proposed regulations under sections 921, 922, and 927 of the Internal Revenue Code of 1954. The proposed regulations appeared in the **Federal Register** for Wednesday, December 12, 1984 (49 FR 48322).

The rules of § 601.601 (a)(3) of the "Statement of Procedural Rules" (26 CFR 601) shall apply with respect to the public hearing. Persons who have submitted comments within the time prescribed in the notices of proposed rulemaking and who also desire to present oral comments at the hearing on the proposed regulations should submit, not later than Monday, April 29, 1985, an outline of the oral comments to be presented at the hearing and the time they wish to devote to each subject.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of the time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

By direction of the Commissioner of Internal Revenue.

Peter K. Scott,

Acting Director, Legislation and Regulations Division.

[FR Doc. 85-5202 Filed 3-4-85; 8:45 am]

BILLING CODE 4830-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL-2790-4]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Proposed rulemaking.

SUMMARY: USEPA announces today proposed rulemaking on a revision to the ozone portion of the Ohio State Implementation Plan (SIP) for volatile organic compound (VOC) for Harrison Radiator, General Motors Corporation (Harrison Radiator) North and South facilities located in Montgomery County, Ohio. This revision will provide for an inter-facility alternative emission control program plan (bubble) between seven metal coating lines and eight degreasers. USEPA's action is based upon a revision which was submitted by the State.

DATE: Comments on this revision and on the proposed USEPA action must be received by April 4, 1985.

ADDRESSES: Copies of the SIP revision are available at the following addresses for review. (It is recommended that you telephone Uylaine E. McMahan, at (312) 353-0396 before visiting the Region V office).

Environmental Protection Agency, Region V, Air and Radiation Branch, 230 South Dearborn Street, Chicago, Illinois 60604

Ohio Environmental Protection Agency, Office of Air Pollution Control, 361 East Broad Street, Columbus, Ohio 43216

Comments on this proposed rule should be addressed to: (Please submit an original and ten copies if possible) Gary Gulezian, Chief, Regulatory Analysis Section, Air and Radiation Branch (5AR-26), USEPA, Region V, 230 South Dearborn, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Uylaine McMahan (312) 353-0396.

SUPPLEMENTARY INFORMATION: On April 7, 1982 (47 FR 15076), the Environmental Protection Agency issued a proposed "Emissions Trading Policy Statement" (ETPS) which sets forth general principles for the creation, banking and use of emission reduction credits. This statement indicated that it is the policy of USEPA to encourage use of emissions trades to achieve more flexible, rapid and efficient attainment of national ambient air quality standards. It describes emissions trading, sets out general principles USEPA will use to evaluate emissions trades under the Clean Air Act, and expands opportunities for States and industry to use these less costly control approaches. The April 7, 1982, notice noted that, until USEPA takes final action on its policy statement, State actions involving emission trades would be evaluated under the provisions set forth in the proposed statement.

On November 25, 1983, May 6, 1983, and April 6, 1984, the Ohio Environmental Protection Agency (OEPA) submitted materials constituting a proposed revision to its ozone SIP for Harrison Radiator. Harrison Radiator has two metal coating facilities, one is the North facility located in downtown Dayton and the other is the South facility located in the City of Moraine. Both are located in Montgomery County, Ohio, which is an urban nonattainment area.

Under the existing federally approved SIP, each metal coating line is subject to the control requirements contained in Ohio Administrative Code (OAC) Rule 3745-21-09(U)(1)(a)(iii). Rule 3745-21-09(U)(1)(a)(iii) requires an emission rate of 3.5 pounds of VOC per gallon of coating, excluding water. USEPA approved these rules as meeting the Clean Air Act's reasonably available control technology (RACT) requirements on June 29, 1982.

In lieu of limitations contained in the SIP, the State is proposing an interfacility bubble between seven metal coating lines located at Harrison Radiator's north facility and south facility and eight degreasers located at the north facility. The VOC emissions from the seven metal coating lines will be offset by eliminating organic emissions from eight degreasers at the north facility. The emissions reductions beyond RACT from the degreasers provide the necessary offsets for this revision.

RACT Baseline

Ohio's degreaser regulations, which are comparable to the CTG requirements, consist of work practices and equipment standards. OEPA considers 50 percent control as the RACT baseline for those Harrison Radiator degreasers which provide the offsets. RACT for degreasers is comprised of control equipment and/or operating requirements. Degreasers L002, L003, L004, L005, L006, L009 and L010 are conveyorized degreasers.

The USEPA document "Control of Volatile Organic Emissions from Solvent Metal Cleaning" describes RACT for degreasers and estimates the resulting control efficiency. The RACT control efficiency for conveyorized degreasers is estimated at 25 to 60 percent in this document.

Source L014 is a cold dip degreaser. The estimated RACT control efficiency for cold cleaners (based upon the above mentioned USEPA document) is 50 to 53 percent.

Therefore, an overall RACT baseline of 50 percent is reasonable.

The coating lines currently employ a single coating air-dry enamel coating 4.77 pounds of VOC per gallon of coating, excluding water. On a solids basis, daily VOC emissions from the air-dry enamel paints and a compliance coating differ by 1758.23 pounds of VOC; the annual difference is 219.78 tons of VOC emissions. Therefore, an adequate alternative emission control strategy must demonstrate emission reduction credits in excess of these two quantities. The source is required to notify the OEPA immediately if any new coating other than the one they are currently using (4.77 lbs of VOC coating per gallon, excluding water) is employed in its metal coating lines.

Proposed emission reductions from the degreasers have been accomplished through solvent replacement and solvent elimination. All of the emission reduction measures were installed after the year 1980. The eight degreasers have previously used stoddard solvent. The eight stoddard units have either undergone organic solvent replacement with a water wash, or do not employ any type of degreasing agent.

A description of the eight stoddard units, along with their previous permitted usage, is presented below:

L003	Mar. 1982	Using Conveyor Tracks Only, No Solvent	63.8 Tons per year.
L004	May 1982	Converted to 1-3 percent Washing Oil Water Wash.	63.8 Tons per year.
L005	Sept. 1981	Using Blow-Off Conveyor Only, No Solvent	63.8 Tons per year.
L006	Sept. 1981	Converted to 1-3 percent Washing Oil Water Wash.	63.8 Tons per year.
L009	Mar. 1982	Converted to 1-3 percent Washing Oil Water Wash.	63.8 Tons per year.
L010	Sept. 1981	Converted to 1-3 percent Washing Oil Water Wash.	63.8 Tons per year.
L002	June 1981	Converted to Machine Cleaner Water Wash	(1)
L014	Apr. 1991	Converted to Machine Cleaner Water Wash	(1)

[1] L002 and L014 combined permitted usage is 83.8 Tons per year.

Stoddard units L003, L004, L005, L006, L009, and L010 have been restricted to zero emissions. (See Ohio EPA's May 6, 1983, Director's Final Findings and Orders.) The OEPA submitted revised Findings and Orders on September 10, 1984, which would restrict degreasers L002 and L014 to zero VOC emissions.

There are 283.33 tons/year (2194.4 lbs/day) of offsets available from the eight degreasers. This is more than sufficient to offset the increased allowable paint system emissions of 219.78 tons/year and 1758.23 lbs/day. Information regarding the quantification of emission reductions for this revision are available in the April 5, 1984, technical support document for this action.

USEPA has determined that the proposed bubble is consistent with USEPA's April 7, 1982, proposed bubble policy. Therefore, USEPA is proposing to approve the Harrison Radiator bubble as a revision to the Ohio State Implementation Plan.

USEPA is providing a 30-day comment period on this notice of proposed rulemaking. Public comments received on or before April 4, 1985 will be considered in USEPA's final rulemaking. All comments will be available for inspection during normal business hours at the Region V office listed at the front of this notice.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Secs. 110 and 172 of the Clean Air Act, as amended (42 U.S.C. 7410, 7502, and 7601(a)))

Dated: June 29, 1984.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 85-5264 Filed 3-4-85; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Parts 52 and 81

[EPA Action MO 1699; A-7-FRL-2790-5]

Designation of Areas for Air Quality Planning Purposes; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: Section 107(d) of the Clean Air Act, as amended, provides for the designation of areas as either attainment, nonattainment, or unclassified with respect to the National Ambient Air Quality Standards (NAAQS). EPA today proposes to redesignate the New Madrid, Missouri, area from secondary nonattainment to attainment with respect to the NAAQS for total suspended particulates (TSP). This proposal is based on a request from the Missouri Department of Natural Resources (MDNR).

DATE: Public comments should be received by April 4, 1985.

ADDRESSES: Public comments should be sent to Daniel J. Wheeler, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106. The State submitted information and the EPA prepared Technical Support Document are available for inspection during normal business hours at the above address, and at the Missouri Department of Natural Resources, 1101 Rear Southwest Boulevard, Jefferson City, Missouri.

FOR FURTHER INFORMATION CONTACT: Daniel J. Wheeler at (816) 374-3791 or FTS 758-3791.

SUPPLEMENTARY INFORMATION: In response to section 107(d) of the Clean Air Act, as amended, EPA and the State of Missouri have designated all areas of the State as attaining the NAAQS, not attaining the NAAQS, or having insufficient data to make a determination. An attainment area is one in which the air pollution does not exceed the standards. A nonattainment area is one in which air quality is worse than the standards. An unclassified area is one for which there are insufficient data to determine whether the area is attainment or nonattainment. At 40 CFR Part 81, Subpart C, the areas of the State which are nonattainment for one or more pollutants are identified.

On December 17, 1984, the MDNR submitted a request to redesignate the New Madrid area from secondary nonattainment to attainment with respect to the NAAQS for TSP. The secondary NAAQS for TSP is a 24-hour value of 150 micrograms per cubic meter, not to be exceeded more than once per year.

The current Section 107 designation policy is summarized in a memorandum from EPA's Office of Air Quality Planning and Standards (OAQPS), dated April 21, 1983. The agency redesignation policy is further clarified in a December 23, 1983, memorandum from the Control Programs Operations Branch of OAQPS. In general, eight quarters of monitoring data should be used to support redesignation requests. There should also be evidence of an EPA approved State Implementation Plan (SIP) control strategy. In the absence of an approved SIP, permanent and/or federally enforceable emission reductions, which would have the same impact as an approved SIP, can be used to support redesignation requests.

The New Madrid area was designated nonattainment for primary and secondary TSP standards on March 3, 1978 (43 FR 8962), based on the recommendation of the MDNR and on air quality data available at that time. The primary nonattainment designation was removed, and the secondary nonattainment designation retained, on September 22, 1980 (45 FR 62811) on the basis of 1977-1978 air quality data. Since that time, however, significant federally enforceable emission reductions have occurred at the two major TSP sources which impact the designated area. Although the State did not submit a revised control strategy for the nonattainment area, as contemplated by Part D of the Clean Air Act, these emission reductions have had the same impact as a Part D SIP, and are federally enforceable as they were achieved pursuant to the EPA approved 1972 SIP (see 37 FR 10875, May 31, 1972).

There are eight quarters (1982-1983) of monitoring data which show attainment at the four sites located within the designated area. During this period, eight exceedances (four each year) of the secondary standard occurred at a monitor site located about one mile outside of the designated area. The State has demonstrated that the two major TSP sources did not contribute significantly to the exceedances. The problem is attributed to rural fugitive and agricultural emissions. For this reason, and because the State did not request designation of a new nonattainment area, EPA does not believe that it would be appropriate to change the boundary to designate a nonattainment area around the monitoring site where the exceedances occurred. On the basis of the preceding discussion, the State's request satisfies EPA redesignation policy.

Therefore, EPA proposes to redesignate the New Madrid area from secondary nonattainment to attainment for TSP.

EPA is also proposing to clarify the applicability of the State's permitting rules to New Madrid. On June 22, 1982 (47 FR 26833), EPA approved a new Missouri Rule 10 CSR 10-6.060, Permits Required, and amendments to Rule 10 CSR 10-6.020, Definitions, involving the review and permitting of new sources of air pollution. Because the State had not designated New Madrid nonattainment, EPA took no action on these rules insofar as they pertain to the New Madrid TSP nonattainment area. EPA now proposes to remove the "no action" provision, thus the New Madrid area will become subject to these rules as a result of this redesignation.

Under 5 U.S.C. 605(b), I certify that this redesignation will not have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

This notice of proposed rulemaking is issued under the authority of sections 107, 110 and 301 of the Clean Air Act, as amended (42 U.S.C. 7407, 7410 and 7601).

List of Subjects in 40 CFR Parts 52 and 81

Air pollution control agency, Particulate matter.

Dated: January 28, 1985.

Morris Kay,

Regional Administrator.

[FR Doc. 85-5263 Filed 3-4-85; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR 31

Federal Acquisition Regulation (FAR); Contract Cost Principles and Procedures

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Defense Acquisition Regulatory Council and the Civilian Agency Acquisition Council are considering a revision of the Federal Acquisition Regulation (FAR) at FAR 31.109, Advance agreements, and FAR 31.205–46, Travel costs.

Recent studies by Government contract administration activities identified problems being experienced in establishing the reasonableness of the cost of corporate aircraft. Accordingly, the Defense Acquisition Regulatory Council and the Civilian Agency Acquisition Council have concluded that revisions to FAR 31.205–46 are necessary.

DATE: Comments on the proposed revisions should be submitted in writing to the FAR Secretariat at the address shown below on or before May 6, 1985, to be considered in the formulation of the final rule.

ADDRESS: Interested parties should submit written comments to: General Services Administration, Attn: FAR Secretariat (VR), 18th & F Streets, NW, Room 4041, Washington, DC 20405.

Please cite FAR Case No. 85–7 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT: Roger M. Schwartz, Director, FAR Secretariat, (202) 523–4755.

SUPPLEMENTARY INFORMATION: FAR 31.205–46(e)(2) presently contains five factors to be considered in determining the necessity of corporate aircraft. In their place, we are proposing the single criterion that the use of corporate aircraft is justifiable only when such use is specifically required for contract performance. Where such a contract requirement exists, the allowability of the costs of corporate aircraft will be subject to the general reasonableness test. In those cases where the use of corporate aircraft is not required in the performance of contracts, the allowability of flight costs will be limited to standard commercial equivalent fare, unless the excess costs are specifically approved by the administrative contracting officer. To make clear that an advance agreement may be used for formalizing contracting officer approval of costs in excess of coach or standard fares, we are proposing that FAR 31.109(h) be amended to include the costs of travel via corporate aircraft. The proposed language also requires that manifest/logs for all flights on company aircraft must be maintained and made available as a condition of allowability.

Contract administration problems have also been reported concerning the method of measuring the amount of unallowable cost when commercial air travel is via premium air accommodations. FAR 31.205–45(d) now states that the difference in cost between first-class air accommodations and less than first-class air accommodations is unallowable. We are proposing that the wording be amended to state that airfare costs in excess of coach or standard fare are unallowable. This change does not, in our view, represent any change in policy.

List of subjects in 48 CFR Part 31

Government procurement.

Therefore, it is proposed that 48 CFR Part 31 be amended as follows:

1. The Authority for Part 31 is:

Authority: 40 U.S.C. 486(c); Chapter 137, 10 U.S.C.; 42 U.S.C. 2453(c)).

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

2. Section 31.109 is amended by revising paragraph (h)(8) to read as follows:

31.109 Advance agreements.

* * * * *

(h) * * *

(8) Travel and relocation costs, as related to special or mass personnel movements and, as related to travel via contractor-owned, -leased, or -chartered aircraft;

* * * * *

3. Section 31.205–46 is amended by revising paragraphs (d) and (e) to read as follows:

31.205–46 Travel costs.

* * * * *

(d) Airfare costs in excess of coach or standard fare are unallowable except when such accommodations: require circuitous routing; require travel during unreasonable hours; excessively prolong travel; result in increased cost that would offset transportation savings, would offer accommodations not reasonably adequate for the physical or medical needs of the traveler, or are not reasonably available to meet necessary mission requirements. However, in order for airfare costs in excess of coach or standard fare to be allowable, the contractor must justify and document the applicable condition(s) set forth above.

(e) Costs of travel via contractor-owned, -leased, and -chartered aircraft are subject to the following:

(1) The cost of travel by contractor-owned, -leased, or -chartered aircraft as used in this paragraph, includes the cost of lease, charter, operation (including personnel), maintenance, depreciation, insurance, and other related costs. The cost is allowable when:

(i) The contractor makes available documentation as set forth in (3) below; and

(ii) The use of such aircraft is specifically required for contract performance.

(2) When a contractor-owned, -leased, or -chartered aircraft is not specifically required for contract performance, allowable travel costs shall be limited to the standard or coach fare for the flight destination, unless a higher amount is otherwise approved by the contracting officer based upon the facts and circumstances of the situation.

(3) In all cases, and whether or not the costs are claimed, the contractor is required to maintain and make available manifest/logs for *all* flights on company aircraft. As a minimum, the manifest/log shall indicate:

(i) Date, time, and points of departure;

(ii) Destination, date, and time of arrival;

(iii) Name of each passenger and relationship to the contractor;

(iv) authorization for trip; and

(v) Purpose of trip.

Dated: February 27, 1985.

Eugene M. Feinberg,

Acting Director, FAR Secretariat.

[FR Doc. 85–5212 Filed 3–4–85; 8:45 am]

BILLING CODE 6820–61–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 33

Refuge Specific Fishing Regulations

Correction

In FR Doc. 85–4003, beginning on page 7079 in the issue of Wednesday, February 20, 1985, make the following corrections:

§ 33.2 [Corrected]

1. On page 7082, in the second column, the last line of paragraph (e) of § 33.2 should read, "codified in §§ 33.5 through 33.54."

§ 33.4 [Corrected]

2. On page 7082, in the second column, the last line of § 33.4 should read, "§§ 33.1, 33.2, and 33.5 through 33.54."

§ 33.5 [Corrected]

3. On page 7082, in the second column, in § 33.5, the first paragraph should be designated "(a)" rather than "(1)".

BILLING CODE 1505-01-M

Notices

Federal Register
Vol. 50, No. 43
Tuesday, March 5, 1985

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

AFRICAN DEVELOPMENT FOUNDATION

Advisory Council Meeting

Time: 12:00 p.m.
Place: The Embassy Row Hotel.
Date: Monday, 18 March 1985.
Status: Open.
Matter To Be Considered: 1. ADF Orientation of New Advisory Council members.
Contact Person for More Information: Ms. Marjorie S. Cook (634–9853).

Leonard H. Robinson, Jr.,
President.

ADF Agency Number 11010006
ADF BOAC Number 953901

[FR Doc. 85–5372 Filed 3–4–85; 8:45 am]
BILLING CODE 6116–01–M

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Natural Resource Management Guide Meeting; Columbia, SC

AGENCY: Farmers Home Administration, USDA.

ACTION: Notice of meeting.

SUMMARY: This Farmers Home Administration (FmHA) State Office located in Columbia, South Carolina, is announcing a public information meeting to discuss its draft Natural Resource Management Guide.

DATES: Meeting on March 19, 1985, 10:00 a.m. to 12:00 noon. Comments must be received no later than April 18, 1985.

ADDRESS: Meeting location at Room 925, Federal Building, 1835 Assembly Street, Columbia, South Carolina.

Written Comments and Further Information Will Be Addressed to: State Director, FmHA, 1835 Assembly Street, Columbia, South Carolina 29201, (803) 765–5879.

All written comments will be available for public inspection during regular work hours at the above address.

SUPPLEMENTARY INFORMATION: FmHA's South Carolina State Office has prepared a draft Natural Resource Management Guide. The Guide is a brief document describing the major environmental standards and review requirements that have been promulgated at the Federal and local levels and that affect the financing of FmHA activities in South Carolina. The purpose of the meeting is to discuss the Guide as well as to consider comments and questions from interested parties. Copies of the Guide can be obtained by writing or telephoning the above contact.

Department of Agriculture

Any person or organization desiring to present formal comments or remarks during the meeting should contact FmHA in advance, if possible. It will also be possible at the start of the meeting to make arrangements to speak. Time will be available during the meeting to informally present brief, general remarks or pose questions. Additionally, a 30-day period for the submission of written comments will follow the meeting.

Dated: February 26, 1985.

Glendon D. Deal,
Acting Director, Program Support Staff.

[FR Doc. 85–5246 Filed 3–4–85; 8:45 am]
BILLING CODE 3410–07–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–043]

Printed Vinyl Film From Brazil; Preliminary Results of Administrative Review of Antidumping Finding and Tentative Determination to Revoke

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of Preliminary Results of Administrative Review of Antidumping Finding and Tentative Determination to Revoke.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on printed vinyl film from Brazil. The review covers Vulcan Material Plastico, S.A., the one known manufacturer and/or exporter of this merchandise to the United States currently covered by the finding, and the period August 1, 1983 through July 31, 1984. There were no known shipments of this merchandise to the United States during the period and there are no known unliquidated entries.

As a result of the review, the Department has tentatively determined to revoke the finding. There have been no known shipments of this merchandise to the United States by Vulcan Material Plastico, S.A. for over eight years. Interested parties are invited to comment on these preliminary results and tentative determination to revoke.

EFFECTIVE DATE: March 5, 1985.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois or J. Linnea Bucher, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 377–1130/5255.

SUPPLEMENTARY INFORMATION:

Background

On August 21, 1984, the Department of Commerce ("the Department") published in the **Federal Register** (49 FR 33158) the final results of its last administrative review of the antidumping finding on printed vinyl film from Brazil (38 FR 22794, August 24, 1973) and announced its intent to conduct the next administrative review. The Department has now conducted that administrative review.

Scope of the Review

Imports covered by the review are shipments of printed vinyl film, also known as printed polyvinyl chloride sheeting, currently classifiable under item 771.4312 of the Tariff Schedules of the United States Annotated.

The review covers the one known manufacturer and/or exporter of Brazilian printed vinyl film to the United States currently covered by the finding, Vulcan Material Plastico, S.A., and the period August 1, 1983 through July 31, 1984. There were no known shipments of this merchandise to the United States during the period and there are no known unliquidated entries.

Preliminary Results of Review and Tentative Determination to Revoke

Vulcan requested revocation of the finding. As provided for in §353.54(e) of the Commerce Regulations, Vulcan has agreed in writing to immediate suspension of liquidation and reinstatement of the finding under circumstances as specified in the written agreement. Vulcan has not shipped this merchandise to the United States for over eight years.

Therefore, we tentatively determine to revoke the finding on printed vinyl film from Brazil. If this revocation is made final it will apply to all unliquidated entries of this merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice.

Interested parties may submit written comments on these preliminary results and tentative determination to revoke within 30 days of the date of publication of this notice and may request disclosure and/or a hearing within 10 days of the date of publication. Any hearing, if requested, will be held 45 days after the date of publication or the first workday thereafter. The Department will publish the final results of the administrative review, including the results of its analysis of any such comments or hearing.

This administrative review, tentative determination to revoke, and notice are in accordance with sections 751 (a)(1) and (c) of the Tariff Act of 1930 (19 U.S.C. 1675 (a)(1), (c)) and §§ 353.53 and 353.54 of the Commerce Regulations (19 CFR 353.53, 353.54).

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

February 27, 1985.

[FR Doc. 85-5270 Filed 3-4-85; 8:45 am]

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[C-351-405]

Final Affirmative Countervailing Duty Determination; Cast-Iron Pipe Fittings from Brazil

February 25, 1985.

AGENCY: Imports Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We determine that certain benefits which constitute subsidies within the meaning of the countervailing duty law are being provided to manufacturers, producers, or exporters in Brazil of cast-iron pipe fittings The net subsidy is 18 percent *ad valorem* and 14.17 percent *ad valorem* for bonding purposes. We have notified the United States International Trade Commission (ITC) of our determination. We are directing the U.S. Customs Service to continue to suspend liquidation of all entries of cast-iron pipe fittings from Brazil that are entered or withdrawn from warehouse, for consumption, after December 12, 1984, and to require a cash deposit or bond on entries of these products in the amount equal to the net subsidy.

EFFECTIVE DATE: March 5, 1985.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Vincent Kane, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 377-3530 (LaCivita) or (202) 377-5414 (Kane).

SUPPLEMENTARY INFORMATION:

Final Determination

Based upon our investigation, we determine that certain benefits which constitute subsidies within the meaning of section 701 of the Tariff Act of 1930, as amended (the Act), are being provided to manufacturers, producers, or exporters in Brazil of cast-iron pipe fittings. For purposes of this investigation, the following programs are found to confer subsidies:

- IPI Export Credit Premium;
- Exemption for Export Earnings Income Tax;
- Working Capital Financing for Exports (Resolutions 674 and 882/950);
- Export Financing Under the CIC-CREGE 14-11 Circular;
- The CDI Program—Exemption of IPI Taxes and Customs Duties on Imported Equipment;
- The BEFIEX Program;
- The CIEX Program;
- Long-Term Loans under the ADTEN (Apoio ao Desenvolvimento Tecnologico da Empresa Nacional) of FINEP (Finaciadora de Estudos e Projetos).

We determine the net subsidy to be 18 percent *ad valorem* and 14.17 percent *ad valorem* for bonding purposes.

Case History

On September 18, 1984, we received a petition from the Cast-Iron Pipe Fittings Committee, on behalf of the U.S. industry producing certain cast-iron pipe fittings. In compliance with the filing requirements of § 355.26 of our regulations (19 CFR 355.26), the petition alleged that manufacturers, producers, or exporters in Brazil of certain cast-iron pipe fittings directly or indirectly receive benefits which constitute subsidies within the meaning of section 701 of the Act, and that these imports materially injure or threaten material injury to a U.S. industry.

We found that the petition contained sufficient grounds upon which to initiate a countervailing duty investigation, and on October 9, 1984, we initiated such an investigation (49 FR 28290). We stated that we expected to issue a preliminary determination by December 12, 1984.

Since Brazil is a "country under the Agreement" within the meaning of section 701(b) of the Act, an injury determination is required for this investigation. Therefore, we notified the ITC of our initiation. On November 2, 1984, the ITC determined that there is a reasonable indication that these imports materially injure or threaten material injury to a U.S. industry (49 FR 37856).

We presented a questionnaire concerning the allegations to the government of Brazil in Washington, D.C. on October 18, 1984.

On November 26, 1984, we received a response to the questionnaire. On the basis of information contained in this questionnaire response, we made a preliminary determination on December 12, 1984.

We verified the response of the government of Brazil in Rio de Janeiro, from January 14, 1985 to January 23, 1985.

At the request of both petitioner and respondents, we held a hearing on January 28, 1985, to allow the parties an opportunity to address the issues arising in the investigation. Both petitioner and respondents filed briefs discussing these issues before and after the hearing.

Scope of the Investigation

The products covered by this investigation are certain cast-iron pipe fittings, which are defined for purposes of this proceeding as: cast-iron fittings, not malleable, other than alloy cast iron and other than for use with cast-iron soil pipe; or cast-iron fittings, malleable, advanced in condition by operations or processes subsequent to the casting process, or if not advanced, of other than alloy cast-iron as currently provided for in items 610.6240, 610.6500, 610.7000 and 610.7400 of the *Tariff Schedules of the United States, Annotated (TSUSA).*

The only known producer and exporter in Brazil of certain cast-iron pipe fittings to the United States is Fundicao Tupy S.A., for which we have received information from the government of Brazil. For purposes of this final determination, the period for which we are measuring subsidization ("the review period") is Fundicao Tupy

S.A.'s 1984 fiscal year—April 1, 1983, to March 31, 1984.

Analysis of Programs

Throughout this notice, we refer to certain general principles applied to the facts of the current investigation. These principles are described in the "Subsidies Appendix" attached to the notice of "Cold-Rolled Carbon Steel Flat-Rolled Products from Argentina; Final Affirmative Countervailing Duty Determination and Countervailing Duty Order," which was published in the April 26, 1984, issue of the **Federal Register** (49 FR 18006).

Based upon our analysis of the petition, the response to our questionnaire, our verification, and comments filed by petitioners and respondents, we determine the following:

I. Programs Determined To Confer Subsidies

We determine that subsidies are being provided to manufacturers, producers, or exporters in Brazil of cast-iron pipe fittings under the following programs:

A. *IPI Export Credit Premium and Export Tax.* Brazilian exporters of manufactured products are eligible for a tax credit on the Imposto sôbre Produtos Industrializados (Industrialized Products Tax, or IPI). The IPI export credit premium, a cash reimbursement paid to the exporter upon the export of otherwise taxable industrial products, has been found to confer a benefit in previous countervailing duty investigations. After suspending this program in December 1979, the government of Brazil reinstated it on April 1, 1981, in accordance with Ministry of Finance "Portaria" (Notice) No. 270 (amended by Portaria No. 252 on November 29, 1982).

Subsequent to April 1, 1981, this export credit premium was partially phased out in accordance with Brazil's commitment pursuant to Article 14 of the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade ("the Subsidies Code"). The government of Brazil gradually reduced the benefit from 15 percent in 1981 to 11 percent on September 30, 1982.

Fundicao Tupy S.A. received benefits under this program. We divided the credits earned in fiscal year 1984 over the value of its cast-iron pipe fittings exports in that year, and calculated a net subsidy of 10.53 percent *ad valorem*.

It is our policy to take into account program-wide changes announced before the preliminary determination. On September 12, 1984, the government of Brazil instituted Portaria No. 176 which reduced the IPI Export Credit Premium to 7 percent effective on December 1, 1984. We verified that these changes occurred, and determine that the rate shall be 6.70 percent *ad valorem* for cash deposit or bonding purposes.

B. *Income Tax Exemption for Export Earnings.* Under Decree-Laws 1158 and 1721, exporters of cast-iron pipe fittings are eligible for exemption from income tax on a portion of profits attributable to export revenue. Because this exemption is tied to exports and is not available for domestic sales, we determine it to confer a subsidy. Fundicao Tupy S.A. took an exemption from income tax payable in 1983 on a portion of export profits earned in 1982. We multiplied that portion by the nominal corporate tax rate, and allocated the benefit over the total value of fiscal 1984 exports to calculate a subsidy rate of 0.48 percent *ad valorem*.

C. *Working Capital Financing for Exports (Resolutions 674 and 682/950).* Resolution 882 financing, administered by the Carteira do Comercio Exterior (CACEX) of the Banco do Brasil, provides short-term working capital to purchase inputs for the production of goods destined for export. On January 1, 1984, Resolution 882 superseded Resolution 674, under which such financing was previously granted. On August 21, 1984, Resolution 682 was modified by Resolution 950. Eligibility for 674/882/950 financing is based on the company's past export performance or on an acceptable export plan. The amount available for financing is calculated by making a series of adjustments to the dollar value of exports.

Following CACEX approval of their applications, participants receive certificates which represent portions of the total dollar amount for which they are eligible. Exporters may present the certificates to banks in return for cruzeiro loans at the exchange rate in effect on that date. Use of a certificate establishes a loan obligation with a term of up to one year (360 days). Certificates must be used within 12 months of the date of issue, and loans incurred as a result of their use must be repaid within 18 months of that date.

During the review period, the interest ceiling on loans obtained under the program was raised from 40 to 60 percent. Resolution 682 changed the interest rate to full monetary correction plus three percent, with the interest and principal payable on the expiration date of the loan. Resolution 950 changed the interest ceiling again to full monetary correction plus an interest rate such that the maximum difference between that interest rate and the prevailing interest rate is 10 percent. Since 674/882/950 financing is contingent on export performance, and provides funds to participants at interest rates lower than those available from commercial sources, we determine that this program confers an export subsidy.

To calculate the benefit, we compared the interest rates charged with the appropriate benchmark (the compounded minimum discount rate on accounts receivable) and applied the difference to the principal amounts, based on the date that interest was paid. We allocated the benefit over the total value all exports, and calculated a subsidy rate of 3.20 percent *ad valorem*.

D. *Export Financing Under the CIC-CREGE 14–11 Circular.* Under its CIC-CREGE 14–11 circular ("14–11"), the Banco do Brasil provides 180- and 360-day cruzeiro loans for export financing, on the condition that companies applying for these loans negotiate fixed-level exchange contracts with the bank. Companies obtaining a 360-day loan must negotiate exchange contracts with the bank in an amount equal to twice the value of the loan.

Companies obtaining a 180-day loan must negotiate an exchange contract equal to the amount of the loan. In addition to requiring exchange contracts, the Banco do Brasil requires that these loans be fully secured by collateral in the form of tangible property. The bank normally requires that the value of collateral equal at least 130 percent of the amount of the loan. The bank also charges a commission on all such loans.

All exporters of manufactured products with production cycles of less than 180 days may apply for these loans. The maximum level of eligibility is based on the value of the applicant's exports in the previous year. Companies that also receive Resolution 882 financing have a maximum eligibility of 10 percent; all others have a maximum eligibility of 15 percent.

Although this program does in certain aspects appear to operate on a commercial basis, the government of Brazil did not supply sufficient data to support its assertion that commissions, exchange contract requirements and collateral requirements serve to raise the effective rates on these loans to a level of comparability with those on short-term loans from other commercial sources. Without sufficient information with which to quantify these additional charges, we must compare unadjusted nominal rates on 14–11 loans with our commercial benchmark, *i.e.*, the nominal discount rate of accounts receivable, as

the best information available. This comparison shows that the rate on 14–11 loans is below the benchmark.

Fundicao Tupy S.A. obtained loans under this program. To calculate the benefit, we compared the interest rates charged with the appropriate benchmark and applied the difference to the principal amounts. We then allocated the benefit over the total value of Fundicao Tupy's exports, which resulted in a subsidy rate of 2.40 percent *ad valorem*.

E. *The CDI Program—Exemption of IPI Tax and Customs Duties on Imported Equipment.* Under Decree-Law 1137 and its successor Decree-Law 1428, the Conselho do Desenvolvimento Industrial (Industrial Development Council, or CDI) provides for the exemption of 80 to 100 percent of the customs duties and 80 to 100 percent of the IPI tax on certain imported machinery for projects approved by the CDI. The recipient must demonstrate that the machinery or equipment for which an exemption is sought was not available from a Brazilian producer. The investment project must be deemed feasible and the recipient must demonstrate that there is a need for added capacity in Brazil.

CDI Resolution 22 of October 24, 1972, extended these benefits to "pilot industries" and permitted the CDI to recommend pilot industrial projects for financing by the National Economic Development Bank (FUNTEC), the Financier of Studies and Projects (FINEP), and by the National Fund for Scientific and Technological Development (FNDCT). Resolution 1428 extended the right to grant exemptions from customs duties and from the IPI tax on imported equipment to other agencies within the government (CIEX among them).

Decree Law 1726 of December 7, 1979 repealed this program. Subsequently, no new projects were eligible for these benefits. However, companies whose projects were approved prior to repeal still receive these benefits pending completion of the project.

In prior cases (Certain Carbon Steel Products from Brazil; Final Affirmative Countervailing Duty Determination (49 FR 17988), it was determined that the CDI exemption from customs duties and the IPI tax on imported equipment is limited to projects in fourteen industries approved by the government. Based on the record of this and earlier Brazilian countervailing duty investigations, we have no evidence that this requirement does not allow the government to target benefits to particular companies. For this reason, we determine that the CDI program confers a subsidy on the products under investigation. Neither the government of Brazil nor Fundicao Tupy S.A. provided sufficient evidence to establish that benefits were not provided to Fundicao Tupy S.A. under the CDI program during the review period. Therefore, we used the best information available, which in this case is information supplied by petitioner, to determine a subsidy of 0.38 percent *ad valorem*.

F. *The BEFIEX Program.* The Comissao para a Concessao de Beneficios Fiscais a Programas Especiais de Exportacao (Commission for the Granting of Fiscal Benefits to Special Export Programs, or BEFIEX) grants at least three categories of benefits to Brazilian exporters:

- Under Decree-Law 77.065, BEFIEX may reduce by 70 to 90 percent import duties and the IPI tax on the importation of machinery, equipment, apparatus, instruments, accessories and tools necessary for special export programs approved by the Ministry of Industry and Trade, and may reduce by 50 percent import duties and the IPI tax on imports of components, raw materials and intermediary products;
- Under article 13 of Decree No. 72.1219, BEFIEX may extend the carry-forward period of tax losses from 4 to 6 years; and
- Under article 14 of the same decree, BEFIEX may allow special amortization of pre-operational expenses related to approved projects.

This program has been found to confer a subsidy in the past, and neither the government of Brazil nor Fundicao Tupy S.A. provided sufficient information to establish that this program was not used. Therefore, we used the best information available, which in this case is information supplied by petitioner, to determine a subsidy of 0.50 percent *ad valorem*.

G. *The CIEX Program.* Decree-Law 1428 authorized the Comissao para Incentivos à Exportaçao (Commission for Export Incentives, or CIEX) to reduce import taxes and the IPI tax up to 10 percent on certain equipment for use in export production. This program has been found to confer a subsidy in previous investigations. Because neither the government of Brazil no Fundicao Tupy S.A. provided sufficient information to verify that this program was not used, we used the best information available, which in this case is information supplied by petitioner, to determine subsidy of 0.25 percent *ad valorem*.

H. *Long-Term Loans Under the ADTEN (Apoio ao Desenvolvimento Technologico da Empresa Nacional) of FINEP (Financiadora de Estudos e Projetos).* During the course of the investigation, we discovered and verified that Fundicao Tupy S.A. received a number of long-term loans from FINEP, a government agency charged with promoting scientific and technological development in Brazil.

FINEP works in conjunction with the CNPq of (Conselho Nacional de Desenvolvimento Cientifico e Technologico) to approve and grant loans through state-owned regional development banks in conformity with the Secretaria de Planejamento (SEPLAN) and to implement the objectives of the Third Basic Plan of Scientific and Technological Development (III BPDCT). FINEP has a number of loan programs, the largest of which is ADTEN. ADTEN grants loans for projects which: develop new products; adapt and absorb new technology; train human resources to absorb new technology; commercialize new products and implement management techniques to employ new technology; develop quality control techniques; establish new research and development centers in the country; and engage in pure research. Companies negotiate the terms of each loan with the regional development banks with whom they deal. They must submit to the terms of the loan imposed by the bank and by FINEP, which disburses the funds in allotment, and maintains project oversight throughut the life of the loan. These loans are granted at preferential rates of interest and are partially indexed to inflation. Moreover, the Brazilian government was unable to demonstrate that these loans were not provided to specific enterprises, industry or group of enterprises or industries. Therefore, we determine that these loans are countervailable.

Fundicao Tupy S.A. had a number of commercial loans which were fully indexed to inflation and granted at rates of interest that were higher than those charged on FINEP loans. We used these as our benchmark. We calculated the reductions in: (1) The rate of interest payable and (2) the increase in principal outstanding resulting from the partial indexation, and found a subsidy of 0.26 percent *ad valorem*.

II. Programs Determined not to Confer Subsidies

A. *Income Tax Deductions for Foreign Selling Expenses.* Petitioner alleged that the govenment of Brazil offers companies income tax deductions for selling expenses incurred or export sales, but does not offer comparable deductions for domestic selling expenses. At verification we found that

income tax deductions for foreign selling expenses are granted under the same general criteria as equivalent domestic expenses; such expenses are deductible regardless of whether the expense was for domestic or export purposes. Therefore, we determine this program not to confer a subsidy.

III. Programs Determined not To Be Used

We determine that manufacturers, producers or exporters in Brazil of certain cast-iron pipe fittings did not use the following programs listed in our notice, Initiation of a Countervailing Duty Investigation: Cast-Iron Pipe Fittings from Brazil (49 FR 40431):

A. *IPI Tax Rebates for Capital Investment.* Decree-Law 1547, enacted in April 1977, provides funding for approved expansion projects in the Brazilian steel industry through a rebate of the IPI, a value-added tax imposed on domestic sales.

We verified that producers of pipe fittings are not eligible for IPI rebates under Decree-Law 1547. Accordingly, we determine that this program was not used by the producer of the products under investigation.

B. *Resolution 330 of the Banco Central do Brasil.* Resolution 300 provides financing for up to 80 percent of the value of the merchandise placed in a specified bonded warehouse and destined for export. Exporters of cast-iron pipe fittings would be eligible for financing under this program. However, we verified that Fundicao Tupy S.A. did not participate in this program during the review period.

C. *Resolution 68 (FINEX) Financing.* Resolution 68 of the Conselho Nacional do Comercio Exterior (COCEX) provides that CANCEX may draw upon the resources of the Fundo de Financiamento a Exportacao (FINEX) to extend dollar-denominated loans to foreign buyers of Brazilian goods. Financing is granted on a transaction-by-transaction basis.

We verified that Fundicao Tupy S.A. did not receive Resolution 68 financing on transactions with the United States during the review period.

D. *Accelerated Depreciation for Capital Goods Manufactured in Brazil.* Pursuant to Decree-Law 1137, any company which purchases Brazilian-made capital equipment and has an expansion project approved by the CDI may depreciate this equipment at twice the rate normally permitted under Brazilian tax laws. We verified that Fundicao Tupy S.A. did not participate in this program during the review period.

E. *Local Tax Incentives.* Petitioner alleges that the respondent benefited from certain unspecified local tax measures and incentives in Brazil. We verified that Fundicao Tupy S.A. did not receive any local tax benefits.

F. *Incentives for Trading Companies.* Petitioner alleges that the respondent distributes its export sales through such intermediaries as trading companies, and that under Resolution 643 of the Banco Central do Brasil, trading companies can obtain export financing similar to that obtained by manufacturers under Resolution 674/882. We verified that Fundicao Tupy S.A. did not use this program.

G. *Government Guarantees on Long-Term Loans.* Petitioner alleges that the respondents benefited from certain government guarantees on long-term foreign-currency loans. We verified that Fundicao Tupy S.A. did not use this program.

H. *The PROEX Program.* Petitioner alleges that short-term credits for exports were established under the Programa de Financiamento a Producao para a Exportacao (PROEX), previously referred to as the Apoio a Exportacao program during the review period. We verified that Fundicao Tupy S.A. did not use this program.

IV. Programs Determined Not To Exist

A. *The Foundry Plan.* Petitioner alleges that Fundicao Tupy S.A. receives incentives under the "Foundry Plan" of the Third Basic Plan of Scientific and Technological Development—1980–1985 (III–PBDCT). That plan calls for the "strengthening of indigenous foundries with the active participation of the government."

We verified that the III–PBDCT provides neither financial benefits nor any other types of assistance. It is simply a policy statement intended to stimulate the use of available public sector resources for scientific and technological development. Funds are provided through on-going programs of various Brazilian government ministries and agencies. An example of this is the long-term financing through FINEP which we have found to be countervailable in this determination. We found no evidence to the contrary at verification and therefore determine that this program, as alleged, does not exist.

Petitioner's Comments

Comment 1: Petitioner claims that, based on information in the petition, the Department should not have accepted the Brazilian government's response that the Foundry Plan does not provide benefits for purposes of the preliminary determination. Petitioner contends that the Department's practice of accepting this type of response rewards evasive and otherwise uncooperative respondents.

DOC Position: Unless we have persuasive evidence to the contrary, we accept a foreign government's denial that a program exists or its statement that a particular firm does not receive benefits under a program for purposes of the preliminary determination. In the case of the Foundry Plan, we requested further information to explain the discrepancy between petitioner's claims and the Brazilian government's response. For the final determination, we have verified that the Foundry Plan, as alleged, does not exist.

Comment 2: With regard to any grant or loan received by Fundicao Tupy S.A. for research and development, petitioner contends that these benefits are not generally available, that the results of the R&D would not have broad applicability, and should be considered countervailable.

Respondents rebut petitioner's contention by arguing that the research and development assistance received by Fundicao Tupy S.A. is not countervailable because it is for research and development of a product unrelated to cast iron pipe fittings. However, even if the benefits could be tied to the product under investigation, similar assistance is provided to a variety of industries and the results of the research and development will have wide application and be available to the public. Finally, they contend that no commercial benefit is conferred by this program.

DOC Position: We have countervailed against those partially-indexed FINEP loans which we found to be related to cast iron products. We did not receive sufficient evidence that these loans were generally available or that the results of the R&D projects have been disseminated to the public.

Comment 3: Petitioner argues that program-wide changes, such as those effected by the phase-out of the IPI export credit premium, should not be taken into account if they occur after the period of investigation. Moreover, should the Department accept the program-wide change, petitioner believes that the November and December 1984 reductions cannot be documented because of the delay of receipt of the IPI payment.

DOC Position: As a general rule, we take into account program-wide changes that occur after the period of investigation and prior to a preliminary determination if we have verified information on the change and the

magnitude of the resulting subsidy. Our practice reflects our concern that bonding/deposit rates correspond as nearly as possible to the eventual duty liability and that the petitioners have an opportunity to make comments on the program-wide changes during the investigation. Therefore, when a program-wide change occurs after the period of review and before the preliminary determination and where that change is verifiable, our net subsidy calculation is adjusted to reflect the change. With regard to the November and December 1984 IPI reductions, our practice is to calculate the benefit on the basis of the IPI that is applied for or earned, not on the amount of IPI received. We verified that the amounts applied for in November and December 1984, were consistent with the announced reductions.

Comment 4: Petitioner claims that the Department should have investigated the upstream subsidy allegedly conferred on producers of cast-iron pipe fittings through purchases of subsidized pig iron. In particular, petitioner contends that because Brazilian pig iron producers receive domestic subsidies, the price paid for the pig iron should be adjusted upwards to reflect these subsidies. Also, petitioner objects to the Department's test of the effect of the pig iron subsidy on the cost of producing cast iron pipe fittings.

DOC Position: We declined to initiate an investigation of upstream subsidies in this case because we determined that petitioners did not demonstrate that domestic subsidies to Brazilian pig iron producers conferred a competitive benefit on Brazilian cast-iron pipe fittings or that the subsidies to the pig iron producers had a significant effect on the cost of producing cast-iron pipe fittings. In the first instance, the mere existence of a domestic subsidy is not sufficient to demonstrate that this subsidy is passed on, *i.e.*, that it confers a competitive benefit. With regard to the significant effect test, we have determined that a potential cost savings of less than 1 percent on an input that accounts for only 30–40 percent of the value of the final product is not significant.

Comment 5: Petitioner contends that there is sufficient evidence on the record on which to make a determination that imports of certain cast-iron pipe fittings have been massive over a relatively short period of time. Hence, the Department should make a final affirmative determination of critical circumstances in this case.

DOC Position: IM–146 statistics demonstrate that the volume of cast-iron pipe fittings from Brazil declined 8.5 percent in the three-month period following the filling of the petition and was 35 percent lower in the second half of 1984 than in the second half of 1983. Expressed as a percentage of total U.S. cast-iron pipe fittings imports, imports from Brazil dropped 51 percent in the same period. On the basis of that data, we determine that imports were not massive over a relatively short period of time, and therefore, that critical circumstances do not exist.

Comment 6: Petitioner argues that exemption of export credits and export insurance from indirect taxes constitutes a countervailable subsidy, because only indirect taxes on physically incorporated inputs may be rebated.

DOC Position: The IOF tax is included in the benchmark for short-term export financing and hence captures the additional benefit conferred by the tax exemption.

Respondents' Comments

Comment 1: Respondents claim that, based on its verification, the Department should conclude that Fundicao Tupy S.A. receives no benefits under the Basic Plan of Scientific and Technological Development (the Foundry Plan). They further contend that even if benefits were available they would not be countervailable because they are provided to more than a specific industry, enterprise or group of industries or enterprises.

DOC Position: See section IV(A) and Petitioner's Comment 1 of this notice.

Comment 2: Respondents argue that in its final determination, the Department should provide for decreases in the bonding/deposit rate corresponding to reductions in the IPI export credit premium rate scheduled for January 1, 1985 through May 1, 1985. They claim that it is not lawful to continue to assess duties or require deposits at levels in effect before the date of any reduction.

DOC Position: We cannot take into account program-wide changes that have not yet been implemented. As stated in our response to Petitioner's Comment 3, we calculate the bonding/deposit rate to correspond as closely as possible to the eventual assessment rate. Nevertheless, we must balance the desire for accuracy with the need to base our final determination on verified information and the need to allow petitioners an opportunity to comment on the alleged program-wide range. As a result, our "cut-off" date for taking into account program-wide changes has been the date of the preliminary determination. Verified post-preliminary program-wide changes will be taken into account in any administrative review that may occur under section 751 of the Act.

Comment 3: Respondents claim that the value of the subsidy arising from the IPI export credit premium should be based on the firm's actual utilization of the program rather than on the total amount available.

DOC Position: We agree. The bonding/deposit rate reflects the amount of the IPI export credit premium for which Fundicao Tupy S.A. applied.

Comment 4: Fundicao Tupy S.A. argues that in calculating the net subsidy conferred by the IPI export credit premium the Department should deduct the loss in value resulting from the government-mandated delay in receipt of the payment.

DOC Position: Under section 771(6)(B) of the Act, an offset is allowed for "any loss in the value of the subsidy resulting from its deferred receipt if the deferral is mandated by Government order." In the case of the IPI export credit premium, no such government mandate exists. Delays in a company's receipt of IPI credits are administrative, the result of a lengthy application and approval process. No offset is allowed in this case.

Comment 5: Respondents argue that the effective rather than the nominal corporate tax rate should be used in valuing the benefit from the income tax exemption for export earnings.

DOC Position: We verified that Fundicao Tupy S.A.'s effective tax rate is the same as its nominal tax rate, 35 percent.

Comment 6: Respondents claim that for short-term export financing the Department should calculate the benefit based on the changes effected by Resolutions 882 and 950, which came into force on January 1, 1984, and August 21, 1984, respectively.

DOC Position: As discussed elsewhere in this notice, we attempt to take into account program-wide changes that occur prior to our preliminary determination when the changes can be verified. However, for certain types of programs this is not possible. For example, modifications in short-term financing regimes can result in changed utilization rates and changed benchmarks. The effects of these changes are not easily quantified, nor do they occur immediately. A mechanical computation of benefits, based on assumptions such as those suggested by respondents, is unacceptable in these circumstances. Moreover, Fundicao Tupy S.A.'s experience under Resolution 950 is extremely limited and therefore does not form an adequate basis for calculating a bonding/deposit rate. Therefore, we have calculated the

subsidy based on Fundicao Tupy S.A.'s actual experience during the period of investigation. If the level of benefit has changed as a result of Resolution 950, this will be taken into account in any eventual 751 review.

Comment 7: Respondents argue that the benefits from Resolution 674/882/950 short-term export financing should be allocated by product and market because the bulk of Fundicao Tupy S.A's exports are to Europe and Southwest Asia.

DOC Position: While it is possible to tie the amount of financing a company qualifies for to its export of a specific product, it is not possible to attribute the use of working capital loans to a specific product destined for a specific market. Therefore, we allocate the benefit received from all loans over the value of all exports.

Comment 8: Respondents contend that the Department should use Fundicao Tupy S.A.'s monthly receivable discount rate as the benchmark for short-term export financing.

DOC Position: As stated in the Subsidies Appendix, we do not calculate company-specific benchmarks for short-term financing programs.

Comment 9: Respondents argue that the Department should use the effective interest rates on 674/882/950 loans, reflecting partial payment of interest during the term of the loan.

DOC Position: We agree.

Comment 10: For short-term export financing under Resolution 674/882/950 and CIC–CREGE 14–11, respondents claim that the Department erred in considering 1984 loans in calculating the subsidy.

DOC Position: The period of investigation is April 1, 1983 through March 31, 1984. Therefore, any loans on which interest was paid during the period are properly included in our calculations.

Comment 11: Respondents claim that the Department should allocate the benefits under CIC-CREGE 14–11 over the value of total exports.

DOC Position: We agree and have allocated the benefits over Fundicao Tupy S.A.'s fiscal 1984 export sales.

Comment 12: Respondents ask that the Department take into account any collateral requirements, foreign exchange contracts and the related costs of financing in computing the effective cost of CIC-CREGE 14–11 loans.

DOC Position: We could not verify these costs and hence did not include them.

Comment 13: Respondents have made additional comments claiming that: (1) The exemption from the IOF tax on export loans is not a countervailable subsidy, (2) the use of unweighted, average benchmarks is incorrect, and (3) the CIC-CREGE 14–11 financing is not countervailable because it is not a government program, and because it operates on a commercial basis, consistent with the standards enunciated in the Subsidies Code.

DOC Position: The Department's positions on these issues were most recently stated in the Final Affirmative Countervailing Duty Determination on Oil Country Tubular Goods from Brazil. Respondents have provided no new information which would cause us to change those positions.

Verification

In accordance with section 776(a) of the Act, we verified all the information used in making our final determinations.

Suspension of Liquidation

In accordance with section 703(d) of the Act, on December 12, 1984, we instructed the U.S. Customs Service to suspend liquidation of all entries of cast-iron pipe fittings from Brazil (49 FR 49319). As of the date of publication of this notice in the Federal Register, the liquidation of all entries, or withdrawals from warehouse, for consumption of this merchandise will continue to be suspended and the Customs Service shall require an *ad valorem* cash deposit or bond for each such entry of this merchandise as follows:

Manufacturers, producers and exporters	Ad valorem rate (percent)
Fundicao Tupy S.A.	14.17
All other manufacturers/producers/exporters	14.17

This suspension will remain in effect until further notice.

Final Negative Determination of Critical Circumstances

Petitioner alleged that critical circumstances exist within the meaning of section 705(a)(1) of the Act, with respect to cast-iron pipe fittings from Brazil. In determining whether critical circumstances exist, we examine whether:

(a) The alleged subsidy is inconsistent with the agreement, and

(b) There have been massive imports of the subject merchandise over a relatively short period.

In the case, information on the record does not indicate that there have been massive imports of the merchandise under investigation over a relatively short period of time within the meaning of section 705(a)(1) of the Tariff Act of 1930. Therefore, we determine that critical circumstances do not exist with regard to cast-iron pipe fittings from Brazil.

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-confidential information relating to this investigation. We will allow the ITC access to all privileged and confidential information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

The ITC will determine whether these imports materially injure or threaten material injury to, a U.S. industry within 45 days of the publication of this notice.

If the ITC determines that material injury or the threat of material injury does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or cancelled. If, however, the ITC determines that such injury does exist, we will issue a countervailing duty order, directing Customs officers to assess a countervailing duty on cast-iron pipe fitings from Brazil entered, or withdrawn from warehouse, for consumption after the suspension of liquidation, equal to the net subsidy amount indicated in the "Suspension of Liquidation" section of this notice.

This notice is published pursuant to section 705(d) of the Act (19 U.S.C. 1671(d)).

February 25, 1985.

William T. Archey,

Acting Assistant Secretary for Trade Administration.

[FR Doc. 85-5271 Filed 3-4-85; 8:45 am]

BILLING CODE 3510-DS-M

National Bureau of Standards

Accreditation Guideline Implementing Federal Standards Policy

AGENCY: National Bureau of Standards Department of Commerce.

ACTION: Notice of Laboratory Accreditation Guideline Implementing Federal Standards Policy.

SUMMARY: This notice announces the approval by the Secretary of Commerce of a Federal guideline on the selection and use of laboratory accreditation systems that has approved by the Interagency Committee on Standards Policy. This guideline implements the Federal Standard Policy which is set out

in Office of Management and Budget (OMB) Circular A–119, dated October 26, 1982 (47 FR 49496–49499, November 1, 1982).

Interagency Committee on Standards Policy (ICSP) was established by the Secretary of Commerce under paragraph 8.a(2) of OMB Circular A–119. The guidance document adopted by the ICSP is a voluntary consensus standard developed and published by the American Society for Testing and Materials. This standard is described later in the notice.

Federal agencies are urged to consider this guideline when developing and implementing their system for accrediting laboratories or when choosing laboratory accreditation systems for use in fulfilling their programmatic responsibilities.

FOR FURTHER INFORMATION CONTACT: Contact Dr. Stanley I. Warshaw, Director, Office of Product Standards Policy, National Bureau of Standards, Gaithersburg, MD 20899 (301–921–3751). Dr. Warshaw chairs the Interagency Committee on Standard Policy.

Dated: February 28, 1985.

Ernest Ambler,

Director, National Bureau of Standards.

Federal Guideline for Recognizing Laboratory Accreditation Systems

Introduction

The Federal Standards Policy, as set out in OMB Circular A–119, "Federal Participation in the Development and Use of Voluntary Standards" October 26, 1982, published at 47 FR 49496–49499, Nov. 1, 1982, encourages Federal agencies to rely on voluntary standards whenever feasible and consistent with law. Adoption of such standards is viewed as supporting the policy of reliance on the private sector to supply Government needs for goods and services, as set out in OMB Circular A–76.

The Interagency Committee on Standards Policy (ICP) developed, and the Secretary of Commerce approved, two guideline documents pertaining to Federal agency use of private sector certification for determining the conformance of products and services to standards and specifications promulgated by Federal agencies. These documents, "Guidelines for Federal Agency Use of Private Sector Third-Party Certification Programs" and "Guidelines for Federal Agency Use of Self-Certification by Producer or Supplier", were published in the **Federal Register** at 49 FR 5792–5803, Feb. 15, 1984.

The Interagency Committee has now adopted a guidance document which sets out criteria for recognition of laboratory accreditation systems by Federal agencies. This guidance document was developed by a voluntary consensus committee (E–36) of the American Society for Testing and Materials (ASTM), with input from representatives from several Federal agencies.

The Federal guideline adopted by the ICSP for recognizing laboratory accreditation system is set out in ASTM Standard E–994–84, "Standard Guide for Laboratory Accreditation System." This standard, published by ASTM, is available from ASTM Customer Services, 1916 Race Street, Philadelphia, PA 19103, (215–299–5585). It will appear in Volume 14.02 of the Annual Book of ASTM Standards.

The ASTM E–994–84 standard identifies important features of systems which accredit testing laboratories, inspection bodies, or other organizations involved in testing, measuring, inspecting, and calibrating activities.

Practices addressed in the standard include:

(1) System features including published rules on operations, accreditation criteria, scope of accreditation, proficiency testing, laboratory assessment, revocation and appeal mechanisms;

(2) Assessor qualifications, records, and acceptability;

(3) On-site assessment procedures including assessor responsibility, preparation for assessment, conduct of an on-site assessment, assessor reports, and follow-up assessments;

(4) Proficiency testing including the types of proficiency and the design of proficiency testing programs with specific guidance on sample selecting, handling, and preparation, recording of results, analysis, and reporting questionnaries and their use; and

(5) Guidance on laboratory evaluation procedures, the accreditation decision process, awarding accreditation, and notifying the public.

[FR Doc. 85–5269 Filed 3–4–85; 8:45 am]

BILLING CODE 3510–13–M

National Technical Information Service

Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Federal Patent Licensing, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Please cite the number and title of inventions of interest.

Douglas J. Campion,

Office of Federal Patent Licensing, National Technical Information Service, U.S. Department of Commerce.

Department of Agriculture

SN 6–436,541 (4,495,207)
Production of Food-Grade Corn Germ Product by Supercritical Fluid Extraction

SN 6–534,015 (4,493,854)
Production of Defatted Soybean Products by Supercritical Fluid Extraction

SN 6–680,615
Output Responsive Field Control for Wind-Driven Alternators and Generators

Department of Health and Human Services

SN 6–402,352 (4,495,279)
Isoelectric Focussing-Polynucleotide/Polyacrylamide Gel Electrophoresis

SN 6–687,370
Enzyme-Linked Immunosorbent Assay (ELISA) for Determining Antibodies Against Herpes Simplex Virus (HSV) Types I and II in Human Sera

Department of the Army

SN 6–311,371 (4,493,930)
Medicinal 2-Acetyl-and 2-Propionylpyridine Thiosemicarbazones and Preparation Thereof

Department of the Interior

SN 6–473,294 (4,494,894)
Extensible Brattice Support System for Mine Face Ventilation

[FR Doc. 85–5285 Filed 03–04–85; 8:45 am]

BILLING CODE 3510–04–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board Task Force on Soviet Imprecisely Located Targets for Strategic Systems; Meetings

ACTION: Notice of advisory committee meetings.

SUMMARY: The Defense Science Board Task Force on Soviet Imprecisely Located Targets for Strategic Systems will meet in closed session on 9–10 April 1985 in the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting the Task Force will continue their study on how to hold Soviet imprecisely located targets at risk.

In accordance with section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92–463, as amended (5 U.S.C. App. II (1982)), it has been determined that this DSB Panel meeting, concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

February 28, 1985.

[FR Doc. 85–5251 Filed 3–4–85; 8:45 am]

BILLING CODE 3810-01-M

The President's Blue Ribbon Panel Task Group on Nuclear Weapons Program Management; Closed Meeting

AGENCY: The President's Blue Ribbon Panel Task Group on Nuclear Weapons Program Management.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to 5 U.S.C. App. I, notice is hereby given that the President's Blue Ribbon Task Group on Nuclear Weapons Program Management will meet on March 4–6, 1985 in offices at 1717 "H" Street, NW., Washington, D.C. Room 738. Additional meetings are scheduled March 25–27, April 29–30, May 30–31, and June 20–21. These meetings will be closed to the public.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

February 28, 1985.

[FR Doc. 85–5249 Filed 3–4–85; 8:45 am]

BILLING CODE 3810-01-M

Department of the Army

Army Science Board; Meeting Cancellation

The following joint meeting of the Army Science Board Functional Subgroup on Human Capabilities and Resources and the Ad Hoc Subgroup on Soldier Research Issues which was originally announced in the **Federal Register** issue of Tuesday, 19 February 1985 (50FR6980), FR Doc #85–3951, has been cancelled.

Meeting Dates: Tuesday, 12 March through Friday, 15 March 1985 (12–14 March for Human Capabilities and Resources; 14–15 March for Soldier Research Issues).

Place: The Presidio of Monterey in Monterey, California.

Sally A. Warner,

Administrative Officer, Army Science Board.

[FR Doc. 85–5257 Filed 2–28–85; 12:33 pm]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Federal Acquisition Regulation; Information Collection Activities Under OMB Review

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Federal Acquisition Regulations (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve a proposal for information collection.

ADDRESSES: Send comments to Franklin S. Reeder, FAR Desk Officer, Room 3235, NEOB, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Victoria Moss, Office of Federal Acquisition and Regulatory Policy, 202–523–4799.

SUPPLEMENTARY INFORMATION: a. *Purpose:* This request covers recordkeeping requirements and the collection of information to assure that costs of travel by contractor—owned, leased, or chartered aircraft are properly charged against Government contracts and to assure that directly associated costs of unallowable activities are not charged to Government contracts.

b. *Annual reporting burden:* This is estimated as follows: Recordkeepers, 3,000; and recordkeeping hours 18,000.

Obtaining Copies of Proposals: Requestors may obtain copies from the FAR Secretariat (VR), Room 4041, GS Building, Washington, DC 20405, telephone 202–523–4755.

Dated: February 25, 1985.

Eugene M. Feinberg,

Acting Director, FAR Secretariat.

[FR Doc. 85–5213 Filed 3–4–85; 8:45 am]

BILLING CODE 6820-61-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Shell Oil Co.; Proposed Remedial Order

AGENCY: Department of Energy.

ACTION: Notice of proposed remedial order to Shell Oil Company and notice of opportunity for objection.

SUMMARY: Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA), Department of Energy, hereby gives Notice that it issued a Proposed Remedial Order to Shell Oil Company (Shell), Houston, Texas on November 8, 1984. The Proposed Remedial Order sets forth findings of fact and conclusions of law concerning Shell's pricing, in excess of maximum lawful prices, of first sales of crude oil produced and sold in the United States. Such pricing was in violation of the Phase IV Petroleum Price Regulations, formerly at 6 CFR Part 150, and the Mandatory Petroleum Price Regulations as they appeared in 10 CFR Parts 210, 211, and 212. These regulations were in effect prior to January 28, 1981. The amount of overcharges by Shell on properties the ERA audited, during the period September 1, 1973 through May 31, 1979, and interest thereon through October 31, 1984, totals not less than $190,559,081.84.

In accordance with 10 CFR 205.192(c), any person may obtain from the ERA a copy of the Proposed Remedial Order with confidential information, if any, deleted.

Within 15 days after the date of publication of this notice, any aggrieved person may file a Notice of Objection in accordance with 10 CFR 205.193. A person who fails to file a Notice of Objection shall be determined to have admitted the findings of fact and conclusions of law as stated in the Proposed Remedial Order. If a Notice of Objection is not filed as provided by 10 CFR 205.193, the Proposed Remedial Order may be issued as a final order. Such Notice should be filed with: Office of Hearings and Appeals, Department of Energy, Room 6F–055, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the Proposed Remedial Order may be obtained by written request addressed to: Carole J. Gorry,

Acting Chief, Freedom of Information and Privacy Acts Activities Branch, Department of Energy, Forrestal Building, MA–232.1, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the Proposed Remedial Order may be obtained in person from: Office of Freedom of Information, Reading Room, Room 1E–190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Issued in Washington, D.C. February 19, 1985.

Avrom Landesman,

Director, Office of Enforcement Programs, Economic Regulatory Administration, Department of Energy.

[FR Doc. 85–5252 Filed 3–4–85; 8:45 am]

BILLING CODE 6450–01–M

Texaco, Inc.; Proposed Remedial Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of proposed remedial orders to Texaco, Inc.—ERA Case Nos. RTXM01103/01105, RTXM00105/00106, RTXM01106, RTXM01104/00702, RTXM01107/00703.

SUMMARY:

I. Introduction

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice of five (5) Proposed Remedial Orders (PRO) which were issued to Texaco, Inc., 2000 Westchester Avenue, White Plains, New York, on February 7, 1985.

II. Issuance of Proposed Remedial Orders

ERA has audited Texaco's compliance with the mandatory petroleum price regulations formerly contained in 6 CFR Part 150, Subpart L and 10 CFR Part 212 (the regulations) during the period September 1973 through December 1980 (audit period). ERA's audit focused on the May 15, 1973 prices that Texaco used in computing base prices and maximum allowable prices for covered products during the audit period. As a result of its audit, ERA determined that Texaco incorrectly calculated its May 15, 1973 prices in violation of the regulations and consequently used incorrect May 15, 1973 prices in its computation of base prices, maximum allowable prices, and selling prices to certain customers during the audit period.

In ERA Case No. RTXM01103/01105, ERA determined that Texaco calculated and applied unlawfully high May 15, 1973 prices in sales of motor gasoline, middle distillates, kerosene, and other covered products during the audit period to identified and unidentified customers, which had purchased those products in May 1973 from Texaco's Atlanta, Houston, and Los Angeles sales regions and from its Paragon Oil Division pursuant to written variable-priced contracts. In ERA Case No. RTXM00105/00106, ERA determined that Texaco calculated and applied unlawfully high May 15, 1973 prices in sales of motor gasoline and middle distillates during the audit period to identified and unidentified consumer, retailer, and distributor customers, which had purchased those products in May 1973 in Texaco's sales regions pursuant to fixed-price contracts. In ERA Case No. RTXM01106, ERA determined that Texaco calculated and applied unlawfully high May 15, 1973 prices in sales of middle distillates during the audit period to specifically identified Philadelphia area wholesale customers of Paragon Oil Company, a Texaco subsidiary. In ERA Case No. RTXM01104/00702, ERA determined that Texaco calculated and applied unlawfully high May 15, 1973 prices in sales of propane during during the audit period to identified and unidentified customers, which purchased propane in May 1973 pursuant to written variable-priced contracts. In ERA Case No. RTXM01107/00703, ERA determined that Texaco calculated and applied unlawfully high May 15, 1973 prices in sales of propane during the audit period to Dow Chemical Company at Texaco's Floodway gas plant and Sea Robin gas plant and to Enterprise Products Company at Texaco's Encinitas gas plant.

The PROs allege that as a result of these regulatory violations, Texaco's calculated base prices and maximum allowable prices in regulated transactions during the audit period were excessive. The PROs also allege that Texaco's actual sales prices were improperly based upon excessive May 15, 1973 prices. Finally, the PROs allege that by using excessive May 15, 1973 prices in the calculation of maximum allowable prices, Texaco may have charged its customers prices in excess of the maximum allowable price.

III. Proposed Remedy

The PROS propose as a remedy for Texaco's regulatory violations that Texaco: (1) Identify, in three out of the five PROs, other customers in addition to those named in the PRO which paid prices that included excessive May 15, 1973 prices, (2) calculate the violation amounts resulting from its use of excessive May 15, 1973 prices, and (3) refund such amounts to the DOE for distribution.

PRO Case Nos. RTXM01106 and RTXM01107/00703 allege that specified customers paid amounts for covered products on the basis of excessive May 15, 1973 prices. No systematic violations of any other similarly situated customers are alleged. In PRO Case Nos. RTXM01104/00702, RTXM01103/01105, and RTXM01105/00106, however, the customers that have been identified appear to represent only a sample of the customers to which Texaco systematically applied its improper pricing practices throughout its nationwide-marketing system during the entire period of price controls from August 19, 1973 through January 28, 1981. The PROs therefore allege that not only customers specified by name therein but also other unidentified customers purchasing under similar conditions were charged excessive prices as a result of Texaco's use of improperly high May 15, 1973 prices. For this reason, the ERA proposes in these PROs that Texaco be ordered to identify all similarly situated customers—*i.e.*, customers which purchased the same products under the same types of contracts and whose prices Texaco determined in the same manner.

Once these customers have been identified, the five (5) PROs require that Texaco determine the amount of the violation resulting from its use of excessive May 15, 1973 prices. Instead of a transaction-by-transaction calculation of the correct maximum allowable price in all hundreds of thousands, or, indeed millions, of sales to all purchasers of the covered products involved in the five (5) PROs during the entire regulatory period, the ERA has proposed three options for achieving restitution. The first option, if adopted, would require the calculation of the difference between the incorrect and correct May 15, 1973 prices in all sales of the covered products, as described in the PROs, which Texaco used in an unlawfully high May 15, 1973 price. The difference would be ordered refunded, and no other calculations would be required. The second option, if adopted, would require the calculation of correct maximum allowable prices for sales only with those customers who paid prices for covered products, as described in the PROs, that included an unlawfully high May 15, 1973 price. Also, recoveries in all sales of the covered product—both sales involving and not involving excessive May 15, 1973 prices—would be determined, and resultant overrecoveries would be

determined. Overcharges resulting from both of these calculations would be ordered refunded. The third option, if adopted, would require for the period prior to September 1974, the calculations described by the second option and for the period September 1974 forward the calculations described by the first option. In the opinion of the ERA, the proposed remedies are more properly focused on persons directly affected by Texaco's violations and require less burdensome calculations for detemining the refund amount than the transaction-by-transaction calculations described above.

ERA has proposed that Texaco shall deliver a certified check, made payable to the United States Department of Energy, in the amount of the violation, as ultimately determined, plus interest. Delivery shall be to the Controller, Office of Washington Financial Services, Cash Management Division, P.O. Box 500, Germantown, Maryland 20874–0500. The ERA shall direct that these monies be deposited in a suitable account in order that the monies may be distributed in a just and equitable manner.

IV. Notice of Objection

In accordance with 10 CFR 205.193, any aggrieved person may file a Notice of Objection to any or all aspects of the Proposed Remedial Orders described above with DOE's Office of Hearings and Appeals. A person who fails to file a Notice of Objection to any of the Proposed Remedial Orders shall be deemed to have admitted the findings of fact and conclusions of law stated in that proposed Order. If a Notice of Objection is not filed in accordance with § 205.193, the proposed Order may be issued as a final Remedial Order. The Notice must be filed, in duplicate, by 4:40 p.m. e.s.t. on or before the fifteenth (15th) day after publication of this Notice, or the first federal workday thereafter. No data or information which is confidential shall be included in any Notice of Objection.

All Notices of Objection, Statements of Objections, Responses, Replies, Motions, and other documents required to be filed with the Office of Hearings and Appeals shall be sent to: Office of Hearings and Appeals, U.S. Department of Energy, Room 6F–005, 1000 Independence Avenue, S.W., Washington D.C. 20585.

Copies of all Notices of Objection, Statements of Objections and all other documents filed by an aggrieved person or other participants shall be served on the same day as filed, on the following person pursuant to 10 CFR 205.193(c): Carl A. Corrallo, Chief Counsel for Administrative Litigation, Economic Regulatory Administration, United States Department of Energy, 1000 Independence Avenue, S.W., Room 3H–017, Washington, D.C. 20585.

Requests for a copy of the proposed Orders with confidential information deleted, should be identified by ERA Case No. and be directed to: Freedom of Information Reading Room, Forrestal Building, 1000 Independence Avenue, S.W., Room 1E–190, Washington, D.C. 20585.

Issued in Washington, D.C., this 22nd day of February 1985.

Avrom Landesman,

Director, Enforcement Programs, Economic Regulatory Administration.

[FR Doc. 85–5253 Filed 3–4–85; 8:45 am]

BILLING CODE 6450–01–M

[ERA Docket No. 84–09–LNG]

Cabot Energy Supply Corp.; Order Granting Authorization To Import Liquefied Natural Gas for Spot and Short-Term Sales

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of issuance of opinion and order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that on February 26, 1985, the ERA Administrator issued an Opinion and Order granting Cabot Energy Supply Corporation (CESCO) authority to import liquefied natural gas (LNG) for short-term and spot market sales. The approval authorizes CESCO to import up to the equivalent of five cargo ships of LNG per year for a two-year period beginning on the date of first delivery to an LNG Facility in the U.S., with the total LNG to be imported in each year not to exceed 15 trillion Btu.

The text of the Opinion and Order follows.

FOR FURTHER INFORMATION CONTACT:

Robert M. Stronach (Natural Gas Division, Office of Fuels Programs), Economic Regulatory Administration, Forrestal Building, Room GA–007, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252–9622

Michael T. Skinker (Office of General Counsel, Natural Gas and Mineral Leasing), U.S. Department of Energy, Forrestal Building, Room 6E–042, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252–6667

Issued in Washington, D.C. on February 26, 1985.

James W. Workman,

Director, Office of Fuels Programs, Economic Regulatory Administration.

Order Granting Authorization To Import Liquefied Natural Gas for Short-Term and Spot Market Sales, and Granting Interventions

[DOE/ERA Opinion and Order No. 72]

February 26, 1985.

I. Background

On August 31, 1984, Cabot Energy Supply Corporation (CESCO) filed an application with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE), pursuant to Section 3 of the Natural Gas Act, for a blanket authorization to import up to five cargoes of liquefied natural gas (LNG) (125,000 m^3 ships or their equivalent) in a 12-month period. The total LNG proposed to be imported in any 12-month period would not exceed 15 trillion Btu, and the agreement executed by CESCO with its supplier(s) under such authorization would not exceed five years in duration. Although the application does not identify specific suppliers or customers, CESCO intends to import the LNG only pursuant to specific supplier and customer agreements. CESCO expects that its customers under the requested authorization would include distribution companies, pipelines, industrial users and other end users. While some agreements could require only one shipload, it expects that most deliveries would supply short-term market needs for one or two heating seasons.

CESCO claims that its application for a blanket authorization is in harmony with the Secretary of Energy's policy guidelines [1] emphasizing competitive pricing and responsiveness to changing market conditions. It proposes to fulfill its obligations as an importer under the guidelines "by ascertaining the reliability of the source and the need for and marketability of the LNG." CESCO asserts that the LNG would be purchased from a reliable source such as Sonatrach, the Algerian national oil company, and sold to customers having short-term requirements. CESCO proposes to enter into specific agreements which will include price, quantity, delivery schedule, and market-responsive provisions as appropriate, and to file a copy of each agreement with the ERA as well as notify the ERA that an import is taking place before the initial ship under each arrangement sails

[1] 49 FR 6684, February 22, 1984.

for the U.S. Only existing facilities would be used for the importation and sale of the LNG. CESCO believes that this procedure will eliminate the need for a public notice and regulatory proceeding before each individual import takes place, and that such short-term arrangements will not be inconsistent with the public interest.

In CESCO's opinion, the existence of an agreement with a potential customer will establish the presumption of need and marketability of the import and that, in dealing with reliable sources to meet short-term needs, security of supply will not be an issue. In addition, it believes that the procedures outlined in its application meet both the requirements of the DOE policy guidelines for importing natural gas and Section 3 of the Natural Gas Act.

II. Interventions and Comments

On October 24, 1984, a notice was issued by the ERA inviting protests or motions to intervene by December 3, 1984.[2] The ERA received five timely motions to intervene, one being a joint motion by nine intervenors, and two late filings, one being comments from Sun Exploration and Production Company (Sun) which were filed on December 10, 1984, and the other a motion to intervene filed by Pacific Gas Transmission Company (PGT) on December 12, 1984. CESCO was the only party to file reply comments. Sun did not move to intervene and is therefore not a party to this proceeding. There was no opposition to any of the motions for intervention. None of the intervenors protested the application or asked for further procedures. With regard to the late filing by PGT, no delay in the proceeding or prejudice to any party will result from granting intervention. Therefore, the PGT late filing is accepted and this order grants intervention with respect to all movants.[3]

The joint petitioners, nine of the 11 distribution companies which now purchase all of the LNG imported by a CESCO affiliate, Distrigas Corporation (Distrigas), and sold to them by another CESCO affiliate, Distrigas of Massachusetts Corporation (DOMAC), raised the issue of allocating the costs of a DOMAC-owned LNG terminalling facility at Everett, Massachusetts, if LNG for short-term sales is brought in by CESCO at this facility. Both CESCO and DOMAC are wholly-owned subsidiaries of Cabot Corporation and the costs of the Everett facility are presently being paid for by the 11 customers of DOMAC through terminalling service charges regulated by the Federal Energy Regulatory Commission (FERC).

Boston Gas, another of the 11 DOMAC customers, also raised the issue of cost allocation at the Everett facility. Boston Gas expressed concern that approval of CESCO's application may jeopardize Boston Gas' DOMAC supply since there are no details as to how it might affect the availability of volumes to DOMAC. It also noted that no mention is made of how CESCO volumes might be transported from the Everett facility to the ultimate buyer, but recognized that many of these issues would be the subject of FERC proceedings.

Brooklyn Union, also a DOMAC customer, requested that the ERA impose the following condition if it grants the authorization sought by CESCO:

> CESCO import arrangements authorized hereby shall be without detriment or disadvantage to customers of existing import projects who are dependent upon such existing projects' gas supplies.

All of the DOMAC customers were concerned about the potential adverse impact of the short-term blanket supplies on their long-term LNG arrangements. They were concerned about the need for a proper allocation of costs of the DOMAC facilities that are presently paid for by DOMC's customers through terminalling services provided by DOMAC under its FERC gas tariff. Furthermore, they expressed concern about the possible impact that this transaction may have upon DOMAC's overall operations and rates to its customers.

CESCO, in its answer, contends that the condition proposed by Brooklyn Union, and, by inference, the concerns raised by DOMAC's other customers, are inappropriate and unnecessary. CESCO contends that DOMAC and Distrigas have permanent certificates of convenience and necessity, and that DOMAC is legally required to serve Brooklyn Union and its other customers, regardless of CESCO's actions.

Brooklyn Union and the other DOMAC customers did not make it clear to the ERA how such an adverse circumstance could occur, or how such a condition would remedy it. However, in the event such a problem were to arise, the FERC, through its certification and ratemaking processes, provides sufficient protection and remedies to DOMAC's customers. Since the allocation of costs of the Everett terminalling facilities between present DOMAC customers and CESCO customers is also regulated by the FERC, any issues in this regard should be brought before the FERC, not the ERA. Hence, the proposed condition is unnecessary.

Brooklyn Union also states that sufficient information has not been provided to enable the ERA or anyone else to determine if all proposed sales are in the public interest and would not be to the detriment of customers with existing gas import projects. Brooklyn Union proposes that, if granted, the authorization should require that the ERA issue a notice and provide a comment period upon receipt of a copy of each letter agreement and gas purchase contract with a U.S. purchaser. After the comment period, Brooklyn Union proposes that the transaction would take place unless the ERA issues an order, before the sailing of the first ship delivering supplies under each arrangement, disapproving or modifying the arrangement. The comments made by PGT would appear to support this proposal because PGT is concerned that the ERA retain for itself the ability to determine that consumers are protected and that the Secretary of Energy's gas import guidelines are satisfied.

CESCO, in its answer, contends that to allow notice and comment could mire CESCO in procedures which might last so long that the intended purchaser would not longer need the LNG by the time the authorization was granted. CESCO notes that it has proposed to notify the ERA before the ship sails, and to file the relevant contracts with the ERA.

The ERA understands the concern that lies behind the request for a review and comment period before individual transactions are executed. Brooklyn Union, and PGT by inference, want to ensure that the ERA has the opportunity to intervene and stop an unacceptable transaction before it occurs rather than have to attempt, after the fact, to mend an adverse situation. However, it appears to the ERA that this approach assumes that the government knows better than the parties involved the best terms, use, and timing of an arrangement. It assumes that the parties involved in the transaction have neither the good economic sense nor the legal tools to operate in their own best interest. The ERA does not accept either

[2] 49 FR 44011, November 1, 1984.

[3] Intervenors are: Bay State Gas Company,* Berkshire Gas Company,* Boston Gas Company, Brooklyn Union Gas Company, Colonial Gas Company, Connecticut Light & Power Company,* Essex County Gas Company,* Fall River Gas Company,* New Jersey Natural Gas Company,* Pacific Gas Transmission Company, Providence Gas Company,* South Jersey Gas Company,* Tennessee Gas Pipeline Company, Valley Gas Company.*

The joint petitioners are shown by an asterisk (*).

of these assumptions. As stated in the policy guidelines, "[t]he market, not government, should determine the price and other contract terms of imported gas." [4] Moreover, the situation underlying proposed blanket authorizations for short-term sales is one in which the market demands quick responses or the transactions do not occur. Although the lead time for LNG shipments is somewhat longer than for overland deliveries of gas, the buyer-seller dynamics are the same. The transactions which would occur under blanket authorizations would be short-term with market-responsive prices and terms. Furthermore, no party is locked into long-term sales nor any terms to which they themselves have not agreed.

PGT intervened as a major importer of natural gas from Canada into the northern California market. PGT suggests that the ERA consider what impacts short-term imports have on the competitiveness of long-term, firm imports. Specifically, PGT cites as an example the proposal made by Northwest Alaskan Pipeline Company (Northwest Alaskan) in its application for blanket authorization to make spot sales.[5] Northwest Alaskan asserted that sales under the blanket authorization would not displace other Canadian sales. PGT contends that this type of safeguard should also be imposed on the CESCO authorization.

In its answer, CESCO states that PGT's concern appears to be that CESCO will compete in the marketplace. CESCO states that it intends to do so. CESCO goes on to say, however, that it does not propose to supplant long-term supplies. Rather, CESCO proposes to bridge short-term gaps which may occur in the fluctuating supply and demand for gas. CESCO further states that PGT's concern about the need for more safeguards is answered by the proposed structure of the blanket authorization which will ensure that only market-responsive transactions will occur.

PGT raises the important issue of long-term versus short-term imports, and, by inference, requests the ERA to protect long-term imports. The ERA is not persuaded to take such action. As the Secretary of Energy's policy guidelines recognize both short-term and long-term projects have roles to play in the marketplace. Each type of project—long-term and short-term—has different components which make up the competitive package; that package will be more or less appealing to a particular customer depending upon that customer's needs. If a customer finds a short-term purchase more attractive than an existing long-term arrangement, that is a signal that the long-term arrangement should be restructured or renegotiated to remain competitive. While the need for assured long-term supplies often overrides the desire for short-term savings, this is not always the case, and participants in the changing natural gas market must be sufficiently flexible to respond to competition in the various forms it takes in order to retain their position in that market. Thus, the ERA is disinclined to impose conditions on this authorization to protect long-term arrangements from competition, even in the short-term.

Sun filed comments protesting the application and requesting that the ERA deny it. Sun alleges that (1) there is no current need for the LNG when significant surplus supplies are available; (2) the cost of the LNG would likely be in the range of $7.00 to $9.00 per MMBtu which is substantially higher than the cost of available domestic and Canadian gas and alternate energy supplies; (3) the balance of trade would be adversely impacted by $250–$300 million; and (4) failure to establish need and consumer benefits is contrary to the policies established in DOE/ERA, Opinion and Order No. 50 in the Trunkline LNG Company case.[6] Sun thus concludes that the application is not in the public interest.

Althouth Sun filed comments opposing the application, Sun did not file a motion to intervene or in any way petition to become a party to this proceeding. The basis for its protest, that the arrangement does not comply with Order No. 50, is, however, erroneous. The findings and criteria used in Order No. 50 apply only to the factual circumstances of that case, not to any other import application. As stated in the **Federal Register** notice of this application, the Secretary of Energy's policy guidelines on gas imports establish the policy which the ERA intends to follow in its decision on the factual circumstances of this case. Sun did not directly address the issue of competitiveness in the marketplace which is key to our decision on an import application, although it stated that there is no current need for the LNG. Sun has not demonstrated that the import would be uncompetitive, and thus has not overcome the presumption of need based on competitiveness as set forth in the policy guidelines. Sun's concern about whether there is sufficient information for the ERA to determine that the import is not inconsistent with the public interest is addressed below in the discussion of the decision.

CESCO in its reply comments stated that many of the "disputable statements of movants" were not premised upon the new policy guidelines which emphasize competition, pricing and responsiveness to changes in market conditions. CESCO stated that none of the intervenors has demonstrated that the import arrangement is not consistent with the public interest, and emphasized that its application addresses the considerations of competitiveness, need, and security of supply by which an import arrangement would be judged. CESCO therefore reiterated that the ERA should grant the authorization.

III. Decision

The CESCO application has been evaluated in accordance with the Administrator's authority to determine if the proposed import arrangement meets the public interest requirements of Section 3 of the Natural Gas Act. Under section 3, an import is to be authorized unless there is a finding that it "will not be consistent with the public interest." [7] The Administrator is guided by the Secretary of Energy's policy guidelines relating to the regulation of natural gas imports. Under these guidelines, the competitiveness of an import arrangement in the markets served is the primary consideration for meeting the public interest test.

This decision recongnizes recent institutional changes in the natural gas industry, particularly the development of the spot market. An active spot market, along with more flexible long-term contracts, are among the new market mechanisms that are allowing pipeline and distribution companies, producers, and consumers to adjust more rapidly to changing market conditions.[8] The DOE's policy is to foster full development of a spot market as an integral part of a properly functioning market for natural gas, while assuring that unexpected, market-disruptive consequences do not occur during this transitional period to a deregulated market. Furthermore, a spot market helps achieve the policy goal for

[4] 49 FR 6685, February 22, 1984.

[5] Filed October 16, 1984, in ERA Docket No. 84-16-NG.

[6] ERA ¶ 70,117, *Federal Energy Guidelines.*

[7] 15 U.S.C. § 717b.

[8] In *Increasing Competition in the Natural Gas Market: Second Report required by Section 123 of the Natural Gas Policy Act of 1978*, submitted in January 1985, the DOE observed that an active spot market will allow the natural gas market to allocate risks efficiently and will help minimize price and supply fluctuations as the market moves from a tightly regulated environment towards fully competitive market conditions. *See* Summary, pp. S-1 and S-8, and Chapter 6, p. 75.

gas imports of having "a supply of natural gas supplemental to domestic production available on a competitive, market-responsive basis. . . ."[9]

In its comments, PGT recommends that in granting an authorization the ERA should reserve for itself the ability to determine that the DOE import policy guidelines will be satisfied by structuring such blanket arrangements to contain adequate safeguards to assure that any adverse impacts are avoided. Several other intervenors, and Sun, expressed concern that there is not sufficient information on individual transactions to ascertain that they are not inconsistent with the public interest. While the ERA does not agree with the specific conditions recommended by PGT and Brooklyn Union, the ERA does agree that some safeguards are warranted.

Spot market sales by their nature are quick, short-term transactions designed to adapt gas sales to changing market conditions. Accordingly, requiring each spot sale to be considered individually with a notice and comment period would defeat this purpose since the opportunity to make the sale could pass before the required administrative procedures are completed. The time required by the administrative process necessitates that, if quick, short-term, spot transactions are to be approved at all, they must be reviewed as a group or on a blanket basis using information presented about the type of transaction and the circumstances under which such transactions would be undertaken.

Moreover, the nature of spot sales arrangements—that each spot sale is voluntarily negotiated, short-term, and frequently executed on an interruptible, best-efforts basis—provides assurance that such transactions will be consistent with the policy guidelines and in the public interest. Thus, the series of spot sales transactions proposed by CESCO can be evaluated and found to be in the public interest without knowing the precise terms of each sale, inasmuch as each sale is freely negotiated and would not take place if the gas was not marketable, not competitively priced, and not needed. It is not essential to know in advance the terms of each sale as long as the parameters for each sale are known.

However, the ERA does have the responsibility of ensuring that the parameters surrounding each sale are in the public interest. Therefore, the ERA does believe that some conditions are necessary to provide safeguards against unintended and unanticipated results because the blanket authorization mechanism is a new and untried concept. Such safeguards should include a reporting requirement and a limitation on the term of the authorization. The latter will provide an opportunity for review of the blanket authorization mechanism and its impacts after a reasonable period of time.

Accordingly, the ERA is limiting CESCO's blanket authorization to a two-year period. The two-year period would begin on the date of first delivery. The limitation is imposed in recognition of the fact that a blanket authorization for short-term, spot market sales is new and experimental. Two years or less is the typical length of a spot market sale. Contracts of up to five years, as requested by CESCO, would not be consistent with the purpose of this blanket authorization. A two-year limit on the term will provide the ERA the opportunity to review the impacts of the program before any lengthier authorization is considered. Assuming the spot market and the blanket authorization operate as envisaged, it should not be difficult for CESCO to request and receive an extension of the blanket authorization.

Furthermore, to facilitate the review of spot market sales transacted under this authorization, the ERA has concluded that a quarterly reporting requirement is required. As a result, submission of the individual contracts as proposed by CESCO will not be required, although in accordance with the application, no gas is to be imported without completed buyer-seller contracts. Quarterly reporting is consistent with that required in other recently issued import authorizations. Under this requirement, CESCO must report whether a spot sale has been made, and if so, report the details of each spot sale transaction during the preceding quarter, including the purchase and sales price, volume, contract adjustment and take provisions, duration of the agreement, ultimate suppliers and purchasers, and markets served. The ERA reserves the right to amend or further condition the import authorization based upon periodic review of the spot market sales effected. The ERA believes that these conditions will provide the information needed to evaluate the impact of spot market sales under the CESCO proposal on a timely basis. This will allow the ERA to adequately protect the public interest.

No intervenor has claimed that CESCO's proposed arrangement does not conform to the DOE policy guidelines. At most, intervenors have raised concerns that there was not sufficient information in the record to enable the ERA to ascertain compliance with the guidelines. However, the ERA has concluded that the information CESCO has presented demonstrates that the spot sales arrangements entered into under CESCO's proposal—would be freely negotiated, and would not take place if they were not competitive arrangements.

As set forth in the gas import policy guidelines, the need for an import is recognized to be a function of its competitiveness. Under the competitive arrangement proposed by CESCO, it will purchase LNG only to the extent it needs the gas to serve specifically defined short-term customers. No intervenor challenged the need for the gas. Only Sun claimed there is no need, but failed to make an adequate demonstration consistent with the Secretary of Energy's policy guidelines.

In short-term, spot arrangements, the ERA has taken the position that security of supply is not an issue of significance. This is such a short-term supply situation, where CESCO expects to supply market needs on a short-term, spot basis for only one or two heating seasons.

After taking into consideration all information in the record of this proceeding, I find that the authorization requested by CESCO, limited as discussed above, is not inconsistent with the public interest and should be granted.[10]

Order

For the reasons set forth above, pursuant to Section 3 of the Natural Gas Act, it is ordered that:

A. Cabot Energy Supply Corporation (CESCO) is authorized to import up to the equivalent of five cargoes of LNG (125,000 m^3 ships or their equivalent) each year during the two-year period beginning on the date of first delivery to an LNG facility in the U.S. with the total LNG imported in each year not to exceed 15 trillion Btu, all to be imported under specific short-term, spot sale supply and customer agreements in accordance with the provisions stipulated in CESCO's application filed with the ERA on August 31, 1984, as modified by this Order.

[9] 49 FR 6687, February 22, 1984.

[10] Because the proposed importation of LNG will use existing facilities, DOE has determined that granting this application is not a Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act (42 U.S.C 4321, *et seq.*) and therefore an environmental impact statement or environmental assessment is not required.

B. CESCO shall notify the ERA in writing of the date of first delivery of LNG imported under Ordering Paragraph A above within two weeks after the date of the first delivery.

C. With respect to the LNG authorized to be imported by this Order, CESCO shall file with the ERA in the month following each calendar quarter, quarterly reports showing, by month, whether spot sales have been made, and if so, the details of each spot sale. The details reported shall include the purchase and sales price, volume, contract adjustment and take provisions, duration of the agreement, ultimate sellers and purchasers, and markets served.

D. The motions for leave to intervene, as set forth in this Opinion and Order, are hereby granted subject to the Administrative procedures in 10 CFR Part 590, provided that participation of the intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their motions for leave to intervene and not herein specifically denied, and that the admission of such intervenors shall not be construed as recognition that they might be aggrieved because of any order issued in these proceedings.

Issued in Washington, D.C., February 28, 1985.

Rayburn Hanzlik,

Administrator, Economic Regulatory Administration.

[FR Doc. 85-5305 Filed 3-4-85; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 84-16-NG]

Northwest Alaskan Pipeline Co.; Order Granting Authorization To Import Natural Gas for Spot and Short-Term Sales

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of issuance of opinion and order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that on February 26, 1985, the ERA Administrator issued an Opinion and Order granting Northwest Alaskan Pipeline Company authority to import natural gas for short-term sales on the spot market. The order amends two existing Northwest Alaskan Pipeline Company long-term authorizations to permit spot market sales of Canadian natural gas not taken by its long-term customers for a two-year period, up to the total existing limit of 1,040,000 Mcf on an annual average daily basis.

The text of the Opinion and Order follows.

FOR FURTHER INFORMATION CONTACT:

Stanley C. Vass (Natural Gas Division, Office of Fuels Programs), Economic Regulatory Administration, Forrestal Building, Room CA-007, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-9482.

Diane J. Stubbs (Office of General Counsel, Natural Gas and Mineral Leasing), U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-6667.

Issued in Washington, D.C., on February 25, 1985.

James W. Workman,

Director, Office of Fuels Programs, Economic Regulatory Administration.

Order Amending Authorizations To Import Natural Gas From Canada, Allowing Spot Market Sales, and Granting Interventions

[DOE/ERA Opinion and Order No. 73]

February 26, 1985.

I. Background

On October 16, 1984, Northwest Alaskan Pipeline Company (Northwest Alaskan) filed an application with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE), pursuant to Section 3 of the Natural Gas Act, Section 9 of the Alaska Natural Gas Transportation Act (ANGTA), and DOE Delegation Order No. 0204-111[1] to amend its existing import authorizations to include a "blanket" authorization to make spot or short-term sales of Canadian natural gas in the United States from authorized volumes not purchased by its long-term contract customers. All such sales would be made on an interruptible or best-efforts basis and, according to the application, would not preempt Northwest Alaskan's firm requirements or displace other Canadian gas sales. Northwest Alaskan asserts that it intends to use the existing prebuilt facilities of the Alaska Natural Gas Transportation System (ANGTS) for spot sales arrangements to the maximum extent possible.

Under the blanket authority requested, Northwest Alaskan wants to be able to negotiate individual spot sales contracts within the limits of the existing authorizations without prior ERA authorization for each sale. The specific terms and conditions for each sale, including the price, volume, and duration would be determined by negotiation between Northwest Alaskan, Northwest Alaskan's Canadian supplier, Pan-Alberta Gas Ltd. (Pan-Alberta), and the ultimate purchaser. Northwest Alaskan proposes to report the details of any spot sales arrangements effected in a semi-annual report filed with the ERA within 40 days after January 1 and July 1 of each year.

Northwest Alaskan is currently authorized to import up to 240,000 Mcf of Canadian natural gas on an annual average daily basis through the import point near Kingsgate, British Columbia, during a term ending October 31, 2001. This gas is resold to Pacific Interstate Transmission Company (PIT) and transported over the Western Leg of the prebuilt portions of the ANGTS, and through other pipelines for eventual sale in southern California. In addition, Northwest Alaskan is currently authorized to import up to 800,000 Mcf of Canadian natural gas on an annual average daily basis through the import point near Monchy, Saskatchewan, over a term ending October 31, 2002. This gas is transported over the Eastern Leg of the ANGTS prebuild and resold to three purchasers, Nothern Natural Gas Company, a Division of InterNorth, Inc. (Northern), Panhandle Eastern Pipe Line Company (Panhandle), and United Gas Pipe Line Company (United).[2]

Northwest Alaskan maintains that granting its request to amend its existing authorizations to permit spot sales of Canadian gas not taken by its long-term contract customers is in the public interest for several reasons. First, spot sales of Canadian gas utilizing the ANGTS prebuilt facilities will lower the unit costs of transporting Canadian gas to U.S. markets through the ANGTS. Such transportation cost reductions, according to Northwest Alaskan, would benefit Northwest Alaskan's U.S. contract purchasers as well as any other U.S. purchasers who receive this gas. Second, spot sales would provide an economical, interruptible supply of gas

[1] On February 15, 1984, the Secretary of Energy in Delegation Order No. 0204-111, delegated the authority to the Administrator of the ERA to regulate the importation and exportation of natural gas under Section 3 of the Natural Gas Act, including imports through the Alaska Natural Gas Transportation System (49 FR 6690, February 22, 1984).

[2] In separate proceedings, the ERA removed certain conditions and extended the terms of Northwest Alaskan's existing authorizations to October 31, 2002 (Eastern Leg), and October 31, 2001 (Western Leg), in DOE/ERA Opinion and Order Nos. 67 and 68, respectively, issued on December 13, 1984. *See* 1 ERA ¶ 70,579 and ¶ 70,580.

which might enable Northwest Alaskan's contract customers to recapture customers that have left their systems in recent years and to maintain customers that might otherwise leave their systems for alternative fuels. Thus, Northwest Alaskan says, the facilities of the U.S. contract customers would be more fully utilized to the benefit of customers of these pipeline systems. Recapturing and maintaining gas loads, it continues, would benefit U.S. consumers by ensuring access to a long-term secure supply of Canadian natural gas for U.S. gas markets, which would be available long after the current short-term surplus has dissipated.

II. Interventions and Comments

On November 2, 1984, the ERA issued a notice inviting protests, motions to intervene, and written comments by December 19, 1984.[3] In response to the notice, the ERA received ten timely motions to intervene, including one joint motion by two intervenors, a motion by Transwestern Pipeline Company (Transwestern) filed one day late. There was no opposition to any of the motions for intervention. Further, no delay in the proceeding or prejudice to any party will result from granting Transwestern's late intervention. Accordingly, this order grants intervention to all persons who moved to intervene.[4] Pan-Alberta filed an answer to El Paso's intervention 13 days late, opposing El Paso's request for a trial-type hearing. There was no opposition to Pan-Alberta's late filing. Since no delay in the proceeding or prejudice to any party will result, this order accepts Pan-Alberta's late filing.

El Paso Natural Gas Company (El Pase), who intervened as a competing pipeline providing domestic natural gas in the southern California market, requests a trial-type hearing to determine (1) whether a need for additional Canadian gas exists in the market areas served by the Western Leg of the ANGTS vis-a-vis the availability of domestic gas supplies in these same areas; (2) the extent of the alleged cost reductions for Canadian gas supplied by Northwest Alaskan under long-term import arrangements; and (3) the effect on domestic suppliers forced to compete with Canadian spot-sales gas at essentially subsidized prices. Specifically, El Paso alleges that, under this arrangement, purchasers of the proposed short-term, spot-sale supplies will be subsidized at the expense of long-term purchasers because the tariffs paid by long-term purchasers recover all of the fixed costs associated with imported gas delivered through the ANGTS. El Paso contends that such price discrimination would operate to the detriment of domestic gas suppliers, including El Paso, to the extent that such suppliers are forced to complete with Canadian spot-sale gas at subsidized prices. Finally, El Paso contends that the ERA does not have sufficient information about the terms of the proposed short-term spot sales arrangements and how the blanket sales program would be implemented to support a reasoned desicison.

Pan-Alberta states in answer to El Paso's intervention and request for hearing that a trial-type hearing on the issue of need is not required since need for the gas is presumptively shown by the fact that spot sales are entered into voluntarily and El Paso has not presented any information refuting that presumption. Pan-Alberta also points out that a trial-type hearing on the extent of cost savings to Northwest Alaskan's long-term customers resulting from increased use of the ANGTS due to spot market sales would not be appropriate because jurisdiction over tariffs charged for transportation of natural gas within the United States lies with the Federal Energy Regulatory Commission (FERC) and not the ERA.

Pacific Gas Transmission Company (PGT), owner and operator of the Western Leg of the ANGTS and supplier of Canadian gas to the northwern and central California markets, indicated that the ERA may have to attach conditions to any authorization granted in order to carry out its statutory responsibilities without a case-by-case review. While not opposing the application, PGT suggests that the ERA must retain the ability to determine whether spot sales authorized on a blanket basis conform to the Secretary of Energy's import guidelines.[5] PGT states that the ERA should consider what impact blanket proposals have on the ability to maintain competitive terms for long-term, firm supplies of imported gas in markets that would be affected. PGT observes that Northwest Alaskan's proposed semi-annual reporting procedure and its stipulation that any sales outside of it present firm customers' market would not displace other Canadian gas are among the safeguards needed to permit the ERA to proceed without a case-by-case review of each spot sale import.

Both El Paso and PGT focus their concern on the competitive impact of the requested blanket authorization, and suggest such competition would be unfair to domestic suppliers in El Paso's case and long-term importers in PGT's case. The ERA believes that domestic supply systems can adjust to any increased competition by crafting arrangements responsive to the marketplace without government assistance or interference. Domestic supply systems may have to reduce their prices, change other contract terms, or offer enhanced availability of supplies over the long term to compete. However, the advent and impact of spot sales of Canadian gas is not different from the burgeoning domestic spot sales market. In both cases, domestic suppliers must compete in order to continue to participate in the market.

The subsidiary issue of need raised by EP Paso has already been decided. First, need for this quantity of gas has already been determined by the FERC and most recently by the ERA in Opinion and Order Nos. 67 and 68 when it extended Northwest Alaskan's authorizations. Second, as noted by Pan-Alberta in its answer to EL Paso, need is a function of competitiveness and is a rebuttable presumption. El Paso failed to demonstrate that the transactions conducted under the blanket authorization would not be competitive, and thus failed to rebut the presumption that the gas will be needed.

The subsidiary issues of how the price components for spot sales arrangements are structured under this blanket authorization and their impacts are legitimate concerns. Spot sales will increase the utilization of the ANGTS, and hence lower unit costs to all ANGTS users, as long as the price structure for the spot sales includes an amount to cover a share of the fixed costs of transportation over the ANGTS. There is no information in the record, however, indicating how the price for spot sales would be structured. What is in the record is that, however structured, each spot sale, including the price, would be freely negotiated, and therefore can be presumed to be competitive. However, if the tariff structure for long-term contract gas could operate to subsidize spot market purchasers to the detriment of competing domestic suppliers, the FERC, which has jurisdiction over tariff and rate matters for imported gas, must

[3] 49 FR 45643, November 19, 1984.

[4] Intervenors are: United Gas Pipe Line Company, Inter-City Gas Corporation, Pan-Alberta Gas Ltd., Panhandle Eastern Pipe Line Company, El Paso Natural Gas Company, Pacific Gas Transmission Company, Northern Border Pipeline Company, Pacific Interstate Transmission Company, Northern Natural Gas Company, Division of InterNorth, Inc., Pacific Lighting Gas Company, Southern California Gas Supply Company, and Transwestern Pipeline Company.

[5] 49 FR 6684, February 22, 1984.

decide what adjustments, if any, are appropriate.

Accordingly, El Paso's request for a trial-type hearing is denied on the grounds that EL Paso failed to identify material and relevant factual issues genuinely in dispute, and that there is no need for such a hearing to enable the ERA to make a decision on this application.

PGT supports a requirement in this blanket authorization, as Northwest Alaskan has stipulated, that spot sales under the arrangement will not displace other Canadian gas nor preempt Northwest Alaskan's firm contract requirements. PGT is concerned that the spot sales under this blanket authorization might otherwise have a detrimental impact on long-term imports of Canadian gas. While Northwest Alaskan and PGT have indicated their desire to protect long-term contracts for Canadian gas from competition from the spot market, we have a different perspective. Both short-term and long-term imports have roles to play in the marketplace. Each type of supply has different components and the arrangement will be more or less appealing to a particular customer depending upon that customer's needs. If the customer finds a short-term purchase more attractive than an existing long-term arrangement, that represents a signal that the long-term arrangement should be restructured or renegotiated to remain competitive. While the need for assured long-term supplies often overrides the desire for short-term savings, this is not always the case, and participants in the changing natural gas market must be sufficiently flexible to respond to competition in the various forms it takes in order to retain their position in that market. The ERA sees no need to impose conditions on this authorization to protect long-term arrangements from competition, even in the short term. This, however, would not prevent Northwest Alaskan from imposing such limitations on its own initiative.

United, a long-term customer of Northwest Alaskan who intervened in support of the application, states that spot sales would lower United's cost of transporting Canadian gas through the ANGTS and may enable Northwest Alaskan's existing customers to retain customers that might otherwise be lost to alternative fuels.

Pan-Alberta, Northwest Alaskan's supplier who intervened in support of the import proposal, contends that sales under the requested blanket authorization will necessarily be competitive because they will occur only under terms voluntarily negotiated by suppliers and purchasers.

III. Decision

Northwest Alaskan's application has been reviewed to determine if amendment of its import authorizations to allow spot market sales of gas not taken by its long-term contract purchasers meets the public interest requirements of Section 3 of the Natural Gas Act. Under section 3, an import is to be authorized unless there is a finding that the import "will not be consistent with the public interest." [6] In making this finding, the Administrator is guided by the Secretary of Energy's policy relating to the regulation of natural gas imports. Under this policy, competitiveness of an import arrangement in the markets served is the primary consideration for meeting the public interest test.

Another factor influencing this decision is the special circumstance of the prebuilt portion of the ANGTS, which Northwest Alaskan states would be used to the maximum extent possible in moving spot sales gas to market. The DOE policy guidelines recognize the uniqueness of the ANGTS prebuild. Futhermore, in DOE/ERA Opinion and Order Nos. 67 and 68, the ERA made a finding that Northwest Alaskan's applications were related to the construction and initial operation of ANGTS within the meaning of Section 9 of ANGTA. The same volumes are involved in the instant application, and sale of those volumes on the spot market does not affect the applicability of ANGTA.

In addition, this decision recognizes recent institutional changes in the natural gas industry, particularly the development of the spot market. An active spot market, along with more flexible long-term contracts, are among the new market mechanisms that are allowing pipeline and distribution companies, producers, and consumers to adjust more rapidly to changing market conditions.[7] The DOE's policy is to foster full development of a spot market as an integral part of a properly functioning market for natural gas, while assuring that unexpected, market-disruptive consequences do not occur during this transitional period to a deregulated market. Furthermore, a spot market helps achieve the policy goal for imports of having "a supply of natural gas supplemental to domestic production available on a competitive, market-responsive basis. . . ." [8]

In its comments, PGT recommends that in granting an authorization the ERA should reserve for itself the ability to determine that the DOE import policy guidelines will be satisified by structuring such blanket arrangements to contain adequate safeguards to assure that any adverse impacts are avoided. While the ERA does not agree with the specific conditions recommended by PGT, the ERA does agree with PGT that some safeguards are warranted.

Spot market sales by their nature are quick, short-term transactio... designed to adapt gas sales to changing market conditions. Accordingly, requiring each spot sale to be considered individually with a notice and comment period would defeat this purpose since the opportunity to make the spot sale could pass before the required administrative procedures are completed. The time required by the administrative process necessitates that, if quick, short-term, spot transactions are to be approved at all, they must be reviewed as a group or on a blanket basis using information presented about the type of transaction and the circumstances under which such transactions would be undertaken.

Moreover, the nature of spot sales arrangements—that each spot sale is voluntarily negotiated, short-term, executed on an interruptible, best-efforts basis—and, in Northwest Alaskan's case, the fact that they are made from volumes already authorized for import but not taken by Northwest Alaskan's long-term purchasers, provide assurance that such transactions will be consistent with the policy guidelines and in the public interest. Thus, the series of spot sales transactions proposed by Northwest Alaskan can be evaluated and found to be in the public interest without knowing the precise terms of each sale, inasmuch as each sale is freely negotiated and would not take place if the gas was not marketable, not competitive, and not needed. It is not essential to know in advance the terms of each sale as long as the parameters for each sale are known.

However, the ERA does have the responsibility of ensuring that those parameters are in the public interest. Therefore, the ERA does believe that some conditions are necessary to

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[6] 15 U.S.C. 717b.

[7] In *Increasing Competition in the Natural Gas Market: Second Report Required by Section 123 of the Natural Gas Policy Act of 1978*, submitted in January 1985, the DOE observed that an active spot market will allow the natural gas market to allocate risks efficiently and will help minimize price and supply fluctuations as the market moves from a tightly regulated environment towards fully competitive market conditions. *See* Summary, pp. S-1 and S-5, and Chapter 6, p. 75.

[8] *Op cit.*, 6687.

provide safeguards against unintended and unanticipated results because the blanket authorization mechanism is a new and untried concept. Such safeguards should include a reporting requirement and a limitation on the term of the authorization. The latter will provide an opportunity for review of the blanket authorization mechanism and its impacts after a reasonable period of time.

Accordingly, the ERA is limiting the blanket authorization requested by Northwest Alaskan to make spot market sales of Canadian gas to a two-year period. The two-year period would begin on the date of first delivery under this authorization. This limitation is imposed in recognition that a blanket authorization for short-term, spot market sales is new and experimental. Two years or less is the typical length of a spot market sale. Granting the blanket authorization as requested by Northwest Alaskan would allow long-term transactions to be negotiated. A two-year limit on the term will provide the ERA the opportunity to review the impacts of the program before any lengthier authorization is considered. Assuming the spot market and the blanket authorization operate as envisaged, it should not be difficult for Northwest Alaskan to request and receive an extension of the blanket authorization.

Furthermore, to facilitate the review of spot market sales transacted under this authorization, the ERA has concluded that a quarterly reporting requirement rather than the semi-annual requirement proposed by Northwest Alaskan is required. This frequency of reporting is consistent with that required in other recently issued import authorizations. Under this requirement, Northwest Alaskan must report whether a spot sale has been made, and if so, the details of each spot sale transaction during the preceeding quarter, including the purchase and sales price, volume, contract adjustment and take provisions, duration of the agreement, ultimate suppliers and purchasers, and markets served. The ERA reserves the right to amend or further condition the blanket import authorization based upon periodic review of the spot market sales effected. The ERA believes that these conditions will provide the imformation needed to evaluate the impact of spot market sales under the Northwest Alaskan proposal on a timely basis. This will allow the ERA to adequately protect the public interest.

No intervenor has claimed that Northwest Alaskan's proposed arrangement does not conform to the DOE policy guidelines. At most, intervenors have raised concerns that there was not sufficient information in the record to enable the ERA to ascertain compliance with the guidelines. The ERA has concluded that the information Northwest Alaskas has presented demomstrates that the spot sales arrangements entered into under Northwest Alaskan's proposal would be freely negotiated, and would not take place if the were not competitive arrangements.

Need and security of supply are not issues in this case. As discussed above, the ERA made findings on the need for and security of supply of the volumes under consideration in this docket in Opinion and Order Nos. 67 and 68, issued December 14, 1984.

After taking into consideration all information in the record of this proceeding, I find that amendment of the existing authorizations to provide the blanket import authority requested by Northwest Alaskan, limited as discussed above, is not inconsistent with the public interest and should be granted.[9]

Order

For the reasons set forth above, pursuant to Section 3 of the Natural Gas Act and Section 9 of the Alaska Natural Gas Transportation Act, it is ordered that:

A. The import authorization previously issued by the Federal Energy Regulatory Commission (FERC) to Northwest Alaskan Pipeline Company (Northwest Alaskan) under Docket Nos. CP 78–123, *et al.*, on April 28, 1980 (11 FERC ¶61,088), and June 20, 1980 (11 FERC ¶61,302), as amended in Docket Nos. CP 78–123–021, *et al.*, on December 15, 1983 (25 FERC ¶61,384), as amended in DOE/ERA Opinion and Order No. 67 (Eastern Leg), issued December 13, 1984, in ERA Docket No. 84–14–NG (1 ERA ¶70,579), is hereby further amended to permit Northwest Alaskan to make spot or short-term sales of authorized volumes not taken by Northwest Alaskan's long-term contract purchasers, Northern Natural Gas Company, a Division of InterNorth, Inc., Panhandle Eastern Pipe Line Company, and United Gas Pipe Line Company, to the extent that these purchasers do not take their full contract amount during any contract year, consistent with the terms set forth in the application submitted in the this docket, as modified by this Order.

B. The import authorization previously issued by the FERC to Northwest Alaskan under Docket Nos. CP 78–123, *et al.*, on January 11, 1980 (10 FERC ¶61,032), and Docket Nos. CP 78–123 *et al.*, on June 13, 1980 (11 FERC ¶ 61,279), as amended in Docket Nos. CP–781–123–021, *et al.*, on December 15, 1983 (25 FERC ¶61,384), as amended in DOE/ERA Opinion and Order No. 68 (Western Leg), issued December 13, 1984, in ERA Docket No. 84–15–NG (1 ERA ¶70,580) is hereby further amended to permit Northwest Alaskan to make spot or short-term sales of authorized volumes not taken by Northwest Alaskan's long-term contract purchaser, Pacific Interstate Transmission Company, Inc., (PIT), to the extent that PIT does not take its full contract amount during any contract year, consistent with the terms set forth in the application submitted in this docket, as modified by this Order.

C. The authority to make spot market sales of natural gas contained in Ordering Paragraphs A and B of this Order is granted for a period of two years beginning with the date of first delivery of natural gas imported for sale on the spot market pursuant to this Order.

D. Northwest Alaskan shall notify the ERA in writing of the date of first delivery of natural gas imported under Ordering Paragraphs A and B above within two weeks after the date of the first delivery.

E. With respect to the spot market sales authorized by this Order, Northwest Alaskan shall file with the ERA in the month following each calendar quarter, quarterly reports showing, by month, whether spot sales have been made, and if so, the details of each spot sale, The details reported shall include the purchase and sales price, volumes, contract adjustment and take provisions, duration of the agreement, ultimate sellers and purchasers, and markets served.

F. The motions for leave to intervene, as set forth in this Opinion and Order, are hereby granted, subject to the administrative procedures in 10 CFR Part 590, provided that participation of the intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their motions for leave to intervene and not herein specifically denied, and that the admission of such intervenors shall not be construed as recognition that they might be aggrieved because of any order

[9] The DOE has detemined that, because existing pipeline facilities will be used, granting authorization to import and export the requested volumes of natural gas is clearly not a Federal action significantly affecting the quality of the human environment withing the meaning of the National Environmental POlicy Act (42 U.S.C. 4321, *et seq.*0 and therefore an environmental impact statement or environmental assessment is not required.

issued in these proceedings. Further, the late answer filed by Pan-Alberta Gas Ltd. is hereby accepted and is included in the official record of this proceeding.

Issued in Washington, D.C., February 26, 1985.

Rayburn Hanzlik,

Administrator, Economic Regulatory Administration.

[FR Doc. 85-5304 Filed 3-4-85; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 85-04-NG]

Northern Natural Gas Co., Division of InterNorth, Inc.; Emergency Interim Order Granting Temporary Increase Daily Limit on Import of Natural Gas from Canada

AGENCY: Department of Energy, Economic Regulatory Administration.

ACTION: Notice of Application and Emergency Order Granting Temporary Authorization to Increase Daily Limit on Natural Gas Imported from Canada.

SUMMARY: On February 25, 1985, Northern Gas Company, Division of InterNorth, Inc. (Northern), filed an application with the Economic Regulatory Administration (ERA) requesting emergency interim approval to increase its imports of natural gas by 100,000 Mcf per day during the period March 1, 1985, through March 31, 1985. Currently, the maximum daily volume Northern is authorized to purchase from its supplier, Consolidated Natural Gas Limited (Consolidated), is 200,000 Mcf per day. Beginning April 1, 1985, imports will revert to the daily rate previously authorized. The application is filed with the ERA pursuant to Section 3 of the Natural Gas Act. Protests or petitions to intervene are invited.

On February 28, 1985, the ERA Administrator issued Opinion and Order No. 75 authorizing, on an emergency, interim basis, the requested increase in volumes during the month of March 1985.

DATES: Protests, motions to intervene, or notices of intervention, as applicable, and written comments are to be filed no later than 4:30 p.m., on March 20, 1985.

FOR FURTHER INFORMATION CONTACT:

Olga T. Ronkovich (Natural Gas Division, Office of Fuels Programs), Economic Regulatory Administration, Forrestal Building, Room GA-007, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 252-9482;

Diana J. Stubbs (Office of General Counsel, Natural Gas and Mineral Leasing), U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue SW., (202) 252-6667.

SUPPLEMENTARY INFORMATION:

I. Background

On February 25, 1985, Northern requested emergency interim authorization to begin importing up to 100,000 Mcf of natural gas per day during the period March 1, 1985, through March 31, 1985, in addition to the 200,000 Mcf per day currently authorized for import from Consolidated. The additional daily volumes will begin to flow upon approval by the ERA and the Canadian National Energy Board (NEB). The additional volumes would be imported on a best-efforts, interruptible basis, at a price of not more than $3.50 (U.S.) per MMBtu nor less than $2.70 (U.S.) per MMBtu in accordance with the terms of Northern's gas purchase contract as amended November 1, 1984. On February 28, 1985, Northern filed a supplement clarifying the pricing provisions of the amending agreement.

Northern states that the interim emergency authorization of these increased volumes would allow the company to minimize its take-and-pay and take-or-pay exposure with its suppliers and to reduce the chance of a related, possible shutdown of domestic gas production fields in the summer, thereby avoiding the negative impacts of these situations on the cost of its gas supplies in 1985. The additional volumes requested would be imported at a point near Emerson, Manitoba.

In support of its request for an emergency interim authorization, Northern states that it serves a temperature-sensitive market with significantly greater winter requirements than summer requirements. Northern states that because of annual contract obligations, it is necessary that Northern be able to import maximum volumes during the heating period (November through March) so that summer production cut-backs can be managed to avoid operational problems such as possible shut-ins of domestic fields, while still enabling Northern to meet minimum purchase requirements throughout its traditional U.S. supply areas. Under its contract with Consolidated, Northern has a minimum purchase obligation of 40.15 Bcf of natural gas for the 1984-85 contract year. The mid-January NEB approval of Northern's renegotiated contract with Consolidated precluded Northern from maximizing its imports under the contract during the early part of the winter heating season and thus jeopardized its ability to fulfill its minimum purchase obligation for the 1984-85 contract year. The proposed increase would enable Northern to accelerate its daily purchases of Canadian gas under the authorization without increasing the annual authorized volumes. As of April 1, 1985, imports will revert to the daily rate previously authorized.

In view of the above considerations, the Administrator determined that granting an emergency order to Northern was not inconsistent with the public interest. While noting that the ERA ordinarily does not act on a request for authorization until expiration of the notice and comment period, the order emphasized Northern's need to maximize takes during the remainder of the winter heating season in order to avoid operational problems during the summer and to avoid potential take-or-pay liabilities. Issued on February 28, 1985, the emergency order approved the increase in maximum daily volumes by 100,000 Mcf during the period March 1, 1985, through March 31, 1985.

Other Information

In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have the written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received by persons who are not parties will be considered in determining the appropriate procedural action to be taken on the application. All protests, motions, to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR Part 590. They should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Room GA-033-B, RG-23, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585. They must be filed no later than 4:30 p.m., March 20, 1985.

A decisional record on the application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided.

such as additional written comments, an oral presentation, a conference, or a trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, the ERA will provide notice to all parties. If no party requests additional procedures, a final opinion and order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR Part 590.316.

A copy of Northern's application is available for inspection and copying in the Natural Gas Division Docket Room, GA-033-B, at the above address. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., on February 28, 1985.

Robert L. Davies,

Director, Coal and Electricity Division, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 85-5352 Filed 3-4-85; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 8590-001]

Buck Rock Hydro, Ltd.; Surrender of Preliminary Permit

February 28, 1985.

Take notice that Buck Rock Hydro, Ltd., Permittee for the proposed Buck Rock Hydro Project No. 8590, has requested that its preliminary permit be terminated. The preliminary permit was issued on January 15, 1985, and would have expired June 30, 1986. The project would have been located on Willow Creek in Tehama County, California.

The Permittee filed the request on February 13, 1985, and the preliminary permit for Project No. 8590 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5232 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 7915-001]

Calero Associates; Surrender of Preliminary Permit

February 27, 1985.

Take notice that Calero Associates, the Permittee for the Colleen Dam Project No. 7915, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 7915 was issued on August 2, 1984, and would have expired on January 31, 1986. The project would have been located on Calero Creek in Santa Clara County, California. The Premittee states that a preliminary study found that the project would not be economically feasible to develop at this time.

The Permittee filed the request on February 1, 1985, and the preliminary permit for Project No. 7915 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this propject site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5233 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 6321-002]

County of Tuolumne; Surrender of Preliminary Permit

February 27, 1985.

Take notice that County of Tuolumne, Permittee for the Pilot Ridge Project, FERC No. 6321, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 6321 was issued on October 18, 1982, and would have expired on September 30, 1985. The project would have been located on South Fork of Tuolumne River, in Tuolumne County, California.

The Permittee filed the request on January 31, 1985, and the preliminary permit for Project No. 6321 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5234 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 8439-001]

Eden Valley Hydro, Ltd.; Surrender of Preliminary Permit

February 28, 1985.

Take notice that Eden Valley Hydro, Ltd., Permittee for the proposed Eden Valley Hydro Project No. 8439, has requested that its preliminary permit be terminated. The preliminary permit was issued on November 13, 1984, and would have expired April 30, 1986. The project would have been located on Eden Creek in Mendocino County, California.

The permittee filed the request on February 13, 1985, and the preliminary permit for Project No. 8439 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5235 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 8586-001]

Golden Wheel Hydro, Ltd.; Surrender of Preliminary Permit

February 28, 1985.

Take notice that Golden Wheel Hydro, Ltd., Permittee for the proposed Golden Wheel Project No. 8586, has requested that its preliminary permit be terminated. The preliminary permit was issued on January 15, 1985, and would have expired June 30, 1986. The project would have been located on Rock Creek in Siskiyou County, California.

The permittee filed the request on February 13, 1985, and the preliminary permit for Project No. 8586 shall remain

in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5236 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP84-63-002]

Mississippi River Transmission Corp.; Proposed Changes in FERC Gas Tariff

February 27, 1985.

Take notice that on February 15, 1985, Mississippi River Transmission Corporation ("Mississippi") tendered for filing revised tariff sheets to its FERC Gas Tariff as listed on the attached Appendix, and a Refund Report.

Mississippi states the purpose of the tariff filing is to implement the applicable provisions of the Stipulation and Agreement ("Agreement") at Docket No. RP84-63, which was approved by Commission letter order dated January 11, 1985. The revised tariff sheets reflect settlement Base Tariff Rates and currently effective Purchased Gas Cost Adjustments approved at Docket No. TA84-2-25-002.

The Refund Report sets forth the cash distribution made to Mississippi's jurisdictional sales customers affected by the Agreement.

Mississippi states that copies of its filing have been served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, DC 20426, in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before March 6, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5237 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 8500-001]

New Valley Hydro Ltd.; Surrender of Preliminary Permit

February 28, 1985.

Take notice that New Valley Hydro Ltd., Permittee for the New Valley Hydroelectric Project, FERC No. 8500, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 8500 was issued on December 20, 1984, and would have expired on May 31, 1986. The project would have been located on Big Creek, in Trinity County, California.

The Permittee filed the request on February 12, 1985, and the preliminary permit for Project No. 8500 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5238 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL84-32-001, et al.]

Plains Electric Generation and Transmission Cooperative, Inc., et al; Compliance Filing

February 28, 1985.

In the matter of Plains Electric Generation and Transmission Cooperative, Inc. v. Public Service Company of New Mexico, Docket No. EL84-32-001; Public Service Company of New Mexico, Docket No. EL84-35-001; Texas-New Mexico Power Co. v. Public Service Company of New Mexico Docket No. EL84-36-001.

Take notice that on February 14, 1985, Public Service Company of New Mexico submitted for filing its revised refund proposal in compliance with the Commission's order dated December 31, 1984 in Docket Nos. EL84-32-000 *et al.* 29 FERC ¶ 61,374. As required by the Commission's order, the allocation of refunds arising out of the settlement of *In re New Mexico Natural Gas Antitrust Litigation*, MDL No. 403 (D. Colo.), is based on historic rather than prospective usage.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before March 15, 1985. Protests will be considered by the Commission in determining the appropriate action to take, but will not serve to make protestants parties to the proceedings. Any person wishing to be a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5239 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 8128-000]

Rogerson Assoc.; Surrender of Preliminary Permit

February 28, 1985.

Take notice that Rogerson Associates, Permittees for the Salmon Falls Dam Project No. 8128, have requested that their preliminary permit be terminated. The preliminary permit for Project No. 8128 was issued on August 2, 1984, and would have expired on January 31, 1986. The project would have been located on Salmon Falls Creek in Twin Falls County, Idaho.

The Permittee filed the request on February 1, 1985, and the preliminary permit for Project No. 8128 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5240 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GP85-15-000]

Transcontinental Gas Pipe Line Corp.; Complaint and Petition for Declaratory Order

February 26, 1985.

On January 23, 1985, Transcontinental Gas Pipe Line Corporation (Transco) filed a Complaint and Petition for Declaratory Order with the Federal Energy Regulatory Commission (Commission) under 18 CFR 385.206 and 207 against the Superior Oil Company (Superior).

Transco requests the Commission find that a violation of section 504(a)(1) of the Natural Gas Policy Act of 1978 (NGPA)[1] would occur if Superior were to receive certain take-or-pay payments for natural gas it has demanded. Furthermore, Transco requests that the Commission issue a declaratory order terminating the controversy between Transco and Superior and removing uncertainty.

Transco states that it has entered into several contracts for the sale of gas with Superior.[2] All of these contracts contain take-or-pay provisions which Superior alleges obligates Transco to either take the specified amount of gas required by the contract or to pay for any gas not taken up to the specified amount.

Transco asserts that it has been unable to take delivery of all gas tendered by Superior under these agreements due to a change in circumstances such as loss of market and a dramatic increase in system deliverability of gas. According to Transco, Superior's deliverability under the subject leases is grossly disproportionate to the producing life of the reserves and the historical production rates. Transco fears that payment under the take-or-pay provisions would violate section 504 of the NGPA. Under its contract with Superior, Transco has a five year period over which it can "make-up" gas paid for but not taken. Transco believes that the reserves will be depleted before it can make up gas paid for but not taken.

Transco also seeks a declaratory order to remove uncertainty as to whether maximum lawful prices established under Title I of the NGPA would be exceeded if Superior were to receive take-or-pay payments for natural gas, even if such payments were made up. Transco argues that a violation occurs because the seller has the interest free use of the amounts paid until the gas is taken. Transco also requests the Commission to find that the take-or-pay provisions contained in its contract with Superior do not comply with the spirit or intent of § 154.103 of the Commission's regulations.

Any person desiring to participate in this proceeding must file a petition to intervene or a protest with the Commission, 825 North Capitol St., N.E. Washington, D.C. 20426 under Rule 211 or 214. The petition or protest must be filed within 15 days of publication of this notice in the **Federal Register**. Only a petition to intervene will make a person a party to this proceeding. Copies of the petition are on file with the Commission and available for public inspection. Superior's answer to the complaint shall be due on or before March 27, 1985.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5241 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[1] 15 U.S.C. 3301-3432 (1983).

[2] These contracts cover gas produced from the Brazos Area, Block 578 field; Vermilion Area, Block 58 field; West Cameron Area, Block 498 field; Eugene Island Area, Block 105 Field; and the Schwarz Field in Webb County, Texas.

[Docket No. TA85-2-49-000; TA85-2-49-001]

Williston Basin Interstate Pipeline Co.; Purchased Gas Cost Adjustment Filing

February 27, 1985.

Take notice that on February 22, 1985, Williston Basin Interstate Pipeline Company (Williston) submitted for filing as part of its FERC Gas Tariff the following tariff sheets:

Original Volume No. 1

Substitute Original Sheet No. 10

Original Volume No. 2

Substitute Original Sheet No. 10

The proposed effective date of Williston's PGA filing is January 1, 1985.

Williston states that this filing is being made outside the normal PGA adjustment dates to immediately reflect gas cost reductions achieved as a result of contract renegotiation efforts with its suppliers. Williston has requested waivers to vary from the normal effective dates. The proposed changes include a cumulative gas cost adjustment of (10.681) cents per Mcf for Rate Schedules G-1, PR-1, I-1, and X-1. No change is proposed to the surcharge adjustment. These changes represent a net decrease in rates for Rate Schedules G-1, PR-1 and I-1 of 20.276 cents per Mcf, and a decrease for Rate Schedule X-1 of 20.276 cents per Mcf, from the rates currently in effect.

The proposed changes are supported by exhibits attached to the filing.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before March 6, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5242 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2245-002, -003]

City of Vanceburg, KY; Application for Surrender of License, Request for Withdrawal of Application for Surrender and Application for Partial Transfer and Amendment of License

February 28, 1985.

Take notice that the City of Vanceburg, Kentucky, Licensee for the Cannelton Project, FERC No. 2245, on March 1, 1984, filed an application for surrender of the project license. The Cannelton Project is located at the U.S. Corps of Engineer's Cannelton Locks and Dam on the Ohio River in Hancock County, Kentucky.

The license for Project No. 2245 was issued on March 29, 1976. The proposed project would consist of a powerplant containing three generating units with a total installed capacity of 70,560 kilowatts. No part of the proposed permanent project works has been constructed by the Licensee. In its application for surrender of its license, the City of Vanceburg cited difficulties in securing financing and marketing of the project power as reasons for its filing. By letter of October 12, 1984, the District Engineer, Louisville District, U.S. Corps of Engineers, stated that the project site is in a condition which is satisfactory to the U.S. Corps of Engineers.

On January 17, 1985, Vanceburg filed another application for partial transfer of the license, withdrawal of application for surrender of license, and an application for amendment of license. Vanceburg now proposes to transfer the license from itself to itself, the

Cannelton Hydroelectric Limited Partnership and the Cannelton Hydroelectric Company. Applicants claim that the transfer is necessary to execute a successful financing arrangement to complete construction of the project. Applicants claim that construction of the project was commenced in a timely manner and that an additional 42 months should be granted to complete project construction. Finally, Vanceburg requests withdrawal of its previously filed surrender of license. As to this last request, the Commission suspended the automatic grant of withdrawal on February 1, 1985, so that the matter could be reviewed further in the context of the entire proceeding.

Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests or motions to intervene must be received on or before April 8, 1985.

Filing and Service of Responsive Documents: Any filings must hear in all capital letters the title "COMMENTS" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Director, Division of Project Management, Office of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5288 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP85-169-003, et al.]

Natural Gas Certificate Filings; Columbia Gas Transmission Corp., et al.

Take notice that the following filings have been made with the Commission:

1. Columbia Gas Transmission Corporation, Columbia Gulf Transmission Company.

[Docket No. CP84-169-003]

February 25, 1985.

Take notice that on February 5, 1985, Columbia Gas Transmission Corporation (Columbia Gas), P.O. Box 1273, Charleston, West Virginia 25325, and Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, (referred to jointly as Columbia), filed jointly in Docket No. CP84-169-003 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to continue to transport up to 3 billion Btu of natural gas per day on behalf of Proctor and Gamble Manufacturing Company (P&G) through June 30, 1985, under the certificates issued in Docket Nos. CP83-76-000 and CP83-496-000, respectively, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Columbia states that the current authorization to transport gas to P&G's Baltimore, Maryland, plant expired November 1, 1984. Columbia further states that in all other respects the transportation arrangement would remain the same.

Comment date: April 11, 1985, in accordance with Standard Paragraph E at the end of this notice.

2. Columbia Gas Transmission Corporation

[Docket No. CP85-258-000]

February 25, 1985.

Take notice that on January 31, 1985, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP85-258-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport natural gas on behalf of Aluminum Ring Company (Aluminum Ring), Metallurgical Exoproducts Corporation (Metallurgical) and Metscrap Division (Metscrap) under the certificate issued in Docket No. CP83-76-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Columbia proposes to transport up to 309 million Btu of natural gas per day, less retainage, for Aluminum Ring; 226 million Btu of natural gas per day of natural gas, less retainage, for Metallurgical; and 165 million Btu per day of natural gas, less retainage, for Metscrap through June 30, 1985, or for a one year-term effective the date deliveries of gas commence hereunder. Columbia states that the gas to be transported hereunder would be used as process gas in Aluminum Ring's, Metallurgical's, and Metscrap's plants in McKees Rocks, Pennsylvania.

Columbia indicates that the gas to be purchased involves gas supplies released by Columbia and that such supplies are subject to the ceiling price provisions of sections 107 and 108 of the Natural Gas Policy Act of 1978. It is further stated that Columbia would receive the gas at existing delivery points in various counties in Pennsylvania and redeliver such gas to Columbia Gas of Pennsylvania, Inc. (distribution company) which in turn redelivers the gas to the three end-users above.

Columbia states that it would charge either (1) its current rates of 21.16 cents and 29.9 cents per dt equivalent of volumes that are within the distribution company's total daily entitlemenmt, or (2) its current rates of 32.50 cents and 41.27 cents per dt equivalent of volumes that are in excess of distribution customer's total daily entitlement, exclusive of company-use and unaccounted-for gas. It is further stated that Columbia would retain for company-use and unaccounted-for gas a percentage of the gas delivered hereunder as reflected in Columbia's rate filing; this percentage is currently 2.43 percent.

Columbia also requests flexible authority to add or delete receipt/delivery points associated with sources of gas acquired by the end-user. The flexible authority requested applies only to points related to sources of gas supply not to delivery points in the market area. Columbia will file a report providing certain information with regard to the addition or deletion of sources of gas as further detailed in the application and any additional sources of gas would only be obtained to constitute the transportation quantities herein and not to increase those quantities.

Comment date: April 11, 1985, in accordance with Standard Paragraph G at the end of this notice.

3. Sea Robin Pipeline Company

[Docket No. CP77-410-005]

February 26, 1985.

Take notice that on January 30, 1985, Sea Robin Pipeline Company (Sea Robin), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP77-410-005

a petition pursuant to section 7(c) of the Natural Gas Act to amend the order issued November 2, 1977, in Docket No. CP77–410 so as to authorize new points of receipt on its existing offshore system of natural gas to be transported by Sea Robin for United Gas Pipe Line Company (United), all as more fully described in the petition to amend which is on file with the Commission and open to public inspection.

Sea Robin states that the proposed additional points of delivery would be at the inlet side of existing measuring stations located at Eugene Island area Blocks 197 and 313, offshore Louisiana. It is explained that the gas received is produced in Blocks 181, 182 and 312.

Sea Robin further states that the gas would be transported pursuant to Sea Robin's FERC Rate Schedule X–17 and redelivered to United at the authorized redelivery point near Erath, Louisiana. The total volume of gas to be transported by Sea Robin would remain at the currently authorized volume of 40,000 Mcf per day.

Comment date: March 18, 1985, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

4. Southern Natural Gas Company

[Docket No. CP85–262–000]

February 26, 1985

Take notice that on February 1, 1985, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP85–262–000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of Gulf Oil Corporation (Gulf), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Southern requests authority to transport for Gulf on a best-efforts basis up to 15 billion Btu of natural gas per day of such greater quantity as Southern may accept from time to time. Gulf would deliver natural gas to Southern at an existing interconnection of facilities located on the production platform operated by Gulf in Main Pass Area Block 77, offshore Louisiana, it is explained. Southern states it would redeliver by displacement the daily quantity of gas delivered by Gulf, less a percentage thereof (initially 1 percent) as Gulf's share of gas used as compressor fule, company-used and unaccounted-for gas, less any shrinkage, fule or loss resulting from or consumed in the processing of the gas transported by Southern, and less Gulf's share of gas lost or vented during transportation, at the existing point of interconnection between the outlet of Gulf's Venice processing plant, Plaquemines Parish, Louisiana, and the measurement facilities of Southern. Southern states that it would charge Gulf a transportation charge of 28.3 cents per MMBtu. Southern states that the proposed transportation will provide Gulf with a means of transporting its Main Pass Area Block 77 gas during periods that Southern purchases less than 100 percent of Gulf's entitlement and will help prevent drainage of Gulf's gas reserves.

Comment date: March 18, 1985, in accordance with Standard Paragraph F at the end of this notice.

5. El Paso Natural Gas Company

[Docket Nos. CP76–37–008 and CP78–443–006]

February 26, 1985.

Take notice that on January 24, 1985, El Paso Natural Gas company (El Paso), Post Office Box 1492, El Paso Texas, 79978, filed at Docket Nos. CP76–37–008 and CP78–443–006, pursuant to section 7(c) of the Natural Gas Act a petition to amend the Commission's orders issued December 3, 1975, in Docket No. CP76–37, as amended, and January 12, 1979, in Docket No. CP78–443, as amended, all as more fully set forth in the Petition to amend which is on file with the Commission and open to public inspection.

El Paso state that by order issued December 3, 1975, as amended, in Docket No. CP76–37, it received permanent certificate authorization for the transportation of up to 70,000 Mcf of natural gas per day and the delivery of such quantity of natural gas, less shrinkage, to Southwest Gas Corporation (Southwest), at various existing points of delivery within the State of Arizona and at the Arizona-Nevada boundary by means of its existing interstate pipeline transmission system. It is explained that such transportation arrangement is presently governed by the terms and conditons of a gas transportation agreement dated May 9, 1975, as amended, between El Paso and Southwest which comprises special Rate Schedule T–4 to El Paso's FERC Gas Tariff, Third Revised Volume No. 2 (hereinafter referred to as the T–4 Arrangement). Additionally, by order issued January 12, 1979, as amended, in Docket No. CP78–443, El Paso states that it received permanent certificate authorization for the transportation of up to 2,500 Mcf of natural gas per day and the delivery of such natural gas, less shrinkage, to Southwest, on a best-efforts basis, at various existing delivery points on El Paso's existing interstate pipeline transmission system situated within the State of Arizona and at the Arizona-Nevada boundary. El Paso states that such transportation and delivery service is presently governed by the provisions of a gas transportation agreement, dated June 30, 1978, as amended, between El Paso and Southwest and is on file with the Commission as special Rage Schedule T–15 to El Paso's FERC Gas Tariff, Third Revised Volume No. 2 (hereinafter referred to as the T–15 arrangement).

El Paso further states that Southwest and Arizona Public Service Company (APS) entered into an agreement in principle dated October 20, 1984, which provided for the sale by APS and the purchase by Southwest of the natural gas assets owned and utilized by APS in its natural gas distribution operations, effective as of November 1, 1984. It is indicated that such assets include all the franchises, pipelines, meter stations and other appurtenances and, generally, all of the natural gas utility assets of APS and that the sale and purchase was approved by the Arizona Corporation Commission by Decision Nos. 54056, 54057 and 54058 issued May 30, 1984, in Docket Nos. U–1345–84–284 (APS) and U–1551–83–284 (Southwest). Accordingly, in light of the recent acquisition by Southwest of APS' natural gas utility assets, it is explained that Southwest has advised El Paso that it is desirous of including, as a part of both the T–4 and T–15 arrangements, the existing points of delivery acquired by Southwest from APS. El Paso states that inasmuch as such delivery points are currently existing points of delivery under the service agreement dated August 15, 1970, between El Paso and Southwest, as successor-in-interest to APS, the addition of said points of delivery to the T–4 and T–15 arrangements would enable Southwest to have greater operational flexibility to utilize its existing natural gas supplies as well as it existing transportation arrangements with El Paso in serving the natural gas requirements of the newly acquired market.

El Paso states further that it and Southwest have entered into two amendatory agreements each dated December 18, 1984, which amend the T–4 and T–15 arrangements, *inter alia*, to provide for the addition of the points of delivery acquired by Southwest from APS as new El Paso delivery points on the Exhibit A attached to each respective gas transportation agreement. It is asserted that the natural gas facilities necessary to effectuate the transportation and delivery of natural

gas to Southwest at the additional points of delivery are existing and no new or additional facilities would be required by El Paso in order to effectuate the addition of such points to both the T–4 and T–15 arrangements as contemplated herein. El Paso asserts that the addition of such existing points of delivery to the T–4 and T–15 arrangements would not cause an increase in the quantities of natural gas presently authorized to be transported and delivered by El Paso to Southwest under either the T–4 arrangement certificated in Docket No. CP76–37 nor the T–15 arrangement certificated in Docket No. CP78–443.

Accordingly, El Paso requests that the Commission further amend its orders in Docket Nos. CP76–37 and CP78–443, respectively, in order to permit it to add the points of delivery which have been acquired by Southwest form APS to the T–4 and the T–15 arrangements.

Comment date: March 18, 1985, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

6. United Gas Pipe Line Company

[Docket No. CP85–261–000]

February 26, 1985.

Take notice that on February 1, 1985, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP85–261–000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for Chevron Chemical Company (Chevron), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that pursuant to a gas transportation agreement dated November 1, 1984, United proposes to transport up to 30,000 Mcf of natural gas per day for Chevron. It is indicated that Chevron would deliver the gas to United at an existing interconnection between the facilities of United and Natural Gas Pipeline Company of America at Texaco's Henry plant in Vermilion Parish, Louisiana. United states that it would deliver the gas to Chevron at existing points of interconnection on United's 30-inch Lirette-Mobile line in St. Charles Parish, Louisiana. United further states that it would charge Chevron the transportation rate in effect from time to time in United's southern rate zone.

Comment date: March 18, 1985, in accordance with Standard Paragraph F at the end of this notice.

7. K N Energy, Inc.

[Docket No. CP85–260–000]

February 27, 1985.

Take notice that on February 1, 1985, K N Energy, Inc. (K N), P.O. 15265, Lakewood, Colorado 80215, filed in Docket No. CP85–260–000 a request pursuant to § 157.205(b) of the Regulations under the Natural Gas Act [18 CFR 157.205(b)] for authorization to construct and operate nine sales taps for the delivery of gas to domestic, agricultural and small commercial end-users under the certificate issued in Docket No.s CP83–140–000, CP83–140–001 and CP83–140–002 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

K N proposes the construction and operation of nine sales taps to various end-users in Kansas and Nebraska along its jurisdictional pipeline system. K N states that the proposed sales taps are not prohibited by any of its existing tariffs and that the additional taps would have no significant impact upon K N's peak day and annual deliveries. K N indicates that the quantity of gas to be sold to each customer would be under 10,000 Mcf per year.

Comment date: April 15, 1985, in accordance with Standard Paragraph G at the end of this notice.

8. Northern Natural Gas Company, Division of InterNorth, Inc.

[Docket No. CP85–283–000]

February 27, 1985.

Take notice that on February 14, 1985, Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP85–283–000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport natural gas on behalf of Northern Petrochemical Company (Shipper) under the certificate issued in Docket No. CP82–401–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northern proposes to transport up to 20,000 Mcf of natural gas per day and up to 5,840,000 Mcf of natural gas per year on behalf of Shipper. It is stated that Shipper is purchasing gas from Northern Gas Marketing, Inc., and would cause the natural gas to be delivered to Northern at 13 receipt points in Kansas and Oklahoma as designated in the gas transportation agreement dated December 14, 1984. Northern proposes to transport and deliver thermally equivalent volumes to an existing interconnection located in Jo Davies County, Illinois, between Northern and Northern Illinois Gas Company (Northern Illinois). Northern Illinois would then transport these volumes directly to Shipper's plant located in Morris, Illinois, it is asserted.

Northern also requests flexible authority to add or delete receipt/delivery points associated with sources of natural gas acquired by the Shipper and deliveries of natural gas to Northern Illinois. Northern asserts that any changes in receipt and/or delivery points would be on behalf of the Shipper at the same end-use location and under the same terms and conditions as would be authorized herein. Northern would file a report providing certain information with regard to the addition or deletion of receipt and/or delivery points as further detailed in the request and any additional sources of gas would be obtained to constitute the transportation quantities herein and not to increase those quantities, it is stated.

Northern explains that its proposed transportation charge would be based upon Northern's Rate Schedule EUT–1 and there would be no added incentive charge.

Shipper would utilize the natural gas transported for boiler fuel use, fuel for cracking furnaces, fuel for the pilot of a flare providing safety and pollution control functions and fuel for building heating demands, it is stated. Northern further states that it would not construct or add to its existing facilities to provide this transportation service. Northern proposes to perform this service for a term not to extend beyond June 30, 1985.

Comment date: April 15, 1985, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs:

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to

intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5287 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER85-306-000, et al.]

Electric Rate and Corporate Regulation Filings; Public Service Co. of Indiana, Inc., et al.

Take notice that the following filings have been made with the Commission:

1. Public Service Company of Indiana, Inc.

[Docket No. ER85-306-000]

February 28, 1985.

Take notice that on February 19, 1985, Public Service Company of Indiana, Inc. (PSCI) tendered for filing pursuant to the Power Coordination Agreement between PSCI and Wabash Valley Power Association, Inc. (WVPA) a Fourth Supplemental Agreement to become effective January 1, 1985.

Said Agreement cancels the Second Supplemental Agreement dated August 3, 1983 and provides for the following changes to the Interim Power Rate Schedule.

1. Makes WVPA's utilization of interim power applicable outside the PSCI control area.

2. Changes the maximum reservation of interim power from 225 MW to 450 MW.

3. Eliminates the requirement that WVPA provide its own bulk transmission service.

4. Changes the demand charge for interim power from $0.33 per kilowatt per week to a charge not to exceed $0.88 per kilowatt per week and incorporates PSCI's Order 84 language for third party transactions.

PSCI requests an effective date of January 1, 1985, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served upon Wabash Valley Power Association, Inc. and the Public Service Commission of Indiana.

Comment date: March 13, 1985, in accordance with Standard Paragraph E at the end of this notice.

2. West Texas Utilities Company

[Docket No. ER85-81-002]

February 27, 1985.

Take notice that on February 14, 1985, West Texas Utilities Company (WTU) submitted for filing a compliance filing that supersedes the compliance filing issued under Docket No. ER85-81-001 on January 28, 1985.

West Texas Utilities submitted revised rates and cost of service applicable to Texas-New Mexico Power Company and the Cities of Brady and Coleman, Texas. The revised rates replace and correct revised rates filed January 14, 1985, pursuant to the Commission's December 8, 1984 suspension order in this proceeding.

West Texas Utilities states that copies of the filing have been served on the customers of WTU affected by the filing and upon the Public Utility Commission of Texas.

Comment date: March 14, 1985, in accordance with Standard Paragraph E at the end of this notice.

3. Southwestern Electric Power Company

[Docket No. ER85-314-000]

February 27, 1985.

Take notice that on February 20, 1985, Southwestern Electric Power Company (SWEPCO) tendered for filing a notice of cancellation of Rate Schedule FERC No. 73. SWEPCO requests an effective cancellation date of June 1, 1984.

Comment date: March 14, 1985, in accordance with Standard Paragraph E at the end of this notice.

4. Alabama Power Company

[Docket No. ER85-312-000]

February 27, 1985.

Take notice that on February 20, 1985, Alabama Power Company (Alabama) tendered for filing a contract executed between it and the Administrator of the Southeastern Power Administration (SEPA) acting on behalf of the United States Government, Department of Energy. The contract is filed with the Federal Energy Regulatory Commission because certain of its provisions provide for the payment of a transmission charge by the Government for transmission of capacity and energy to certain preference customers designated by the Government.

Alabama requests an effective date of February 1, 1985, and therefore requests waiver of the Commission's notice requirements.

Comment date: March 14, 1985, in accordance with Standard Paragraph E at the end of this notice.

5. Southern Company Services, Inc.

[Docket No. ER85-311-000]

February 27, 1985.

Take notice that on February 20, 1985, Southern Company Services, Inc. on behalf of Alabama Power Company, Georgia Power Company, Gulf Power Company and Mississippi Power Company (Southern Companies), tendered for filing Amendment No. 2 to an interchange contract between Southern Companies and the City of Tallahassee, Florida (City).

The amendment to the interchange contract provides for additional long term power sales from Southern companies to City which are scheduled to commence on January 1, 1987.

Comment date: March 14, 1985, in accordance with Standard Paragraph E at the end of this notice.

6. Union Electric Company

[Docket No. ER85-310-000]

February 27, 1985.

Take notice that on February 19, 1985, Union Electric Company (Union) tendered for filing Fourth Amendment dated February 11, 1985, to the Interconnection Contract of September 18, 1979 between City of Columbia, Missouri, and Union.

Union states the purpose of the Amendment is to provide for a new Service Schedule F.

Union requests an effective date of March 1, 1985, and therefore requests waiver of the Commission's notice requirements.

Comment date: March 13, 1985, in accordance with Standard Paragraph E at the end of this notice.

7. Dayton Power and Light Company

[Docket No. ER85-307-000]

February 27, 1985.

Take notice that on February 19, 1985, Dayton Power and Light Company (DP&L) tendered for filing an executed Purchase and Resale Agreement (Agreement) between DP&L and the City of St. Marys (St. Marys), Ohio.

DP&L states that the proposed Agreement allows St. Marys to purchase energy requirements from third parties who will use existing Interconnection Agreement Rate schedules to deliver the energy requirements to DP&L for delivery to St. Marys.

DP&L requests the Commission waive its notice and filing requirements and permit the proposed Agreement to become effective April 1, 1985.

Comment date: March 13, 1985, in accordance with Standard Paragraph E at the end of this notice.

8. West Texas Utilities Company

[Docket No. ER83-694-004]

February 27, 1985.

Take notice that on February 14, 1985, West Texas Utilities Company (WTU) submitted for filing a refund compliance filing pursuant to the Commission's letter order dated January 11, 1985.

WTU's compliance filing included tabulations for each wholesale customer sharing the monthly billing determinants, revenue receipt dates and revenues under prior, interim and settlement rates; the monthly revenue refunds, the monthly interest and a summary of all refunds, and workpapers underlying the interest calculations.

Comment date: March 14, 1985, in accordance with Standard Paragraph H at the end of this notice.

9. Superior Water, Light and Power Company

[Docket No. ER85-309-000]

February 28, 1985.

Take notice that on February 15, 1985, Superior Water, Light and Power Company (SWL&P) tendered for filing a proposed rate schedule W-11, incorporating a Wisconsin license fee adjustment procedure in SWL&P's current rate schedule with its single jurisdictional customer, Dahlberg Light & Power Company (DP&L).

SWL&P states that the license fee adjustment will increase annual revenues from DP&L by $28,772 based upon estimated billing determinants for the 12-month period ending December 31, 1985.

DP&L requests an effective date of January 1, 1985, and therefore requests waiver of the Commission's notice requirements.

SWL&P states that copies of the filing were sent to DL&P and the Public Service Commission of Wisconsin.

Comment date: March 13, 1985, in accordance with Standard Paragraph E at the end of this notice.

10. Public Service Company of New Mexico

[Docket No. ER85-313-000]

February 28, 1985.

Take notice that on February 20, 1985, Public Service Company of New Mexico (PNM) tendered for filing as a rate schedule change for Service Schedule I to the Interconnection Agreement between PNM and the Incorporated County of Los Alamos, New Mexico (County), dated November 26, 1984 (PNM Rate Schedule FERC No. 60). Service Schedule I provides for the interruptible sale of PNM surplus energy to County between April 1, 1985 and December 31, 1992.

PNM requests a waiver of the Commission's notice requirements so that Service Schedule I may become effective as of April 1, 1985.

PNM is an electric utility incorporated in the State of New Mexico, with its principal office in Albuquerque, New Mexico.

Copies of the filing were served upon the County and the New Mexico Public Service Commission.

Comment date: March 14, 1985, in accordance with Standard Paragraph E at the end of this notice.

11. Consolidated Edison Company of New York, Inc.

[Docket No. ER85-308-000]

February 28, 1985.

Take notice that on February 19, 1985, Consolidated Edison Company of New York, Inc. (Con Edison) tendered for filing two supplements (Supplement No. 3 and No. 4) to its Rate Schedule FERC No. 62, an agreement to provide transmission service to Orange and Rockland Utilities, Inc. (O&R). Supplement No. 3 increases the transmission charge from 2.6 mills to 2.7 mills per kilowatthour for interruptible transmission of power and energy purchased by O&R from Pennsylvania Power & Light Company and from the companies of the Northeast Utilities system. The Supplement would increase annual revenues from jurisdictional service during Period I by $2,306.50.

Supplement No. 4 adds the companies of the General Public Utilities System as an additional source of power and energy to be transmitted to O&R under the Rate Schedule.

Con Edison requests that the Commission waive the notice requirements of its regulations and permit Supplement No. 3 and 4 to become effective as of September 15, 1984 and February 14, 1985, respectively.

Con Edison states that a copy of this filing has been served upon O&R.

Comment date: March 13, 1985, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs:

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practices and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

H. Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before the comment date. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the

Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5291 Filed 3-4-85; 8:5 am]

BILLING CODE 6717-01-M

[Docket No. CS85-30-000, et al.]

Triumph Energy, Inc., et al.; Applications for "Small Producer" Certificates [1]

February 28, 1985.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make protest with reference to said applications should on or before March 18, 1985, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Date filed	Applicant
CS85-30-000	Jan. 19, 1985	Triumph Energy, Inc., P.O. Box 53944, Lafayette, Louisiana 70505.
CS85-31-000	do	Colony Energy Corporation, P.O. Box 50550, Midland, Texas 79710.
CS85-32-000	Feb. 1, 1985	R.A. Miller Energy, Inc., 1121 North Longview, Kilgore, Texas 75662.
CS85-33-000	Feb. 8, 1985	Jack D. Cook, Tully & Cunningham, P.A., P.O. Box 268, Farmington, New Mexico 87499-0268.
CS85-34-000	do	Max D. Webb, Tully & Cunningham, P.A., P.O. Box 268, Farmington, New Mexico 87499-0268.
CS85-35-000	Feb. 11, 1985	Bill H. Peal Productions, Inc., 11005 Timbergrove, Corpus Christi, Texas 78410.
CS85-36-000	do	Shanley Oil Company, 9400 N. Central Expressway, No. 313, Dallas, Texas 75231.
CS72-512	Dec. 28, 1984 [1]	Gruss Petroleum Corp. (Evmar Oil Corp.) (Joseph Oil Corporation), 450 Park Avenue, Suite 1801, New York, New York 10022.
CS72-1036	Feb. 4, 1985 [2]	Mrs. J.F. Hickman, as personal representative of the estate of J.F. Hickman, deceased (J.F. Hickman), Post Office Box 2168, Albuquerque, New Mexico 87103-2168

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

[1] On February 1, 1985, this filing was noticed to reflect that Evmar Oil Corp. has changed its name to Gruss Petroleum Corp. This filing is hereby renoticed to reflect that Joseph Oil Corporation has merged with Gruss Petroleum Corp., ceased to exist as a corporation entity, and all sales formerly made by Joseph are now made by Gruss.

[2] Ltr. rec'd dated January 29, 1985, requesting that Mrs. J. F. Hickman, as the personal representative of Mr. Hickman's estate, be included under the certificate as a condition for the transfer of payment from Mr. Hickman to Mrs. Hickman.

[FR Doc. 85-5289 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA85-16-000]

Western Gas Supply Co.; Petition of Western Gas Supply Company for Interim Relief and Adjustment from Incremental Pricing

Issued February 28, 1985.

On February 6, 1985, Western Gas Supply Company (Western),[1] 15th Street, Suite 1150, Denver, Colorado 80202, filed with the Federal Energy Regulatory Commission (Commission) a petition for a staff adjustment under section 206(d) of the Natural Gas Policy Act of 1978 (NGPA) [2] and the Commission's Rules of Practice and Procedure.[3] Western requests that the Commission grant both an adjustment from its regulations implementing incremental pricing and interim relief retroactive to November 26, 1984.

Western states that it sells gas to PABCO [4] for use at PABCO's non-exempt industrial boiler fuel facility. PABCO has informed Western that it will purchase its gas at a lower price from an alternative source [5] unless it is able to acquire an exemption from incremental pricing for the gas in question. Western seeks a staff adjustment to exempt its sales of natural gas to PABCO from incremental pricing.

Western states that an unfair distribution of burdens will fall upon its remaining customers if PABCO discontinues purchasing gas from Western. Western states that its remaining customers will be forced to share a larger burden of its fixed costs. Furthermore, the subject gas is sold under a gas purchase contract with take-or-pay requirements. Western states that it has no alternative market for this gas. Western argues that if it loses the PABCO sale, it will incur take-or-pay liabilities which will ultimately result in higher gas costs to its remaining customers.

Any person desiring to participate in this adjustment proceeding shall file a motion to intervene in accordance with Rule 1105 of the Commission's rules of practice and procedure. All motions to intervene must be filed within 15 days after publication of this notice in the **Federal Register.**

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-5290 Filed 3-4-85; 8:45 am]

BILLING CODE 6717-01-M

[1] Western is a subsidiary of the Public Service Company of Colorado.

[2] 15 U.S.C. 3301-3432 (1983).

[3] 18 CFR 385.1101-117 (1983).

[4] PABCO is a division of the Fiber Board Corporation which is a subsidiary of the Louisiana-Pacific corporation.

[5] Sales from the alternative source are exempt from incremental pricing.

ENVIRONMENTAL PROTECTION AGENCY

[A-4-FRL-2790-1]

Hialeah, FL; PSD Permit Modification for Lonestar Florida/Pennsuco, Inc.

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Prevention of Significant Deterioration (PSD) permit (PSD-FL-050) issued to Lonestar Florida/Pennsuco, Inc., for Cement Kiln Nos. 1, 2, and 3, at their Hialeah, Florida, facility, on July 8, 1980, was modified by letter on December 28, 1984.

DATES: This permit modification is effective as of December 28, 1984.

ADDRESSES: Copies of the PSD permit, permit revision letter, and general files are available for public inspection upon request at the following locations:

Environmental Protection Agency, Region IV, Air Management Branch, Air, Pesticides, and Toxics Management Division, 345 Courtland Street, N.E., Atlanta, Georgia 30365
Bureau of Air Quality Management, Florida Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301

FOR FURTHER INFORMATION CONTACT: Michael Brandon of the EPA—Region IV, Air Management Branch at the Atlanta address given above, telephone 404/881-4552 (FTS: 257-4552).

SUPPLEMENTARY INFORMATION: On July 8, 1980, the Administrator for EPA-Region IV issued a PSD construction permit for modification of three oil-fired kilns to fire pulverized coal at the Lonestar Florida/Pennsuco facility in Hialeah, Florida. By letter dated March 23, 1984, the company requested EPA to modify the company's PSD permit to increase sulfur dioxide emissions from the coal-fired Kiln No. 3 from 26.3 pounds per hour to 400 pounds per hour. Emissions increases of sulfur dioxide from proposed kilns Nos. 1 and 2 from 56.7 pounds per hour each to 125 pounds per hour each were also requested.

The original Best Available Control Technology (BACT) determination of sulfur dioxide (SO_2) emissions was based in part on emission measurements from oil-fired kilns. The predicted removal efficiency did not hold true for coal firing and thus the company requested an increase in the SO_2 emissions limits for all three kilns. Subsequent analysis of the National Ambient Air Quality Standards (NAAQS) and increment consumption yielded a violation of a local ambient air quality standard (Dade County, Florida). An additional provision was added to the permit limiting the total number of kilns which can be fired simultaneously to two in order to protect the local air quality standards. As a result, no NAAQS, increment, or local standard will be violated by this permit modifications.

In addition, no Class I area or nonattainment area will be adversely affected by the increased of emissions sulfur dioxide.

The permit was modified reflecting the above changes by letter to the company on December 28, 1984, and is considered effective on that date. The terms and conditions specified in the original July 8, 1980, federal PSD permit are still in force and effect, except for the modifications specified in the December 28, 1984, letter. If construction does not commence within 18 months after this effective date (December 28, 1984), or if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time, the modified permit shall expire and authorization to construct shall become invalid.

(Secs. 160-169 of the Clean Air Act (42 U.S.C. 7470-7479))

Dated: February 19, 1985.

John A. Little,

Acting Regional Administrator.

[FR Doc. 85-5262 Filed 3-4-85; 8:45 am]

BILLING CODE 6560-50-M

[OPP-66106B; FRL-2791-2]

Dibromochloropropane; Open Panel Meeting on the Use of Existing Stocks

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of a Public Information-gathering Meeting.

SUMMARY: This notice announces that the Environmental Protection Agency and the State of Hawaii (DBCP Use Panel) will hold a 1-day public information-gathering meeting to deliberate on a request to use existing stocks of dibromochloropropane (DBCP) submitted by the Maui Pineapple Company.

DATE: The open meeting will be held by the DBCP Use Panel on March 20, 1985, from 1 p.m. to 8 p.m.

ADDRESS: The meeting will be held at: The Kahului Library Conference Room, 90 School St., Kahului, Maui, Hawaii.

The Maui Pineapple Company's request to use DBCP and the Agency's preliminary use determination (Technical Support Document) are available for public inspection at:

(1) The Kahului Library, 90 School Street, Kahului, Maui, Hawaii (808-877-5048), from Mrs. Mary McMullen
(2) Information Services Section, Program Management and Support Division (TS-757C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 236, CM #2, 1921 Jefferson Davis Highway, Arlington, Virginia

Copies of the Technical Support Document and use determination request can be obtained by contacting:

(3) Environmental Protection Agency, Pacific Islands Contact Office, Rm. 1302, PJK Federal Building, 300 Ala Moana Blvd., Honolulu, Hawaii, from Vicki Tsuhako (808-546-8910).
(4) Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460, from Betty Shackleford
Office location and telephone number: Rm. 717, CM #2, 1921 Jefferson Davis Highway, Arlington, Virginia (703-557-7400)

FOR FURTHER INFORMATION CONTACT: Betty Shackleford, (703-557-7400).

SUPPLEMENTARY INFORMATION: The Office of Pesticide Programs, EPA, has developed a Technical Support Document (TSD) which describes the evaluation criteria and preliminary findings made by the EPA and the State of Hawaii on the application submitted by Maui Pineapple Company. Copies of the TSD may be obtained in advance of the public meeting from the contact persons specified in 3 and 4 above. A limited number of copies of the TSD will also be available at the public meeting.

I. Background

EPA cancelled the remaining registration for use of DBCP as a soil fumigant in Hawaii pineapple culture because ground-water monitoring indicated DBCP had contaminated ground water on Oahu and Maui and because continued use of the pesticide over a long period of time would pose unreasonable adverse effects to man and the environment. However, the Agency believes use of a limited amount of existing stocks for a short period under stringently controlled conditions may be possible with little risk of contaminating potable (fit to drink) ground water. Therefore, in its Notice of Intent to Cancel, published in the **Federal Register** of January 9, 1985 (50 FR 1122), the Agency created a procedure for persons to qualify and seek permission to use existing stocks of DBCP in Hawaii. A DBCP Use Panel was established and given authority to review applications and decide whether to approve use of existing stocks of DBCP on Maui, Hawaii. The Use Panel will convene a public meeting on Maui to receive written and oral comment from the public and local and State government officials. The panel's determinations and the reasons for the decision will be published in the **Federal Register.**

II. Qualified Existing Stocks

In accordance with the provisions set out in the January 9 Notice of Intent to Cancel, qualified existing stocks of DBCP are held by Gowan Company, Yuma, Arizona (155,073 pounds of DBCP active ingredient (Prokil Nematocide EM 12.1)); Southern Farmers Association, North Little Rock, Arkansas (6,156 pounds of DBCP active ingredient (Amvac's Nematocide Solution 17.1)); and the Maui Pineapple Company, Honolulu, Hawaii (27, 951 pounds of

DBCP active ingredient (Amvac's Nematocide Solution 12.1)). These qualified existing stocks may be used only in accordance with the requirements of the Federal Insecticide, Rodenticide, and Fungicide Act (FIFRA) and related regulations, the terms and conditions set out in the January 9 Notice of Intent to Cancel, and any additional restrictions required by the DBCP Use Panel.

III. Use Determination Requests

A request for a use determination has been submitted by the Maui Pineapple Company, the only user of DBCP since 1981. Maui Pineapple Company has applied to use DBCP on a total of 29 fields on Maui, Hawaii. In their application, three fields on the Haliimaile Plantation (fields numbered—213, 216 and 220) totaling 346 acres and nine fields on the Honolua Plantation (fields numbered—10, 17, 18, 27 (bottom), 48, 51, 53, 55 and 64) totaling 573 acres have been identified for the 1985 planting season as possible fumigation sites. This request for use represents 43 percent of the total acreage identified by the Maui Pineapple Company as treatable in 1985.

For the 1986 planting season, the Maui Pineapple Company has applied to use DBCP on 4 fields on the Haliimaile Plantation totaling 362 acres (fields numbered—217–1,2; 218; 219; and 223) and 13 fields on the Honolua Planatation (numbered—19, 23, 28 (bottom), 29, 30, 32, 33 (bottom), 34, 38, 39 (bottom), 47, 56, and 63) totaling 865 acres. The application submitted by the Maui Pineapple Company indicates no field will be treated more than once.

IV. Public Information Gathering Meeting

On March 20, 1985, representatives of the Environmental Protection Agency and the State of Hawaii (DBCP Use Panel) will convene a public information-gathering meeting on the Maui Pineapple Company request for permission to use existing stocks of DBCP.

The purpose of the meeting is to provide the affected public with an opportunity to present information which will assist the DBCP Use Panel in determining which fields, if any, may be treated with DBCP on Maui without the likelihood of contaminating present or future potable ground water. Therefore, participants in the public meeting will be asked to limit their oral statements and written submissions to matters which bear directly on this issue. The following list identifies specific issues on which the panel would like comments and will consider in making its decision; the public is encouraged to use this list for guidance in preparing comments and written submissions which may be submitted in advance to the contact person identified in 4 above.

(1) The proximity of the treatment site to potential potable water supplies.

(2) Mapping information.

(3) Maui monitoring data.

(4) Maui soil leaching studies.

(5) Water use information.

(6) Recharge (water that is replenished to the aquifer).

(7) Hydrogeology of the aquifer(s) underlying Maui pineapple fields.

V. Use Panel Procedures

Persons wishing to make an oral statement at the public meeting should notify the Agency in advance of the meeting to ensure time on the agenda. Interested persons should contact either of the EPA offices listed in this notice (see items (3) and (4) above). Copies of the agenda will be made available at the public meeting. Generally, speakers will be allocated 10 minutes for their statements; however, additional time may be allocated on a case-by-case basis to those persons who have demonstrated "good cause" in their advance notification to the Agency. The DBCP Use Panel may ask questions of a speaker following his or her presentation. If time permits, comments from persons not on the agenda may be heard by the panel at the end of the meeting.

The public meeting will be divided into an afternoon and an evening session. The afternoon session will begin with an opening statement by the Agency followed by a presentation summarizing the preliminary findings described in the TSD. Questions addressing materials contained in the TSD, arising from the Agency's oral statement, or the administrative record will be heard by the DBCP Use Panel immediately following the Agency's statement of preliminary findings. After the use panel has addressed questions from the public, the next 30 minutes will be reserved for comments from State and local government authorities should they elect to present information. The remainder of the afternoon session and entire evening session will be reserved for comments from the public. Comments made during the meeting will be considered by the use panel with other materials in rendering a determination on the Maui Pineapple Company application.

The use panel will also consider written comments on the issues raised at the public meeting; these comments must be submitted to Betty Shackleford, EPA, on or before March 28, 1985.

The use panel's decision on the Maui Pineapple Company application will be based on a determination of whether use of DBCP would be likely to result in the contamination of potable water supplies. The use panel will take into consideration whether the particular field is upgrade of a potable water supply, whether pumping potable water may influence the flow of the DBCP leachate from the particular pineapple field, and such other factors as the panel may deem appropriate. Present and future uses of the water will be considered. All decisions for continued use of DBCP must be made by unanimous agreement of the DBCP Use Panel comprised of one voting representative each from the State of Hawaii and the EPA. The use panel's decision and basis for the determination will be published in the **Federal Register.**

Dated: March 1, 1985.

Steven Schatzow,

Director, Office of Pesticide Programs.

[FR Doc. 85–5400 Filed 3–4–85; 8:45 am]

BILLING CODE 6560–50–M

FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order No. 854; Revocation of FCA Order No. 849]

Authority Delegations; Officers To Act as Governor

ACTION: Notice.

SUMMARY: The Governor of the Farm Credit Administration has issued Order No. 854 authorizing certain officers of the Farm Credit Administration to act as Governor in the event the Governor is absent or unable to perform the duties of the office. The text of the Order is as follows:

1. In the event that the Governor of the Farm Credit Administration is absent or is not able to perform the duties of the office for any other reason, the officer of the Farm Credit Administration who is highest on the following list and who is available to act is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the Office of Governor of the Farm Credit Administration:

(a) Senior Deputy Governor;

(b) Deputy Governor, Office of Examination and Supervision, and Chief Examiner;

(c) Deputy Governor, Office of Administration;

(d) General Counsel;

(e) Any other officer of the Farm Credit Administration designated by the Governor.

2. This Order shall be effective on March 1, 1985, and supersedes Farm Credit Administration Order No. 849, dated October 1, 1984 (49 FR 39913, 10/11/84).

Donald E. Wilkinson,

Governor, Farm Credit Administration.

[FR Doc. 85-5248 Filed 3-4-85; 8:45 am]

BILLING CODE 6705-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Information Collection Submitted to OMB for Review

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection: Annual Report of Trust Assets (OMB No. 3064-0024).

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget, Standard Form 83, "Request for OMB Review", for the information collection system identified above.

ADDRESS: Written comments regarding the submission should be addressed to Judy McIntosh, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to John Keiper, Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

FOR FURTHER INFORMATION CONTACT: Requests for a copy of the submission should be sent to John Keiper, Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429, telephone (202) 389-4351.

SUMMARY: The FDIC is requesting OMB to extend the expiration date of the current form used in the Annual Report of Trust Assets (OMB No. 3064-0024) from March 31, 1985 to February 28, 1987. The form, FFIEC 001, is currently being revised by an interagency committee of the Federal Financial Institutions Examination Council. The drafting committee will seek public comment on the revisions before requesting OMB approval. FDIC regulation 12 CFR 304.3(1) requires all insured state nonmember commercial and savings banks operating trust companies or granted FDIC consent to exercise trust powers to submit the Annual Report of Trust Assets, Form FFIEC 001, no later than February 1 of each year. The reporting burden on the current Form FFIEC 001 is approximately 3.3 hours per report.

Dated: February 26, 1985.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 85-5282 Filed 3-4-85; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL HOME LOAN BANK BOARD

[84-145]

Monthly Financial Survey

AGENCY: Federal Home Loan Bank Board.

ACTION: Notice.

SUMMARY: The public is advised that the Federal Home Loan Bank Board has submitted a revised information collection request, "Monthly Financial Survey (OMB No. 3068-0506)", to the Office of Management and Budget for expedited approval in accordance with the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Comments: Comments on the information collection request are welcome and should be submitted within 10 days of publication of this notice in the **Federal Register.** Comments regarding the paperwork-burden aspects of the request should be directed to: Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503. Attention: Desk Officer for the Federal Home Loan Bank Board.

The Board would appreciate commenters sending copies of their comments to the Board.

Requests for copies of the proposed information collection request and supporting documentation are obtainable at the Board addressd given below: Director, Information Services Section, Office of Secretariat, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552. Phone: 202-377-6933.

FOR FURTHER INFORMATION CONTACT: Richard C. Pickering, Office of Policy and Economic Research. Phone: 202-377-6770.

Dated: February 28, 1985.

By the Federal Home Loan Bank Board.

J.J. Finn,

Secretary.

[FR Doc. 85-5284 Filed 3-4-85; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION

American Automar Inc. et al.; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreeement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, D.C. Office of the Federal Maritime Commissison, 1100 L Street NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 217-010658-001.

Title: Automar/Atlantic Container Line Cooperation Agreement.

Parties:

American Automar, Inc.

Automar II Corporation

Atlantic Container Line, GIE

Synopsis: The proposed amendment would modify the cooperative working arrangement between the parties to incorporate various provisions relating to ACL's chartering of space to American Automar, Inc. on the M/V American Condor. It would provide that carriage of all types of cargo is permitted on the M/V American Condor, and also modify the agreement to conform with the format requirements of the Commission's regulations. The parties have requested a shortened review period.

Agreement No.: 202-010689-001.

Title: Transpacific Westbound Rate Agreement.

Parties:

American President Lines, Ltd.

Barber Blue Sea

The East Asiatic Company

Evergreen Marine Corp. (Tiawan), Ltd.

Hanjin Container Lines, Ltd.

Hapag-Lloyd Trans-Pacific Service

Japan Line, Ltd.

Kawasaki Kisen Kaisha, Ltd.

Korea Marine Transport Co., Ltd.

Lykes Brothers Steamship Co., Inc.

A.P. Moller—Maersk Line
Mitsui O.S.K. Lines, Ltd.
Neptune Orient Lines, Ltd.
NYK Line
Sea-Land Service, Inc.
Showa Line, Ltd.
United States Lines, Inc.
Yamashita-Shinnihon Steamship Co., Ltd.
Orient Overseas Container Line, Inc.
Zim Israel Navigation Co., Ltd.

Synopsis: The proposed amendment would modify the voting provisions of the agreement to provide voting representation in each voting group and provide that rate initiatives would become effective ten calendar days from the Agreement Manager's receipt of the original notice. It would also modify the independent action provisions to provide that any party's local representative may authorize independent action to follow that taken by another party. It would also permit the parties to create a separate Canada voting group or groups. The parties have requested a shortened review period.

Agreement No.: 202–010693–001.
Title: Florida/Caribbean Liner Association.
Parties:
Bernuth Lines, Ltd.
Calypso Lines
West India Shipping Co.
Tropical Shipping and Construction Co., Ltd.
Saquenay Shipping, Ltd.
TEC Lines, Ltd.

Synopsis: The proposed amendment would add Sea-Land Service, Inc., Concorde/Nopal Lines and the Shipping Corporation of Trinidad and Tobago as parties to the agreement. The parties have requested a shortened review period.

Agreement No.: 224–010727.
Title: Oakland Terminal Agreement.
Parties:
The Port of Oakland (Port)
Hyundai Merchant Marine Co., Ltd. (Hyundai)

Synopsis: The agreement between the parties is a terminal use agreement providing the Hyundai shall have nonexclusive right to premises at the Port's 7th Street Public Container Terminal. Hyundai will use the premises for the berthing, loading and discharging of its vessels and related operations in its transpacific container service. Hyundai agrees that the assigned premises shall be its published, regularly scheduled Northern California port of call. Hyundai will pay to the Port 95 percent of the tariff dockage and wharfage revenues. If Hyundai continues to use the assigned premises during the full term of the agreement, they will pay to the Port 90 percent of dockage and wharfage revenue. If Hyundai's usage of the premises generates an excess of 31,000 revenue tons in a contract year, wharfage payments for such tonnage in excess of the amount will be refunded to Hyundai. The term of the agreement commences upon the first of the month following the Commission's determination of effectiveness and terminates January 31, 1990.

Agreement No.: 224–010728.
Title: Oakland Terminal Agreement.
Parties:
The Port of Oakland (Port)
Johnson Scanstar, Euro-Pacific Service and Pacific Europe Express (USER)

Synopsis: The agreement between the parties is a terminal user agreement providing that the USER shall have the nonexclusive right to premises at the Port's Charles P. Howard Terminal for the berthing, boarding and discharging of its vessels in its "all-water" European/Mexican/West Coast of North America container service. USER agrees that the assigned premises shall be its published, regularly scheduled Northern California port of call. USER will pay to the Port 90 percent of tariff dockage and wharfage revenues. If USER's usage generates in excess of 31,000 revenue tons per acre in a contract year, wharfage payments for such tonnage in excess of the amount will be refunded to USER. If USER'S regularly scheduled vessel calls exceed 72 per contract year USER shall not have to pay dockage on vessel calls in excess of 72. For USER's non regularly scheduled charter vessels calls USER will pay dockage equal to 70 percent of said vessel calls. The term of the agreement commences upon the first of the month following determination of the effective date by the Commission and terminates December 1, 1989.

Agreement No.: 224–010730.
Title: Los Angeles Terminal Agreement.
Parties:
The City of Los Angeles (City)
L. A. Cruise Ship Terminals, Inc. (LACST)

Synopsis: Agreement No. 224–010730 provides for the granting by the City to LACST preferential use of Berths 91–93 in the Port of Los Angeles for passenger operations. The term of the agreement is for five years. The facilities include the renovation of an existing passenger terminal at Berth 93 A&B, the construction of a new passenger terminal at Berth 91–92, and the construction of a new wharf and passenger terminal at Berth 93 D&E.

By Order of the Federal Maritime Commission.

Dated: February 28, 1985.

Bruce A. Dombrowski,

Assistant Secretary.

[FR Doc. 85–5297 Filed 3–4–85; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

First National Corp. of Jacksonville, et al.; Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than March 25, 1985.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *First National Corporation of Jacksonville,* Jacksonville, Alabama; to acquire 100 percent of the voting shares of Bank of Anniston, Anniston Alabama.

2. *Repton Supply Co., Inc.,* Brewton Alabama; to become a bank holding company by acquiring 11.8 percent of the voting shares of Bank of Brewton, Brewton, Alabama.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First United Financial Services, Inc.* Arlington Heights, Illinois; to retain 14.07 percent of the voting shares of Unibancorp, Inc., Chicago, Illinois, thereby indirectly retain its interest in UnibancTrust Company, Chicago,

Illinois and Hawthorne Bank of Wheaton, Wheaton, Illinois.

C. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *First White Oak Bancshares, Inc.* White Oak, Texas; to become a bank holding company by acquiring 80 percent of the voting shares of White Oak State Bank, White Oak, Texas.

2. *Haltom City Bancshares, Inc.*, Dallas, Texas; to acquire 100 percent of the voting shares of American Bank of Commerce, Grapevine, Texas.

Board of Governors of the Federal Reserve System, February 26, 1985.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 85-5215 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

Gulf Coast Holding Corp. ESOT, et al.; Formations of, Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than March 27, 1985.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Gulf Coast Holding Corporation ESOT*, Panama City, Florida; to become a bank holding company by acquiring 25 percent of the voting shares of Gulf Coast Holding Corporation, Panama City, Florida.

2. *St. Mary Holding Corporation*, Franklin, Louisiana; to become a bank holding company by acquiring 100 percent of the voting shares of The St. Mary Bank and Trust Company, Franklin, Louisiana.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Chicago Commerce Bancorporation*, Chicago, Illinois; to become a bank holding company by acquiring 97 percent of the voting shares of Chicago Bank of Commerce, Chicago, Illinois.

C. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Kentucky National Corporation*, Louisville, Kentucky; to acquire 100 percent of the voting shares of Bank of Commerce and Trust Company, Lexington, Kentucky.

D. **Federal Reserve Bank of San Francisco** (Harry W. Green Vice President) 101 Market Street, San Francisco, California 94105:

1. *SCB Bancorp*, Costa Mesa, California; to become a bank holding company by acquiring 80.1 percent of the voting shares of South Coast Bank, Costa Mesa, California.

Board of Governors of the Federal Reserve System, February 27, 1985.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 85-5216 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

Peoples Bankshares, Inc; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23 (a)(2) or (f) or the Board's Regulation Y (12 CFR 225.23 (a)(2) of (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holdings companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 27, 1985.

A. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Peoples Bankshares, Inc.*, Waterloo, Iowa; to acquire Bankers Plus, Inc., Minneapolis, Minnesota, and thereby engage in the leasing of personal and real property throughout the United States. The authority for the nonbanking activity is found in § 225.25(5) of Regulation Y.

Board of Governors of the Federal Reserve System, February 27, 1985.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 85-5217 Filed 3-4-85; 8:45 am]

BILLING CODE 6210-01-M

Southwest Financial Corp.; Formation of, Acquisition By, or Merger of Bank Holding Companies

The company listed in this notice has applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. § 1842) and section 225.14 of the Board's Regulation Y (12 C.F.R. 225.24) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. § 1842(c)).

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that application or to the offices of the Board

of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Comments regarding this application must be received not later than March 11, 1985.

A. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Southwest Financial Corporation*, Evergreen Park, Illinois; to acquire 100 percent of the voting shares of Hickory Creek Bank of New Lenox, New Lenox, Illinois.

Board of Governors of the Federal Reserve System, March 1, 1985.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 85-5422 Filed 3-4-85; 10:16 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

National Institute for Occupational Safety and Health; Surveillance Cooperative Agreements Between NIOSH and States; Availability of Funds for Fiscal Year 1985

The National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control (CDC), announces the availability of funds for Fiscal Year 1985 to continue the Surveillance Cooperative Agreements Between NIOSH and States (SCANS). Assistance will be limited to those five states that presently have a cooperative agreement. The cooperative agreements are authorized by section 20(a)(1) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(1)). No new applications are being accepted in Fiscal Year 1985.

It is expected that approximately $310,000 will be available in Fiscal Year 1985 to support five cooperative agreements. The funding estimate may vary and is subject to change. Continuation awards within the project period are made on the basis of satisfactory performance and on the availability of funds.

For Further Information Contact: Leo A. Sanders, Chief, Grants Management Branch, Procurement and Grants Office, Centers for Disease Control, 255 East Paces Ferry Road, N.E., Room 321, Atlanta, Georgia 30305. Telephone: (404) 262-6575 or FTS 236-6575.

Dated: February 26, 1985.

J. Donald Millar,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 85-5277 Filed 3-4-85; 8:45 am]

BILLING CODE 4160-19-M

Public Health Service

Health Maintenance Organizations

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice; qualified health maintenance organizations.

SUMMARY: This notice sets forth the name, addresses, service areas, and dates of qualification of entities determined by the Secretary to be federally qualified health maintenance organizations (HMOs).

FOR FURTHER INFORMATION CONTACT: Frank H. Seubold, Ph.D., Associate Director for Health Maintenance Organizations, Bureau of Health Maintenance Organizations and Resources Development, Room 9-05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-4106.

SUPPLEMENTARY INFORMATION: Regulations (42 CFR 110.605(d)) issued under Title XIII of the Public Health Service Act (the Act) require that a list and description of all newly qualified HMOs be published on a periodic basis in the **Federal Register.** This notice is an accumulation of information regarding those HMOs that have been qualified since the last such list was published on October 3, 1984. There are three categories of qualified HMOs: Operational, transitionally qualified, and preoperational (see CFR 110.602 and 110.603).

The following entities have been determined to be qualified HMOs under section 1310(d) of the Act (42 U.S.C. 300e-9(d)):

Operational Qualified Health Maintenance Organizations: 42 CFR 110.603(a)

1. Health Plan of Mid America (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), 4510 Bellview, Suite 104, Kansas City, Missouri 64111. The service area comprises the counties of Johnson, Leavenworth, and Wyandotte in Kansas; the counties of Jackson, Clay, and Platte in Missouri; and zip codes 64087 and 64102 in Cass County, Missouri.

Date of qualification: September 1, 1984. (Achieved preoperational qualification on July 24, 1984.)

2. Health Plus, Inc. (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), 6611 Kenilworth Avenue, Riverdale, Maryland 20737. The service area comprises the District of Columbia and the following zip codes in the following counties in Maryland:

Prince Georges County

20331	20712	20748
20390	20715	20769
20601	20716	20770
20607	20722	20772
20608	20735	20781
20613	20737	20782
20623	20740	20783
20705	20743	20784
20706	20744	20785
20707	20745	20786
20708	20746	20903
20710	20747	20912

Montgomery County

20815	20903	20910
20895	20904	20912
20901	20906	
20902	20907	

Anne Arundel County

21035	21114	21401
21054	21140	21403

Date of qualification: September 12, 1984.

3. Healthcare Corporation of the Mid-Atlantic (Medical Group Model, see section 1310(b)(1) of the Act), 1005 North Point Boulevard, Baltimore, Maryland 21224. On June 22, 1984, the for-profit entity, Healthcare Corporation of the Mid-Atlantic, a wholly-owned subsidiary of Healthcare Corporation America, assumed the assets and liabilities of Metropolitan Baltimore Health Care, Inc. (MBHC), a federally qualified HMO. Subsequently, Healthcare Corporation of the Mid-Atlantic was approved for Federal qualification and the Federal qualification of MBHC was voluntarily reliquished. The service area comprises the following zip codes in Maryland:

20701	21022	21051
20707	21023	21052
20755	21024	21053
20759	21025	21054
20777	21027	21055
20781	21028	21056
20794	21029	21057
20863	21030	21061
21001	21031	21071
21005	21032	21074
21009	21034	21076
21010	21036	21077
21012	21040	21078
21013	21043	21080
21014	21044	21082
21017	21045	21083
21018	21046	21084
21019	21047	21085
21020	21048	21087
21021	21050	21088

21090	21202	21404
21092	21203	21405
21093	21204	21723
21101	21205	21725
21102	21206	21735
21104	21207	21737
21105	21208	21738
21107	21209	21757
21108	21210	21764
21111	21211	21765
21112	21212	21768
21113	21213	21771
21114	21214	21776
21117	21215	21784
21120	21216	21787
21122	21217	21791
21127	21218	21794
21128	21219	21797
21130	21220	21901
21131	21221	21902
21132	21222	21903
21133	21223	21904
21136	21224	21911
21139	21225	21912
21144	21226	21913
21146	21227	21914
21150	21228	21915
21152	21229	21916
21153	21230	21917
21154	21231	21918
21155	21234	21919
21156	21236	21920
21157	21237	21921
21160	21239	21930
21161	21240	17321
21162	21401	17363
21163	21402	
21201	21403	

Date of qualification: October 29, 1984.

4. HealthWays, Inc. (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), 485 U.S. Route 1, Parkway Towers, Iselin, New Jersey 08830. On October 26, 1984, the for-profit entity, HealthWays, Inc., agreed to purchase the assets and assume the liabilities of the not-for-profit HealthWays, Inc., a federally qualified HMO comprising two regional components. Sebsequently, the for-profit HealthWays, Inc., was approved for Federal qualification, and the Federal qualification of the former, not-for-profit corporation, HealthWays, Inc., was voluntarily relinquished. The service area for the Iselin regional component comprises Middlesex and Union Counties. The service area for the Mercer regional component (see number 15 following) comprises Mercer County.

Date of qualification: November 2, 1984.

5. TAKECARE Prepaid Health Services of Oklahoma, Inc. (Direct Contract Model, see section 1310(b)(2)(B) of the Act), 5110 South Yale, Suite 201, Tulsa, Oklahoma 74135. The service area comprises Tulsa County and the following zip codes in the following other counties of Oklahoma:

Creek County

Glenpool 74033
Kelleyville 74039
Kiefer 74041
Mannford 74044
Mounds 74047
Oakhurst 74050
Sapulpa 74066

Muskogee County

Haskell 74436

Osage County

New Prue 74060

Rogers County

Catoosa 74015
Claremore 74017
Inola 74036
Oologah 74053

Wagoner County

Coweta 74429

Washington County

Vera 74082

Date of qualification: November 5, 1984.

6. Health Care Plus, Inc. (Individual Practice Association Model, see action 1310(b)(2)(A) of the Act), 7701 East Kellogg, P.O. Box 18008, Wichita, Kansas 67218. On September 1, 1984, the for-profit entity, Health Care Plus, Inc., a federally qualified HMO comprising four regional components, became a new, wholly-owned subsidiary corporation of Health Care Plus of America, Inc. Subsequent to this reorganization, the new Health Care Plus, Inc. was approved for Federal qualification, and the Federal qualification of the former Health Care Plus, Inc. was voluntarily relinquished. The service areas for the four regional components are:

Regional Component and Service Area

Wichita, Sedgwick County
Lawrence, Douglas County
Hutchinson, Reno County
Salina, Saline County

Date of qualification: November 8, 1984.

7. Summa Health Plan (Direct Contract Model, see section 1310(b)(2)(B) of the Act), 3425 North First Street, Fresno, California 93726. The service area comprises Fresno and Madera Counties.

Date of qualification: November 16, 1984.

8. Physicians Health Plan of Nothern Indiana, Inc. (Direct Contract Model, see section 1310(b)(2)(B) of the Act), 2410 Coliseum Boulevard North, Suite 110, Fort Wayne, Indiana 46805. The service area comprises the following zip codes in the following counties in Indiana:

Adams County

46740	46772
46769	46780
46711	46782

Allen County

46704	46773
46741	46774
46743	46777
46745	46801–46899 (Fort
46748	Wayne)
46765	

De Kalb County

46706	46763
46721	46788
46738	

Huntington County

46702	46783
46750	46792

Jay County

47328	47371
47336	47373

Wells County

46714	46778
46731	46781
46759	46791
46766	46799
46770	

Whitley County

46723	46787
46726	

Date of qualification: November 26, 1984.

9. Health Circle (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), 3624 South Westnedge, Kalamazoo, Michigan 49008. The service area comprises the following counties in Michigan: Allegan, Barry, Branch, Calhoun, Cass, Kalamazoo, St. Joseph, and Van Buren.

Date of qualification: December 6, 1984.

10. Kaiser Foundation Health Plan of North Carolina (Medical Group Model, see section 1310(b)(1) of the Act), P.O. Box 95163, 2900 Highwoods, Raleigh, North Carolina 27625. The service area comprises the following counties in North Carolina: Chatham, Durham, Franklin, Granville (except zip codes 27565 and 27315), Harnett, Johnston, Nash, Orange (except zip codes 27231, 27278, and 27243), and Wake.

Date of qualification: December 31, 1984.

Transitionally Qualified Health Maintenance Organizations; 42 CFR 110.603(b)

11. Central Texas Health Plan (Direct Contract Model, see section 1310(b)(2)(B) of the Act), 3307 Northland Drive, Suite 300, Austin, Texas 78731. The service area comprises the following counties in Texas: Bastrop, Burnet, Caldwell, Hays, Lee, Travis, and Williamson.

Date of qualification: October 10, 1984.

12. Dean Health Plan, Inc. (Medical Group Model, see section 1310(b)(1) of the Act), 8515 Grand Teton Plaza, P.O.

Box 56099, Madison, Wisconsin 53706. The service area comprises the following counties in Wisconsin: Columbia, Dane, Dodge, Green, Iowa, Jefferson, Marquette, Rock, and Sauk.

Date of qualification: November 6, 1984.

Qualified Regional Components: 42 CFR 110.603(e)

13. Tampa Bay Health Plan, Ltd., Palm Beach County, Florida (Direct Contract Model, see section 1310(b)(2)(B) of the Act), an operational qualified regional component of Tampa Bay Health Plan, Ltd., of St. Petersburg, Florida 33702. The service area comprises Palm Beach County.

Date of qualification: September 6, 1984.

14. Maxicare, Marin County, California (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), an operational qualified regional component of Maxicare, Hawthorne, California 90250. The service area comprises Marin County.

Date of qualification: September 11, 1984.

15. Healthways, Inc., Mercer County, New Jersey (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), an operational qualified regional component of Healthways, Inc., Iselin, New Jersey 08830. The service area comprises Mercer County.

Date of qualification: October 2, 1984.

16. Prudential Health Care Plan, Inc., Jacksonville, Florida (Medical Group Model, see section 1310(b)(1) of the Act), an operational qualified regional component of Prudential Health Care Plan, Inc., Roseland, New Jersey 07068. The service area comprises zip code 32082 in St. John's County and all of Nassau, Dural, Baker, and Clay Counties.

Date of qualification: October 3, 1984.

17. Peak Health Plan, Ltd., Northern Colorado (Medical Group Model, see section 1310(b)(1) of the Act), an operational qualified regional component of Peak Health Plan, Ltd., Colorado Springs, Colorado 80909. The service area comprises Larimer County.

Date of qualification: November 19, 1984.

18. Sanus Texas Health Plan, Inc., Houston, Texas (Direct Contract Model, see section 1310(b)(2)(B) of the Act), an operational qualified regional component of Sanus Texas Health Plan, Inc., Irving, Texas 75063. The service area comprises Harris County, plus the following zip codes:

77373	77478	77565
77380	77479	77573
77388	77511	77578
77390	77518	77581
77459	77545	77584
77477	77546	77598

Date of qualification: December 7, 1984.

19. TakeCare Corporation, Santa Cruz County, California (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), an operational qualified regional component of TakeCare Corporation, Oakland, California 94659. The service area comprises the following zip codes in California:

Aptos	95003
Ben Lomond	95005
Boulder Creek	95006
Brookdale	95007
Capitola	95010
Davenport	95017
Felton	95018
Freedom	95019
Mt. Hermon	95041
Santa Cruz	95060–66
Scotts Valley	95066
Soquel	95073
Watsonville	95076
La Selva Beach	95076

Date of qualification: December 10, 1984.

20. United Health Plan of Virginia, Inc., Hampton Roads, Virginia (Direct Contract Model, see section 1310(b)(2)(B) of the Act), an operational qualified regional component of United Health Plan of Virginia, Inc., Glenn Allen, Virginia 23060. The service area comprises the following zip codes:

Battery Park	23304
Carrollton	23314
Carrsville	23315
Chesapeake	23320 through 23325
Crafton	23692
Ft. Monroe	23651
Hampton	23661 through 23670
Isle of Wight	23397
Lackey	23694
Lightfoot	23090
Newport News	23601 through 23607
Norfolk	23501 through 23514
Norfolk	23516
Norfolk	23517
Norfolk	23518
Norfolk	23520
Norfolk	23521
Norfolk	23523
Norge	23127
Portsmouth	23701 through 23705
Portsmouth	23707
Portsmouth	23708
Portsmouth	23709
Poquoson	23662
Rescue	23424
Seaford	23696
Smithfield	23430
Suffolk	23432 through 23438
Toano	23168
U.S. Naval Weapons	23691
Virginia Beach	23450 through 23464
Williamsburg	23185
Windsor	23487
Yorktown	23690
Zuni	23693

Date of qualification: December 11, 1984.

21. Prudential Health Care Plan, Inc., San Antonio, Texas (Individual Practice Association Model, see section 1310(b)(2)(A) of the Act), an operational qualified regional component of Prudential Health Care Plan, Inc., Roseland, New Jersey 07068. The service area comprises Bexar County, plus the

following zip codes: 78004, 78006, 78108, 78123, 78124, 78130, 78154, and 78155.

Date of qualification: December 28, 1984.

22. Matthew Thornton Health Plan, Manchester County, New Hampshire (Medical Group Model, see section 131(b)(1) of the Act), an operational qualified regional component of Matthew Thornton Health Plan, Nashua, New Hampshire 03060. The service area comprises the following towns in New Hampshire: Manchester, Allenstown, Auburn, Bedford, Candia, Chester, Deerfield, Derry, East Candia, Goffstown, Hooksett, New Boston, Pembroke, Raymond, Suncook and Weare.

Date of qualification: December 28, 1984.

Files containing detailed information regarding qualified HMOs will be available for public inspection between the hours of 8:30 a.m. and 4:30 p.m. on Tuesdays and Thursdays, except for Federal holidays, in the Office of Health Maintenance Organizations, Bureau of Health Maintenance Organizations and Resources Development, Department of Health and Human Services, Rm. 9-11 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Questions about the qualification review process or requests for information about qualified HMOs should be sent to the same office.

Dated: February 25, 1985.

Robert Graham,

Administrator, Assistant Surgeon General.

[FR Doc. 85-5267 Filed 3-4-85; 8:45 am]

BILLING CODE 4160-16-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[DOCKET No. N-85-1511; FR-2057]

Availability of Funding From the Solar Energy and Energy Conservation Bank; Solicitation of Program Proposals

AGENCY: Solar Energy and Energy Conservation Bank, HUD.

ACTION: Notice of Fund Availability and Notice of Solicitation of Program Proposals.

SUMMARY: The Solar Energy and Energy Conservation Bank has approximately $15 million available to be awarded for its financial assistance program in Fiscal Year 1985. A proposed revision of the current 24 CFR 1800.95 concerning allocation of such funds among States, as required by section 104(d)(2) of the Housing and Community Development Technical Amendments Act of 1984, has been published elsewhere in today's issue of the **Federal Register**

The revision will not become effective until it is published as a final rule after public comment and funds will not be allocated until then. However, the Bank requires any States without current cooperative agreements with the Bank which desire to receive Fiscal Year 1985 funds to submit program proposals in accordance with this Notice to permit timely Bank review. This Notice sets forth the approximate allocations of funds which will be available to new State participants in Fiscal Year 1985 if the proposed § 1800.95 becomes a final rule without substantial change. This notice also sets forth the required contents of program proposals.

FOR FURTHER INFORMATION CONTACT: Dr. Richard Francis, Manager, Solar Energy and Energy Conservation Bank, Room 7110, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410. Telephone: 202-755-7166. (This is not a toll-free number.)

Proposal due Date: Proposals from States without current cooperative agreements must be received by the Bank within 60 days of publication of this Notice.

SUPPLEMENTARY INFORMATION:

Tenative Allocations

If the proposed § 1800.95 becomes a final rule without substantial change, the tentative allocation of funds for new State participants will be approximately as follows:

Alaska	$120,000
South Dakota	$120,000
Trust Territory of the Pacific Islands	$120,000
Virgin Islands	$120,000
Wyoming	$120,000

The Bank cannot estimate the Fiscal Year 1985 allocation for other States until it receives and reviews the State semi-annual reports due at the end of July 1985, which will serve as the basis for applying the performance-based criteria listed in § 1800.95(a) of the proposed rule. New State participants will be given no points under any of the performance-based criteria since they are relevant only for operating programs. All States will be notified of the tentative allocation of funds when calculated after publication of a final rule which revises 24 CFR 1800.95. The Bank cannot estimate what amount of funds, if any, will be tentatively allocated for new States participants if substantial change to the proposed § 1800.05 is made.

How New States Receive Tentative Allocations

Any State which does not have a cooperative agreement with the Bank may receive its tentative allocation for Fiscal Year 1985 by submitting a written program proposal which is acceptable to the Bank. The program proposal should contain, as a minimum, the following.

(1) A narrative description of the specific financial assistance program proposed and the tenchiques to be used to interrelate ongoing energy-related activities with Bank-provided funding and relevant local or private resources available;

(2) A description of the organizational framework of the lead agency for implementing the proposed program including the administrative, managerial or regulatory relationships between the lead agency and any planned local or private agency participants, which identifies the lead agency key personnel, their proposed role(s), and their qualifications for the job;

(3) A statement of program general objectives and specific goals, the rationale for the energy conservation and/or solar program(s) and building eligibility proposed, as well as any geographic areas or income groups targeted for priority attention;

(4) A proposed timetable for implementation and operation of the program, assuming a cooperative agreement with the Bank is in effect in September 1985;

(5) A proposed budget onthe funding for proposed activities based on the Bank's estimated allocation and any planned sources of funding other than the Bank, with a breakdown of planned expenditures and explanation of how they were derived by type of assistance proposed, including estimated administrative and promotional expenses (see 24 CFR 1800.99 for limitations);

(6) A statement on existing financial assistance programs and assurance that the proposed use of Federal funds will not overlap, duplicate, or displace such existing programs;

(7) Proposed quality assurance activities, *e.g.*, random post-installation inspections;

(8) A statement that the proposal is in response to this Notice and submitted by a State that is currently not a program participant, which is signed by a duly authorized individual; and

(9) The identification of a person or persons (including telephone numbers and addresses) who may be contacted to provide further information to the Bank's staff concerning the proposal.

and the name, telephone number and address of the person to whom a cooperative agreement from the Bank would be directed.

If a program proposal is acceptable, the Bank will prepare a cooperative agreement for obligation of the State's tentative allocation when the exact allocation is determined under a final version of the revised 24 CFR 1800.95. If a program proposal is unacceptable, the Bank will inform the State of deficiencies which must be corrected before a cooperative agreement can be prepared. A new State participant with an acceptable proposal must complete and return the cooperative agreement to the Bank within 60 days of the time the cooperative agreement is provided by the Bank or by September 15, 1985, whichever is sooner.

Environmental Review

A Finding of No Significant Impact with respect to the environment under regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4347) is unnecessary, since approval of State programs and allocation of funds to States is categorically excluded under HUD regulations (24 CFR Part 50) as adopted by the Bank at 24 CFR 1800.135(b).

OMB Control Number

The reporting provisions that are included in this Notice have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96–1111) and have been assigned OMB control number 2504–0003. This control number has an expiration date of May 31, 1986.

(Subtitle A, Title V, Energy Security Act of 1980; Pub. L. 96–294; 12 U.S.C. 3601 *et seq.*)

Dated: February 26, 1985.

Richard H. Francis,

Manager, Solar Energy and Energy Conservation Bank.

[FR Doc. 85–5299 Filed 3–4–85; 8:45 am]

BILLING CODE 4210-32-M

Office of the Secretary

[Docket No. N–85–1509]

Privacy Act of 1974; Proposed Amendment to System of Records

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of proposed amendment to existing system of records.

SUMMARY: The Department is giving notice that it intends to amend the Section 8 Program Research Data Files (HUD/PD&R–7) system of records.

EFFECTIVE DATE: The amendment shall become effective 30 calendar days from the date of publication of this notice unless comments are received on or before that date which will result in a contrary determination.

ADDRESS: Rules Docket Clerk, Room 1027, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT: Arthur L. Stokes, Departmental Privacy Act Officer, Telephone: (202) 755–6374.

SUPPLEMENTARY INFORMATION: The Section 8 Program Research Data Files (HUD/PD&R–7) will be used to support the Housing Voucher Demonstration Evaluation research project. The project will provide a side-by-side comparison of the impact of the Housing Voucher Program on the Section 8 Existing Housing Program. Comparisons will be made in success rates, moving rates, turnover rates, rent burdens and housing quality for families in the two programs. The evaluation will also compare administrative costs in the two programs.

To be consistent with the Housing Voucher Demonstration Evaluation Project, the system location is changed to delete Boone, North Carolina; the "Categories of Records in the System" section is modified without expansion; and the retention and disposal period of personnel identifiers is extended from four months to four years.

The Section 8 Program Research Data Files System (HUD/PD&R–7) was established at 44 FR 72306 (December 13, 1979) and amended at 45 FR 35426 (May 27, 1980). The system is published below in its entirety as amended.

Authority: 5 U.S.C. 552(a), 88 Stat. 1896; sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)).

Issued at Washington, D.C., February 26, 1985.

Donald J. Keuch, Jr.,

Deputy Assistant Secretary for Administration.

HUD/PD&R–7

SYSTEM NAME:

Section 8 Program Research Data Files.

SYSTEM LOCATION:

Cambridge, Massachusetts.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Families selected in a random sample of applicants to and certificate holders in the Section 8 Program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, address, household demographics (age, sex, race, income, handicapped status), condition of pre-program housing units, condition of program housing units, program status information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sec. 501, 502, Housing and Urban Development Act of 1970 (Pub. L. 91–609), 12 U.S.C. 1701z–1, 1701z–2.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

In filed folders and on magnetic tape/disc/drum.

RETRIEVABILITY:

Name, address.

SAFEGUARDS:

Manual files will be kept in lockable cabinets in a secured area; computer records will be maintained in a separate secured area. Access to either type of record will be limited to authorized personnel.

RETENTION AND DISPOSAL:

All personal identifiers will be destroyed approximately four years after the system is created.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Housing Assistance Research Division, TRH Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

NOTIFICATION PROCEDURE:

For information, assistance, or inquiry about existence or records, contact the Privacy Act Officer at the Headquarters locations, in accordance with 24 CFR Part 16. This location is given in Appendix A.

RECORD ACCESS PROCEDURES:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquartrs location. This location is given in Appendix A.

CONTESTING RECORD PROCEDURES:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual

concerned, appear information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

RECORD SOURCE CATEGORIES:

Subject.

[FR Doc. 85-5301 Filed 3-4-85; 8:45 am]

BILLING CODE 4210-32-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Baker Resource Management Plan; Notice of Intent, Preliminary Issues and Public Involvement Opportunity

AGENCY: Bureau of Land Management, U.S. Department of the Interior.

ACTION: Notice of intent and availability of Baker Resource Area issues and notice of public opportunity for participation in the Baker resource management planning process.

SUMMARY: Pursuant to section 43 CFR 1610 regulations for resource management planning, the Department of the Interior, Bureau of Land Management, Vale District Office, has developed preliminary issues to facilitate the preparation of the Baker Resource Management Plan (RMP) and Environmental Impact Statement (EIS). A newsletter with a map, program summaries, and proposed list of issues is available and an open house has been scheduled to answer questions and receive input.

SUPPLEMENTARY INFORMATION: The plan will result in land use allocations and resource management directions for approximately 426,000 acres of BLM-administered land in the Baker Resource Area. The planning area is located in Morrow, Umatilla, Union, Wallowa, Baker, and Malheur counties in Oregon and portions of Asotin and Garfield counties in Washington. When completed in late 1986, the plan will supercede the existing BLM Grande Ronde and Blue Mountain management framework plans (MFPs). It will amend the Baker management framework plan except for those issues which were addressed in the Ironsides Grazing Management Environmental Impact Statement and related decision documents. Wilderness designation will be addressed separately in the Oregon Statewide Wilderness Environmental Impact Statement.

Preliminary issues which the plan will address include:

1. Grazing management and forage use by livestock and wildlife (including riparian zones and wildlife habitat) for the BLM lands in Morrow, Umatilla, Union, Wallowa, Asotin, and Garfield counties only.
2. Land tenure adjustments throughout the resource area.
3. Designation and management direction for special areas, including potential Areas of Critical Environmental Concern, throughout the resource area.
4. Fire management including wildfire suppression and prescribed fire.

The following programs will be addressed but are not considered major resource allocation issues at this time:

1. Geothermal and oil and gas leasing.
2. Grande Ronde river corridor management.
3. Timber management on all commercial forest lands in the district.
4. Cultural resources.
5. Air and water quality, and
6. Utility or transportation corridors.

Disciplines to be represented on the interdisciplinary team will include forestry, wildlife biology, range management, lands and realty, minerals, recreation, soils science, hydrology, geology, archaeology, and economics. The resource specialists represented in these disciplines will assist the Baker Area Manager in developing planning criteria which will be used to draft an array of land use and resource management alternatives. These alternatives will be summarized and published in September or October 1985 for public review and comment to facilitate scoping of the EIS and development of the preferred alternative. The draft plan and EIS will be available for public review in the spring of 1986 and the final plan and EIS are scheduled to be completed in the fall of 1986. A record of decision and rangeland program summary will be completed in the winter of 1986-87.

Copies of the preliminary issues and a map have been sent to the resource area's current mailing list. Copies are also available at the resource area and district offices. In addition, the resource area office will hold an open house on March 1, 1985, from 8:00 a.m. to 4:00 p.m. to provide additional opportunities for public input.

Public involvement will be a key part of the planning process. Public announcements and notices in local newspapers, along with published BLM planning documents, will provide schedules and locations for meetings associated with the planning process and document review and comment opportunites.

DATE: The public is invited to submit written comments by april 1, 1985, on: (1) site-specific issues which should be addressed in the plan and the EIS, (2) criteria which should be used in the formulation of proposed alternatives, and (3) nominations of Areas of Critical Environmental Concern. Anyone wishing to comment, or be added to the Baker RMP mailing list should contact Jack Albright, Baker Resource Area Manager, Bureau of Land Management, Federal Building, P.O. Box 987, Baker, Oregon 97302, or call (503) 523-6391. Planning documents will also be available for public review during normal working hours at the Bureau of Land Management, Vale District Office, 100 Oregon St., P.O. Box 700, Vale, Oregon 97918, telephone (503) 473-3144.

Dated: February 28, 1985.

Fearl M. Parker,

District Manager, Vale.

[FR Doc. 85-5228 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-85-M

[A-7057]

Arizona; Termination of Designation of Big Sage Research Area

February 22, 1972.

1. On October 3, 1971 (FR Doc. 72-16778 on page 20731), the land described below was designated as the Big Sage Research Natural Area:

Gila and Salt River, Meridian

T. 40 N., R. 1 E.,
Sec 28, NE¼.

The area contains 160 acres of public lands.

2. The designation of the above described land has no further justification or need. Therefore, pursuant to the authority delegated by BLM Manual, Section 1203 (48 FR 85), the designation is hereby terminated in its entirety.

R. Keith Miller,

Deputy State Director, Division of Operations.

[FR Doc. 85-5230 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-32-M

[PHX-077993]

Arizona; Order Providing for Opening of Public Lands; Correction

February 20, 1985.

1. On January 7, 1985, an Order providing for the opening of public lands was published in **Federal Register** Volume 50, Number 4, Page 895. The subject Order is hereby amended as follows:

2. In an exchange of land made under the provisions of section 3 of the Act of June 14, 1934 (48 Stat. 960), the following land has been reconveyed to the United States under the serial number listed below:

PHX-077993

T. 41 N., R. 1 E., GSR Mer., Arizona,
Sec. 31, NE¼, SW¼.

The area described contains 480 acres in Coconino County.

3. At 9 a.m. on April 5, 1985, the land described in Paragraph 2 will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. All valid applications received at or prior to 9 a.m. on April 5, 1985 shall be considerd as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. At 9 a.m. on April 5, 1985, the land described in Paragraph 2 will be opened to location under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. Appropriation under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38 shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

5. At 9 a.m. on April 5, 1985, the land described in Paragraph 2 will be opened to applications and offers under the mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. All applications and offers received prior to 9 a.m. on April 5, 1985 will be considered as simultaneously filed as of that time and date, and a drawing will be held in accordance with 43 CFR 1821.2–3, if necessary. Those applications and offers received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Arizona State Office, Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011.

Don R. Mitchell,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 85–5229 Filed 3–4–85; 8:45 am]

BILLING CODE 4310-32-M

Realty Action, as Amended; Sale of Public Land, Shasta County, CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Amendment to notices of realty action, sale of public lands.

SUMMARY: This action amends Notices of Realty Action proposing the sale of certain parcels of public land administered by the Redding Resource Area, originally published in the **Federal Register** at 48 FR 43225, Sept. 22, 1983, Vol. 48 No. 185 and 49 FR 14207, Apr. 10, 1984, Vol. 49 No. 70. Twenty-five parcels remain available for sale. The current fair market value, sale methodology, segregative effect, and patent reservations are described herein.

The following described lands will be offered for sale, by sealed bid only, at 10:00 a.m. on May 1, 1985, and on subsequent first Wednesdays of each month at 10:00 a.m. until the parcels have been sold or the segregation expires.

The sealed bids will be opened at 10:00 a.m. on the day of sale at the Redding Resource Area Office, Bureau of Land Management, 355 Hemsted Drive, Redding, California 96002. Sealed bids shall be considered only if received at the above address prior to 10:00 a.m. on the date of sale.

Each sealed bid shall be accompanied by certified check, postal money order, bank draft or cashier's check made payable to the Department of Interior—BLM, for not less than one-fifth of the bid. The sealed bid envelopes must be marked on the front left corner "Redding Resource Area, Shasta Land Sale, Parcel Number ——."

If 2 or more envelopes containing valid bids of the same amount are received, the determination of which is to be considered the highest bid shall be by supplemental biddings. The designated high bidders shall be allowed to submit oral or sealed bids as designated by the authorized officer. Interested parties and the public in general may attend the sealed bid sales to be held at the above referenced time and place.

A bid on parcels determined to contain "no known mineral value" will also constitute an application for conveyance of those mineral interests offered for conveyance in the sale. The declared high bidder will be required to deposit a $50.00 non-refundable filing fee (43 CFR 2720.1–2(c)), and the mineral estate will be sold simultaneously with the surface estate.

The successful bidder shall submit the remainder of the full bid price prior to the expiration of 180 days from the date of sale.

Upon publication of this Notice of Realty action in the **Federal Register**, the subject public lands shall be segregated to the extent that they will not be subject to appropriation under the public land laws, including the mining laws. The segregative effect shall terminate upon issuance of patent, upon publication in the **Federal Register** of a termination of the segregation or 270 days from the date of publication, whichever occurs first.

All other terms and conditions cited in the previously published Notice of Realty Action, and amendment remain in effect. All patents issued will be subject to prior existing rights.

Detailed information regarding these actions may be obtained from the Redding Resource Area Office, 355 Hemsted Drive, Redding, California 96002.

Case No.	Acres	Fair market value	R-O-W	Mineral	Oil and gas lease	Power-site	Wetland/ riparian
CA 14247	40	$12,600	A-1	B			
CA 14248	43.79	75,000	A-1, A-3	B	C		
CA 14249	40	40,500	A-1, A-6	B	C		
CA 14250	40	43,000	A-1	B			
CA 14251	40	36,000	A-1	B	C	E-2	
CA 14252	80	62,000	A-1	B	C		
CA 14253	40	30,000	A-1	B	C		
CA 14254	40	36,000	A-1	B	C		D-1
CA 14255	40	36,800	A-1	B	C		D-2
CA 14256	60.60	58,500	A-1, A-3	B	C	E-2	
CA 14257	40.70	44,500	A-1	B	C		D-3
CA 14259	40	22,200	A-1	B			
CA 14260	40	28,500	A-1, A-3*, A-6	B			

Case No.	Acres	Fair market value	R-O-W	Mineral	Oil and gas lease	Power-site	Wetland/ riparian
CA 14261	160	22,000	A-1	B	C		
CA 14269(a)	4.56	23,500	A-1, A-3*	B			
CA 14269(b)	22.67	39,710	A-1, A-3*, A-6	B			
CA 14270(a)	0.47	735	A-1	B			
CA 14271	0.06	100	A-1	B			
CA 14272	0.01	100	A-1	B			
CA 14273	5	26,000	A-1, A-3	B			
CA 14274	7.5	59,000	A-1, A-3*, A-6	B			
CA 14278	17.31	26,000	A-1	B			
CA 14282	14.74	1,500	A-1	B			
CA 14283	24.59	2,500	A-1	B			
CA 14285	10	14,500	A-1	B			

Patent Reservations

A–1. Excepting and reserving to the United States from the land so granted a right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945.

A–3. Subject to a right-of-way not exceeding * * * feet in width, for roadway and public utility purposes, to be located * * *

A–6. Subject to that (right-of-way) and all appurtenances thereto, constructed by the United States through, over, or upon the land herein described and the right of the United States, its agents or employees, to maintain, operate, repair, or improve the same so long as needed or used for or by the United States.

B. All minerals (or partial or specific mineral interests, where applicable) shall be reserved to the United States, together with the right to prospect for, mine and remove the minerals. A more detailed description of this reservation, which will be incorporated in the patent document, is available for review at this BLM office.

C. Subject to those rights granted by an oil and gas lease under the terms and provisions of the Act of February 25, 1920, 41 Stat. 437, 30 U.S.C. 181, as amended.

D–1. In accordance with Executive Order No. 11988 and 11990 and Shasta County Zoning Ordinance Code Sections 4353 and 5354, the patentee and his successors shall undertake no construction which is not in compliance with Shasta County floodplain zoning criteria in effect at the time such construction is undertaken or which will reduce the vegetative cover within the canyon containing the North Fork Battle Creek (i.e., all lands south of the creek of the rim and from the creek level to the 1360 foot elevation level on the north side of the creek (approximately 200 feet).

D–2. In accordance with Executive Order No. 11988 and Shasta County Zoning Ordinance Code Sections 4353 and 5354, the patentee and his successors shall undertake no construction activities within 100 feet of the unnamed tributary to Lack Creek running from the north-east corner to the south-west corner of this parcel, which are not in compliance with Shasta County floodplain zoning criteria in effect at the time such construction is undertaken.

D–3. In accordance with Executive Order No. 11988 and 11990 and Shasta County Zoning Ordinance Code Sections 4553 and 5354, the patentee and his successors shall undertake no construction which is not in compliance with Shasta County floodplain zoning criteria in effect at the time such construction is undertaken or which will reduce the vegetative cover within the canyon containing Bailey Creek (i.e., all lands from the creek level to the 3,000 foot elevation level both north and south of the creek).

E–2. The right to the United States, its permittees or licensees, the right to enter upon, occupy and use, any part or all of (said land) (that portion of) lying within ——— feet of the centerline of the transmission line right-of-way of the (named company) project No., if any, or land office No. if any), for the purposes set forth in and subject to the conditions and limitations of Section 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075, as amended (16 U.S.C. 818).

DATE: Comments should be submitted no later than April 1, 1985.

ADDRESS: Comments should be sent to: State Director, California State Office, Bureau of Land Management, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

Comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become a final determination for the Bureau of Land Management.

FOR FURTHER INFORMATION CONTACT: Robert J. Bainbridge, (916) 246–5325.

Robert J. Bainbridge,

Redding Area Manager.

[FR Doc. 85–5285 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–40–M

Proposed Amselco and California Gold Properties Colosseum Gold Mining and Milling Project; Draft Environmental Impact Statement and Report

AGENCY: Bureau of Land Management, California Desert District.

ACTION: Notice of Availability of the Draft Environmental Impact Statement and Environmental Impact Report (EIS/EIR).

SUMMARY: Pursuant to section 102(C) of the National Environmental Policy Act of 1969, a Draft EIS/EIR has been prepared for the proposed Amselco Colosseum Project.

SUPPLEMENTARY INFORMATION: A Draft EIS/EIR has been prepared by the BLM, in cooperation with the County of San Bernardino, California, for the Amselco Colosseum Project.

Amselco's proposed Colosseum Project would be located about 10 miles north of Interstate Highway 15 in California, about 50 miles southwest of Las Vegas. It would be in the Clark Mountain Range. The project would consist of a 60-acre open pit, 130-acre waste rock dumps, 15 acres for low grade ore storage, 275 acres for tailings disposal facility and associated areas, 16 acres for the crusher, mill, office complex, and 60 acres for roads, transmission and water line corridors and substations. Approximately six million tons of material would be removed from the pit each year over the 9-year life of the project. The material would be processed at the mill site. The project is expected to yield about 750,000 ounces of gold over the 9-year period.

The Draft EIS/EIR was prepared under contract by Environmental Monitoring and Services, Inc.

Two public hearing will be held along with one public meeting to receive comments on the scope of the Draft EIS/EIR and the adequacy of the impact analysis. They will be held at the following locations:

Public Hearing Location and Date:

San Bernardino County Government Board Hearing Chambers, 385 North Arrowhead Avenue, San Bernardino, CA 92415—April 2, 9:00 a.m.

San Bernardino County Government Board Hearing Chambers, same address as above—May 7th, 9:00 a.m.

Public Meeting and Date:
Baker Community Hall, Baker Blvd., Baker, CA 92309—April 2, 6:00 p.m.

FOR FURTHER INFORMATION CONTACT:
Roger Britton, Project Leader, Bureau of Land Management, Needles Resource Area, 901 3rd Street, Needles, CA 92363, telephone (619) 326–3896.

A limited number of copies of the DEIS/EIR may be obtained by contacting the Needles Resource Area at the above address.

Copies of the Draft EIS/EIR may be inspected at the following locations:
Bureau of Land Management, California Desert District, 1695 Spruce Street, Riverside, CA 92507
Bureau of Land Management, Needles Resource Area, 901 3rd Street, Needles, CA 92363
County of San Bernardino, Office of Planning, 3rd Floor, 385 N. Arrowhead, San Bernardino, CA 92415
Clark County Library, 1401 Flamingo Avenue, Las Vegas, NV 89101
Los Angeles City Central Library, 630 West 5th, Los Angeles, CA 90071
San Bernardino Central Library, 401 North Arrowhead, San Bernardino, CA 92415
Bureau of Land Management, Public Affairs, Interior Bldg., 18th and C Streets, NW., Washington, D.C. 20240
Bureau of Land Management, State Office, Federal Bldg., 2800 Cottage Way, Rm E–2841, Sacramento, CA 95825

DATE: The review period runs for 45 days from the date of this notice. Written comments must be submitted within this 45-day period.

ADDRESS: Comments should be addressed to: Nelson Leonard, Environmental Analyst, Office of Planning, County of San Bernardino, 385 North Arrowhead Avenue, 3rd Floor, San Bernardino, CA 92415–0182, telephone (714) 383–3976.

Dated: February 26, 1985.

Gerald E. Hillier,

District Manager.

[FR Doc. 85–5258 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–40–M

[Colorado 31030]

Proposed Reinstatement; Archuleta County, CO

Notice is hereby given that a petition for reinstatement of oil and gas lease C–31030 for lands in Archuleta County, Colorado was timely filed and was accompanied by all the required rentals and royalties accruing from October 1, 1984, the date of termination.

The lessee has agreed to new lease terms for rentals and royalties at rates of $5.00 and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee for the lease and has reimbursed the Bureau of Land Management for the estimated cost of this **Federal Register** notice.

Having met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920, as amended, (30 U.S.C. 188), the Bureau of Land Management is proposing to reinstate the lease, effective October 1, 1984, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Questions concerning this notice may be directed to Karen Purvis of the Colorado State Office at (303) 294–7600.

Evelyn W. Axelson,

Chief, Mineral Leasing Section.

[FR Doc. 85–5279 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–JB–M

[NM–A 19739—(Texas)]

New Mexico; Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Pub. L. 97–451, Mobil Producing Texas & New Mexico Inc., petitioned for reinstatement of oil and gas lease NM–A 19739—(Texas) covering the following described lands:

Davy Crockett National Forest in Houston County, Texas 2,560.00 acres, being the 188.00 acres in Tract Kld, the 831.00 acres being Tract K1–1, the North 1,209.00 acres of Tract K1c and 332.00 acres in the Southwesterly part of Tract K–1–II, described by metes and bounds.

It has been shown to my satisfaction that failure to make timely payment of rental was due to inadvertence.

No valid lease has been issued affecting the lands. Payment of back rentals and administrative cost of $500.00 has been paid. Future rentals shall be at the rate of $5.00 per acre per year and royalties shall be at the rate of 16⅔ percent. Reimbursement for cost of the publication of this notice shall be paid by the lessee.

Reinstatement of the lease will be effective as of the date of termination, January 1, 1984.

Dated: February 25, 1985.

Richard N. Wilson,

Acting State Director.

[FR Doc. 85–5280 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–FB–M

[OR 23918]

Realty Action; Exchange of Public and State Lands in Klamatn County, OR; Correction

In FR Doc. 84–9098 appearing at page 13599 in the issue of April 5, 1984, the first paragraph is corrected to read as follows: "The following described lands have been determined to be suitable for disposal by exchange under Section 4(b)(3) of the Act of October 15, 1966; 80 Stat. 926, 16 U.S.C. 668dd:"

Dated: February 22, 1985.

Jerry Asher,

District Manager.

[FR Doc. 85–5278 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–33–M

[F–14862–A]

Alaska Native Claims Selection; Kuitsarak, Inc.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1611, will be issued to the Kuitsarak, Inc. for approximately 0.64 acre. The lands involved are in the vicinity of Goodnews Bay.

A portion of U.S. Survey No. 2024 of the U.S. School Reserve situated at Goodnews Bay, Territory of Alaska.

Containing approximately 0.64 acre.

A notice of the decision will be published once a week for four (4) consecutive weeks, in the TUNDRA DRUMS. Copies of the decision may be obtained by contacting the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 ((907) 271–5960).

Any part claiming a property interest which is adversely affected by the decision shall have until April 4, 1985 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management, Division of Conveyance Management (960), address identified above, where the requirements for filing an appeal can be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E (1983) (as amended, 49 FR 6371,

February 21, 1984) shall be deemed to have waived their rights.

Ruth Stockie,

Section Chief, Branch of ANCSA Adjudication.

[FR Doc. 85-5286 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-JA-M

Fish and Wildlife Service

Kenai National Wildlife Refuge Comprehensive Conservation Plan/ Environmental Impact Statement and Wilderness Review, Alaska

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The U.S. Fish and Wildlife Service has prepared for public review a final Comprehensive Conservation Plan, Environmental Impact Statement (CCP/EIS), and Wilderness Review for the Kenai National Wildlife Refuge, Alaska, pursuant to sections 304(g)(1) and 1317 of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), section 3(d) of the Wilderness Act of 1964, and section 102(2)(C) of the National Environmental Policy Act of 1969. The final CCP/EIS describes five alternative strategies for long-term management of the 1.97 million-acre refuge. The plan also reviews about 620,000 acres of non-wilderness lands on the refuge as to their suitability under each management alternative for possible addition to the National Wilderness Preservation System.

DATES: Comments on the final CCP/EIS must be submitted on or before May 6, 1985, to receive consideration by the Regional Director.

ADDRESS: Comments should be addressed to: Regional Director, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska 99503 (Attn: William Knauer).

FOR FURTHER INFORMATION CONTACT: William Knauer, Wildlife Resources, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska 99503, telephone (907) 786-3399.

A final CCP/EIS has been prepared for general distribution. Copies of the final comprehensive plan will be sent to all persons and organizations who participated in either the scoping, alternative workshops, and/or public review process. Copies of the final CCP/EIS have been sent to all agencies that participated in the public review process and to agencies and persons who have already requested copies. Those wishing to receive a copy of the final may obtain one by contacting Mr. Knauer. Copies of the final CCP/EIS are also available for review at the above location, at the Kenai National Wildlife Refuge Office, Soldotna, Alaska, and at the following locations:

U.S. Fish and Wildlife Service, Division of Refuge Management, 18th and C Streets, NW, Department of the Interior, Washington, D.C. 20240

U.S. Fish and Wildlife Service, Wildlife Resources, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, OR 97232

U.S. Fish and Wildlife Service, Wildlife Resources, 500 Gold Avenue SW, Room 1306, Albuquerque, NM 87103

U.S Fish and Wildlife Service, Wildlife Resources, Federal Building, Fort Snelling, Twin Cities, MN 55111

U.S. Fish and Wildlife Service, Wildlife Resources, Richard B. Russell Federal Building, 75 Spring Street, Atlanta, GA 30303

U.S. Fish and Wildlife Service, Wildlife Resources, One Gateway Center, Suite 700, Newton Corner, MA 02158

U.S. Fish and Wildlife Service, Wildlife Resources, 134 Union Boulevard, Lakewood, CO 80225

SUPPLEMENTARY INFORMATION: The final CCP/EIS for the Kenai National Wildlife Refuge was developed by the U.S. Fish and Wildlife Service, Department of the Interior, to fulfill the requirements of section 304 of ANILCA relating to preparation of comprehensive conservation plans and the requirements of section 1317(A) of ANILCA and section 3(D) of the Wilderness Act relating to general wilderness suitability review of non-wilderness refuge lands.

Major issues addressed by the plan include fish and wildlife management, access, recreation and public use, oil and gas exploration and leasing, and wilderness mangement. The final CCP/EIS addresses five alternatives for long-range management of the refuge including one that would continue current management (the non-action alternative). The other four alternatives cover a broad spectrum of management emphasis ranging from maximum to minimum use of refuge resources. A preferred alternative, representing an intermediate or balanced approach to management of the refuge, is identified.

The plan also addresses the general wilderness suitability of 620,000 acres of non-wilderness refuge lands under each management alternative. This complies with section 1317(a) of ANILCA which requires the Secretary of the Interior to review, in accordance with section 3(d) of the Wilderness Act, all non-wilderness refuge lands in Alaska as to their suitability for preservation as wilderness and report his recommendations to the President by 1985.

The final CCP/EIS includes a number of changes resulting from the review of the draft plan. Based on public comment, the following major changes have been made:

(1) The section dealing with the acquisition of inholdings has been rewritten to reflect current Service policy and incorporate the "willing seller" concept;

(2) The status of Caribou Island has been changed to "Private Holdings" on the five alternative maps;

(3) Refuge lands selected by Village Corporations and Native Groups under the provisions of section 22(g) of Alaska Native Claims Settlement Act have been identified on the five alternative maps;

(4) The "Accessible Wilderness" management category has been eliminated and "aircraft access areas" have been identified within the Wilderness Management category;

(5) Areas in Minimal Management have been clearly identified as the areas recommended for designation as wilderness in each alternatives;

(6) Sections of the wilderness review previously found in the Technical Supplement have been added to the text of the plan, which now constitutes the complete Wilderness Review document for the Kenai Refuge;

(7) The special values section has been expanded to include the Chickaloon Watershed and Estuary, the Lowland Lakes and Canoe System, and the Skilak Loop area; and

(8) The Chickaloon Flats have been identified as a separate habitat class—Estuary—with its own representative species, the lesser Canada goose.

The following changes have been made in Alternative C, which has been reaffirmed as the Service's Preferred Alternative:

(1) Special restrictions on hunting and trapping will be applied to the proposed Skilak Loop Special Management Areas, which will be managed to provide enhanced wildlife viewing opportunities;

(2) The proposed closure on the upper Kenai River has been moved one mile downstream from the mouth of the Russian River;

(3) Fourteen lakes or clusters of lakes—representing popular fishing lakes and those containing fly-in tent camps—located outside the Swanson River and Swan Lake Canoe Routes have been identified as "aircraft access areas" within the Lowlands Wilderness unit;

(4) Lands surrounding the Moose Research Center have been changed

from Intensive to Moderate Management;

(5) Lands in the Chickaloon Watershed and Estuary were changed from Traditional to Minimal Management, closed to oil and gas leasing, and recommended for designation as wilderness; and

(6) Lands surrounding the outlet of Tustumena Lake were changed from Traditional to Minimal Management and recommended for designation as wilderness.

The Notice of Intent to prepare the CCP/EIS and Wilderness Review was published in the February 11, 1981, **Federal Register**. Other government agencies and the general public contributed to the development of this final CCP/EIS and Wilderness Review. After dissemination of the draft version on January 17, 1984, public meetings were held in Soldotna, Homer, and Seward, Alaska, on February 28, February 29, and March 1, 1984. A public hearing was held in Anchorage, Alaska, on March 6, 1984.

Dated: February 26, 1985.

David L. Olsen,

Regional Director.

[FR Doc. 85-5245 Filed 3-4-85; 8:45 a.m.]

BILLING CODE 4310-55-M

Minerals Management Service

Development Operations Coordination Document; Pennzoil Exploration and Production Co.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development Operations Coordination Document (DOCD).

SUMMARY: Notice is hereby given that Pennzoil Exploration and Production Company has submitted a DOCD describing the activities it proposes to conduct on Lease OCS-G 5040, Block 361, Eugene Island Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Intracoastal City, Louisiana.

DATE: The subject DOCD was deemed submitted on February 25, 1985.

ADDRESSES: A copy of the subject DOCD is available for public review at the Office of the Regional Director, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday).

FOR FURTHER INFORMATION CONTACT: Ms Angie Gobert; Minerals Management Service, Gulf of Mexico OCS Region; Rules and Production; Plans, Platform and Pipeline Section; Exploration/Development Plans Unit; Phone (504) 838-0876.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to sec. 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the DOCD and that it is available for public review.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in DOCDs available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: February 25, 1985.

John L. Rankin,

Regional Director, Gulf of Mexico OCS Region.

[FR Doc. 85-5281 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-MR-M

National Park Service

Willow Beach Resort, Inc.; Intention To Extend Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that sixty (60) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to extend a concession contract with Willow Beach Resort, Inc., authorizing it to continue to provide lodging, food and beverage, merchandising and marine facilities and services for the public at Lake Mead National Recreation Area for a period of three (3) years from January 1, 1986, through December 31, 1988, or until a new contractual document is executed, whichever occurs first.

This contract extention has been determined to be categorically excluded from the procedural provisions of the National Environmental Policy Act, and no environmental document will be prepared.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expires by limitation of time on December 31, 1985, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract as defined in 36 CFR Part 51.5.

The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be postmarked or hand delivered on or before the sixtieth (60th) day following publication of this notice to be considered and evaluated. The National Park Service has determined that 60 days is sufficient time to prepare and submit offers by the deadline because no additional requirements above and beyond those stated in the current concession contract are called for pursuant to this extension.

Interested parties should contact the Regional Director, Western Regional Office, 450 Golden Gate Avenue, San Francisco, California 94102, for information as to the requirements of the proposed contract.

Dated: February 20, 1985.

Howard H. Chapman,

Regional Director, Western Region.

[FR Doc. 85-5205 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-70-M

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before February 23, 1985. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, U.S. Department of the Interior, Washington, DC 20243. Written comments should be submitted by March 20, 1985.

Carol D. Shull,

Chief of Registration, National Register.

INDIANA

Allen County

Fort Wayne vicinity, *Robinson, Horney, House*, 7320 Lower Huntington Rd.

Delaware County

Muncie, *Roots, Francis T., Building*, 115-119 E. Charles St.

Knox County

Vincennes, *Ebner-Free House*, 120 Locust

Madison County

Anderson, *Carnegie Public Library*, 32 W. 10th St.

Chesterfield, *Makepeace, George, House*, 5 W. Main St.

Marion County

Indianapolis, *Christamore House*, 502 N. Tremont St.

Montgomery County

Crawfordsville, *Saint John's Episcopal Church*, 212 S. Green St.

St. Joseph County

South Bend vicinity, *Water Street/Darden Road Bridge*, Over St. Joseph River at Darden Rd.
South Bend, *Leeper, Samuel, Jr., House*, 113 W. North Shore Dr.

Vigo County

St. Mary-of-the-Woods, *Foley Hall*, St. Mary of the Woods College Campus, Off US 150

Washington County

Salem, *First Baptist Church*, 201 N. High St.

MAINE

Androscoggin County

Durham, *Osgood, Nathaniel, House*, ME 136
Lewiston, *Holland, Captain, House*, 142 College St.
Mechanic Falls, *Elms*, Elm St.

Cumberland County

Portland, *Fort McKinley Historic District*, Great Diamond Island
Portland, *Portland City Hospital*, Brighton Ave.
South Harpswell, *Auburn-Harpswell Association Historic District*, ME 123

Lincoln County

Bristol, *Pemaquid Point Light*, Pemaquid Point

Sagadahoc County

Georgetown, *Grey Havens Inn*, Reid Park Rd.

Waldo County

Islesboro, *Drexel Estate*, The Bluff

York County

York, *Cape Neddick Light Station*, Cape Neddick

MISSISSIPPI

Copiah County

Hazlehurst vicinity, *Mount Hope*, Off Rt. 2 across from Mt. Hope Cemetery

MISSOURI

Greene County

Springfield, *Walnut Street Historic District*, Roughly bounded by McDaniel, Walnut and Elm Sts. and Sherman Pkwy.

New Jersey

Monmouth County

Cream Ridge vicinty, *Coward-Hendrickson House*,

New Mexico

Rio Arriba County

Los Ojos vicinity, *Becker, George, House, Bunk House and Barn (La Tierra Amarilla MRA)*, E. of La Puente Rd. and S. of Hatchery Rd.
Los Ojos vicinity, *Blanton Log House (La Tierra Amarilla MRA)*, E. of La Puente Rd. and S. of Hatchery Rd.
Los Ojos vicinity, *Burns Lake Bungalow (La Tierra Amarilla MRA)*, ½ mile S. of E. end of Hatchery Rd.
Los Ojos vicinity, *Casados House (La Tierra Amarilla MRA)*, Off junction of U.S. 84 and NM 95
Los Ojos vicinity, *La Puente Historic District (La Tierra Amarilla MRA)*, Roughly bounded by Main Rd. in La Puente from drop-off of 2nd to 1st plateau E. to Church on West.
Los Ojos vicinity, *Los Brazos Historic District (La Tierra Amarilla MRA)*, Roughly bounded by US 84, North Rd., fence line and drop-off to Rio Brazos
Los Ojos vicinity, *Los Ojos (Parkview) Fish Hatchery (La Tierra Amarilla MRA)*, E. end of Hatchery Rd.
Los Ojos vicinity, *Los Ojos (Parkview) Historic District (La Tierra Amarilla MRA)*, Roughly bounded by US 84, junction of Old Hwy w/US 84, drop-off from 1st plateau to Chama River Valley and the East West Hatchery Rd.
Los Ojos vicinity, *Martinez, Gilbert, Barn (La Tierra Amarilla MRA)*, E. of La Puente Rd. and S. of Hatchery Rd.
Los Ojos vicinity, *Martinez, Teodoro, House (La Tierra Amarilla MRA)*, E. of La Puente Rd. and N. of Hatchery Rd.
Los Ojos vicinity, *Sanchez-March House (La Tierra Amarilla MRA)*, W. of US 84 and N. of NM 95
Los Ojos vicinity, *Trujillo, Manuelita, House (La Tierra Amarilla MRA)*, Off US 84 S. of Los Brazos River
Los Ojos vicinity, *Trujillo, Sr., Fernando, House (La Tierra Amarilla MRA)*, W. of US 84 and N. of NM 95

NEW YORK

Broome County

Binghamton, *Dunk, Alfred, House*, 4 Pine St.

Chautauqua County

Jamestown, *Euclid Avenue School*, 28 Euclid Ave.

Livingston County

Geneseo, *Main Street Historic District (Boundary Increase)*, Roughly bounded by NY 39, Temple Hills Cemetery, South St. and Main

Onondaga County

Cicero, Brewerton vicinity, *Robinson Site (NYSDHP Unique Site No. AO67-02-0001)*, Kathan Rd.

Schoharie County

Schoharie vicinity, *Sternbergh House*, Oak Hill Rd.

Suffolk County

Westhampton Beach, *Crowther House*, 97 Beach Lane

RHODE ISLAND

Washington, County

Wakefield, South Kingstown, *Miller, William, Davis, House*, 130 Main St.

TENNESSEE

Davidson County

Nashville, *Davidson County Courthouse*, Public Square

Knox County

Knoxville, *Ossoli Circle Clubhouse*, 2511 W. Cumberland Ave.

Marshall County

Cornersville, *Baird-Welch House*, Water St.

Van Buren County

Crain Hill, *Crain Hill School and Church*, Crain Hill Rd.

WISCONSIN

Door County

Ephraim, *Anderson Dock Historic District (Ephraim MRA)*, *Roughly bounded by Anderson Lane and North Water St.*
Ephraim, *Ephraim Moravian Church (Ephraim MRA)*, 9970 Moravia St.
Ephraim, *Ephraim Village Hall (Emphraim MRA)*, 9996 S. Water St.
Ephraim, *Free Evangelical Lutheran Church (Ephraim MRA)*, 3028 Church St.
Ephraim, *Gibraltar District School No. 2 and Goodletson, Thomas, Cabin (Ephraim MRA)*, 9988 Moravia St.
Ephraim, *Hillside Hotel (Ephraim MRA)*, 9980 S. Water St.
Ephraim, *Peterson, Peter, House (Ephraim MRA)*, 10020 N. Water St.
Washington Island vicinity, *Thordarson Estate Historic District (Chester H. Thordarson Estate TR)*, Rock Island State Park
Washington Island vicinity, *Water Tower (Chester H. Thordarson Estate TR)*, Rock Island State Park

Milwaukee County

Milwaukee, *Milwaukee County Dispensary and Emergency Hospital*, 2430 W. Wisconsin Ave.

Correction: This corrects pending nomination which appeared in **Federal Register** dated Tuesday, February 26, 1985 for *Rock Island Depot*. It should read as follows:

OKLAHOMA

Grady County

Chickasha, *Rock Island Depot*, Chickasha Ave.

[FR Doc. 85-5204 Filed 3-4-85; 8:45 am]
BILLING CODE 4310-70-M

Bureau of Reclamation

[INT-DES 85-8]

Lake Andes-Wagner Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, South Dakota; Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, as amended, the Department of the

Interior has prepared a proposed planning report/draft environmental statement on the development of the Lake Andes/Wagner Unit. This unit includes irrigation development of 45,000 acres and a fish rearing pond for enhancement of the fishery in Lake Francis Case. Written comment may be submitted to the Regional Director by May 29, 1985.

Copies are available for inspection at the following locations:

Director, Office of Environmental Affairs, Room 7624, Bureau of Reclamation, Washington, D.C. 20240, Telephone: (202) 343–4991

Bureau of Reclamation Library, Code 962, Engineering and Research Center, Denver Federal Center, Denver, Colorado 80225, Telephone: (303) 236–6963

Regional Director, Bureau of Reclamation, Upper Missouri Region, P.O. Box 2553, Billings, Montana 59103, Telephone: (406) 657–6214.

Single copies of the statement may be obtained on request to the Director, Office of Environmental Affairs, or the Regional Director, at the above address. Copies will also be available for inspection in libraries in the project vicinity.

Dated: February 28, 1985.

Robert A. Olson,

Acting Commissioner.

[FR Doc. 85–5292 Filed 3–4–85; 8:45 am]

BILLING CODE 4310–09–M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Voluntary Foreign Aid Advisory Committee; Meeting

Pursuant to the Federal Advisory Committee Act, notice is hereby given of a meeting of the Advisory Committee on Voluntary Foreign Aid (ACVFA) on *AID's Management of PVO Programs*, which will be held in the Loy Henderson International Conference Room, Department of State, Washington, D.C., March 18–19, 1985. To enter the building, use C Street (Diplomatic Entrance) between 21st and 23rd Streets, NW., Washington, D.C.

Monday, March 18, 1985: 9:00 a.m. Registration. 10:00 a.m.—Introductions and Opening Remarks. 10:15 a.m.—*A Congressional Perspective on the Public-Private Partnership in Development.* 10:45 a.m.—Brief statements and discussions of policies which govern AID's management of PVO programs. 12:45 p.m.—Lunch Break. 2:15 p.m—Brief statements and discussions of policies which govern AID's management of PVO programs. 4:30 p.m.—Coffee Break. 4:45 p.m.—Review of Discussion.

Tuesday, March 19, 1985: 8:00 a.m.—Registration. 8:30 a.m.—Briefing for the ACVFA's Africa meeting. 9:30 a.m.—*Food for Peace Subcommittee:* Update on AID/PVO Response to the African crisis; Review of major issues to be considered during Congress' reauthorization of Pub. L. 480. 11:15 a.m.—*PVO/University Relations Subcommittee:* Presentation of the Report on PVO-University Collaboration prepared for the ACVFA; Discussion of the Subcommittee's agenda for 1985. 12:45 p.m.—Lunch Break. Meeting information for the rest of the Subcommittees (Health, Development Education, PVO-Corporation Relations, Women in Development, and PVO Policy) will be announced at a later date. 3:00 p.m.—ACVFA Business Session. 5:00 p.m.—Adjournment.

The meeting is open to the public. Any interested person may attend, request to appear before, or file statements with the Advisory Committee. Written statements should be filed prior to the meeting and should be available in twenty five copies.

Persons not registered and wishing to attend the ACVFA meeting must call (703) 235–2708, or 3336, NLT March 13, 1985, to arrange entrance to the State Department Building.

There will be AID representatives at the meeting. Those desiring further information may call (703) 235–2708 or 3336, or contact by mail, the Advisory Committee on Voluntary Foreign Aid, Room 227, SA–8, Agency for International Development, Washington, D.C. 20523.

Dated: February 15, 1984.

Julia Chang Bloch,

Assistant Administrator, Bureau for Food for Peace and Voluntary Assistance.

[FR Doc. 85–5259 Filed 3–4–85; 8:45 am]

BILLING CODE 6116–01–M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 458]

Railroad Cost of Capital—1984

AGENCY: Interstate Commerce Commission.

ACTION: Extension of time to file initial statements in notice of institution of limited revenue adequacy proceeding.

SUMMARY: In the Federal Register of January 4, 1985 (50 FR 553), the due date for initial statements by the railroads was established to be March 1, 1985. The Association of American Railroads has requested that the due date be extended to March 15, 1985. The petition shall be granted. Additional time is necessary to prepare and coordinate the initial statements.

DATES: Initial statements by the railroads are due March 15, 1985.

ADDRESSES: Send an original and 15 copies of comments to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Ward L. Ginn, Jr., (202) 275–7489.

Dated: February 27, 1985.

By the Commission, Reese H. Taylor, Jr., Chairman.

James H. Bayne,

Secretary.

[FR Doc. 85–5296 Filed 3–4–85; 8:45 am]

BILLING CODE 7035–01–M

[I.C.C. Order No. P–80]

Union Pacific Railroad Co.; Passenger Train Operation

It appearing, that the National Railroad Passenger Corporation (Amtrak) has established through passenger train service between Chicago, Illinois and San Francisco, California. The operation of these trains requires the use of the tracks and other facilities of Southern Pacific Transportation Company (SP). A portion of the SP tracks at Donner Pass, California, are temporarily out of service because of heavy snow. An alternate route is available via the Union Pacific Railroad Company between Winnemucca, Nevada and Sacramento, California.

It is the opinion of the Commission that the use of such alternate route is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered,

(a) Pursuant to the authority vested in me by order of the Commission decided April 29, 1982, and of the authority vested in the Commission by Section 402(c) of the Rail Passenger Service Act of 1970 (45 USC 562(c)), the Union Pacific Railroad Company (UP), is directed to operate trains of the National Railroad Passenger Corporation (Amtrak) between

Winnemucca, Nevada, and a connection with Southern Pacific Transportation Company (SP) at Sacramento, California.

(b) In executing the provisions of this order, the common carriers involved shall proceed even though no agreements or arrangements now exist between them with reference to the compensation terms and conditions applicable to said transportation. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of the said carriers in accordance with pertinent authority conferred upon it by the Interstate Commerce Act and by the Rail Passenger Service Act of 1970, as amended.

(c) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(d) *Effective date.* This order shall become effective at 11:00 a.m., EST, February 8, 1985.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., PST, February 11, 1985, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon Union Pacific Railroad Company and upon National Railroad Passenger Corporation (Amtrak), and a copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 8, 1985.

Interstate Commerce Commission.

John H. O'Brien,

Agent.

[FR Doc. 85-5295 Filed 3-4-85; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Office of Juvenile Justice and Delinquency Prevention

Program Plan for Fiscal Year 1985

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Justice.

ACTION: Notice and Publication of the Office of Juvenile Justice and Delinquency Prevention Program Plan for Fiscal Year 1985.

SUMMARY: Notice is given that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) is planning for implementation of programs funded under Title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (hereinafter JJDP Act), in Fiscal Year 1985.

The Office of Juvenile Justice and Delinquency Prevention is established by Title II of the Juvenile Justice and Delinquency Prevention Act of 1974. The Title II assistance program consists of formula grants awarded to the States and research, training, information, statistics, technical assistance, and Special Emphasis categorical awards made directly to eligible recipients.

FOR FURTHER INFORMATION CONTACT: Alfred S. Regnery, Administrator, Office of Juvenile Justice and Delinquency Prevention, Telephone: (202) 724-7751.

Note.—Dollar figures have been omitted pending final determination of the amount of funds available for Fiscal Year 1985.

Dated: February 28, 1985.

Alfred S. Regnery,

Administrator, OJJDP.

I. Special Emphasis Funds

A. continuation Projects

1. *Habitual Serious and Violent Juvenile Offender.* This is a continuation of the 13 grants that were awarded under this initiative. This program targets those youth who exhibit a repetitive pattern of serious delinquent behavior for more intensive prosecutorial and correctional intervention. The goals of this initiative are to reduce the propensity of habitual juvenile offenders to sustain a criminal lifestyle and to increase public security. Attainment of these goals will be through expeditious prosecution and enhanced treatment of juvenile offenders whose juvenile histories indicate repeat commission of serious and violent delinquent acts, including robbery, burgulary, forcible sexual offenses, aggravated assault, and recidivist homicide.

2. *Violent Juvenile Offender Program: Part II.* This is a continuation of sites that were previously funded under this initiative. The Violent Juvenile Offender Program, Part II is a research and development effort testing a program model designed to prevent and reduce violent juvenile crime within selected neighborhoods. It is to increase the knowledge of factors associated with violent juvenile crime, which can be used to aid in the design and implementation of future programs and policies aimed at reducing violent youth crime.

3. *Delinquency Prevention and Runaway Children.* This is a continuation of the Covenant House Program to continue the operation of emergency crisis intervention centers for runaway and homeless youth in Houston, Texas, and to establish a shelter in Fort Lauderdale, Florida.

This program is a replication of the Under 21 New York runaway shelter opened by Covenant House in April, 1977.

4. *Juvenile Justice Assistance Project.* This is a continuation grant to the Center for Community Change (CCC). The Center will continue to provide training and technical assistance to the neighborhood based organizations funded under the Violent Juvenile Offender (R&D) Program, Part II. In addition, CCC will respond to *ad hoc* training and technical assistance requests as directed and/or approved by OJJDP.

5. *National Branching Project.* This is an continuation grant to Partners, Inc. The project creates a partnership between an adult (senior partner) and a youth (junior partner) who is in trouble with the law, having difficulties in school, at home, or with peers.

Youth between the ages of 10 and 18 are accepted into the program. They are referred to the program by juvenile court, police, schools, or other human service agencies. This special relationship offers each youngster in the program an opportunity to strengthen feelings of self-worth, improve academics, decrease delinquent behavior, and increase abilities to cope with stressful situations.

6. *Technical Assistance Voucher Demonstration Project.* This is a continuation of a program operated by the National Center for Neighborhood Enterprise.

The objective of this program is to provide neighborhood based organizations the capability to secure technical assistance and information for serving high risk youth. This program will provide vouchers to the neighborhood based organizations to enable them to acquire needed technical assistance to develop the neighborhood based services. The grantee will negotiate agreements with 15-25 neighborhood groups that will allow them the control of the design and implementation of individualized technical assistance voucher agreements. The vouchers will be for amounts ranging from $1,000-$10,000 and will be used to expand the capacity or development potential of the organizations.

7. *Serious Habitual Offender & Drug Involved (SHO/DI).* The SHO/DI program is a continuation of a five site initiative begun in FY 83. It focuses on demonstrating how law enforcement agencies can, through selective data

gathering and analysis processes and the subsequent direction of limited law enforcement resources, expedite the apprehension and processing of serious habitual offenders and as a result impact on the treatment and deterence of youth from criminal activity. The program is based on the concept that the police, prosecutors, courts, social agencies and community groups must work closely together to focus effectively on two major areas of community concern—serious crime and drugs.

8. *Project Helping Hand.* This is a continuation of a grant to Project Helping Hand. The project stresses the original goals of the diversion concept including: (1) Reduce adjudication of juveniles; (2) increase community involvement; (3) more appropriately meet the needs of troubled youths; and, (4) to free the juvenile justice system to concentrate on more serious crime through introduction of significant private sector involvement. It also provides assistance to communities replicating the successful methodologies of those diversion projects through training and management assistance; and, establishing diversion projects funding from non-public sources.

B. New Projects

1. *Probation.* The Special Emphasis Division in fiscal year 1985 will develop and implement a probation program to demonstrate and assess the effectiveness of privatizing a variety of probation services or functions that have traditionally been implemented through public service delivery mechanisms. The Office will publish a request for contract action (RCA) to provide comprehensive training, technical assistance and other assistance to jurisdictions interested in the privatization of all or some of their probation functions.

2. *Specialized Training.* This comprehensive training program will utilize and encourage the use of methodologies of at least three Special Emphasis Division Programs: The Violent Juvenile Offender, Part I program; the Serious Habitual Offender, Drug Involved program, and Habitual Serious and Violent Offender program. This program will provide assistance to local communities wishing to develop comprehensive system wide programs (i.e. law enforcement adjudication and corrections) for violent and serious juvenile offenders. The communities will be encouraged to use the suggested approaches as a comprehensive approach or as discreet program activities to deal with serious offender groups. Trainees will be managers of law enforcement agencies, district attorneys, judges, and correctional system policy makers.

3. *Private Sector Corrections.* OJJDP will fund a number of private sector corrections projects in order to evaluate their relative efficiency and effectiveness in dealing with serious offenders. All participating projects will be analyzed by an independent evaluator using a generic experimental design. It is anticipated that three grants will be made. Guidelines for this program were published in the **Federal Register** in FR 1984.

C. Further Information: Special Emphasis

For further information on the Special Emphasis Program, please contact: Terrence Donahue, Acting Director, Special Emphasis Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724–5929.

II. Research and Program Development Programs

Section 241(e)(4) of the JJDP Act authorizes "contracts with public or private agencies, organizations, or individuals, for the partial performance of any of the functions of the Institute . . . ". The statutory functions of NIJJDP are: Information (section 242), Research, Demonstration, and Evaluation (section 243), Training (section 244).

A. Continuation Projects

1. *Follow-up to Delinquency in a Birth Cohort.* Utilizing the 1958 Philadelphia Birth Cohort (29,000 males and females), this study will consist of a follow-up of a sample of the cohort age 25. A self-report survey and an archival search of official justice system records will form the basis of the analyses on desistance or the transition from delinquency to adult crime.

2. *The Relationship of Foster Care to Delinquency.* This is a study of foster care and its relationship to juvenile delinquency. The purpose is in part to determine the correlation between foster care experiences and subsequent delinquent behavior and other social problems.

3. *The Impact of Juvenile Court Intervention.* This project involves an examination of the various levels of court intervention on delinquent behavior, attitudes of juvenile offenders and juvenile justice costs. Special attention is focused on identifying factors which predict recidivism among probationers. This study also provides an opportunity to replicate the UDIS evaluation, which documented notable effects of recidivism on a range of correctional interventions.

4. *Evaluation of the Habitual Serious and Violent Juvenile Offender Program and Operation Hardcore Program.* This study will provide an assessment of the implementation and efficacy of program strategies designed to increase the capacity of the justice system to more effectively prosecute, adjudicate and rehabilitate those juveniles who repeatedly engage in serious criminal activities. The implementation of enhanced victim/witness services will also be assessed.

5. *Violent Juvenile Offender R&D Program: Part I and Part II Evaluation.* This is a supplement to the ongoing evaluation of an innovative intervention model for the treatment and reintegration of violent juvenile offenders. This study includes: an examination of the program development and implementation process; an assessment of target offender characteristics; and a client impact study which compares the relative efficacy of the experimental intervention, traditional juvenile corrections, and transfer to the criminal justice system.

Part II of this evaluation is focused on assessing the capability of neighborhood-based organizations to mobilize residents to prevent juvenile involvement in violent crime. The program model is being implemented in high crime neighborhoods.

6. *Evaluation of the Private Sector Correctional Program for Serious Offenders.* This is an evaluation of the special emphasis corrections initiative. It will focus on testing the capability of the private sector to develop and operate effective correctional programs for serious juvenile offenders.

7. *Executive Sessions and Research Examining the Juvenile Court Program.* The purpose of this project is to create a forum for the discussion of basic and critical issues facing the juvenile justice system. Federal, state and local public and private experts will be convened to establish an on-going dialogue regarding the philosophical underpinnings of the juvenile justice system and social policies, affecting families, schools, communities, etc. related to juvenile crime.

B. New Projects

1. *Program of Research on the Causes and Correlates of Delinquency.* The purpose of this program of research is to provide for a coordination of efforts to enhance the existing knowledge base regarding causes and correlates of delinquent behavior. The strategy calls

for building on previous longitudinal studies, by increasing the comprehensiveness of research in terms of the variety of factors examined simultaneously; improving the measurement of these factors and by supporting the establishment of unprecedented, rich longitudinal data bases on youth.

2. *School Crime and Discipline Research and Development Project.* The purpose of this project is to identify, develop and test promising strategies for the reduction of school crime and enhancement of disciplinary procedures and school climate. The major objective is to develop program strategies which offer promise in terms of cost effectiveness, suitability for replication and institutionalization within our school systems.

3. *Research on Legal Issues Involving Juvenile Justice.* The major purpose of this project is to investigate criminal, legal and related social science issues involving juvenile justice. Short and long term research on legal issues in the field of juvenile justice and deliquency prevention will be conducted. Relevant social and legal research on each issue will be collected and analyzed. The results of the analysis will be synthesized and implications for policy and programming discussed.

C. Further Information: Research and Program Development

For further information on the National Institute of Juvenile Justice and Deliquency Prevention, Research and Program Development projects contact: Ms. Pamela Swain, Director, Research and Program Development Division, Office of Juvenile Justice and Deliquency Prevention, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724-7560.

III. Training, Dissemination and Standards Division

A. Continuation Projects

1. *Permanent Families for Abused and Neglected Children.* The major goals of the "Permanent Families for Abuse and Neglected Children" project are to provide permanent homes for abused and neglected children; provide training and technical assistance to key state legislators, state supreme court judges, juvenile and family court judges, volunteers, and state social services representatives; and to establish well-organized and effective programs in each state. To assist OJJDP in obtaining these goals, a contract has been awarded to the National Court Appointed Special Advocates (CASA) Association to recruit, train and establish more state and local associations.

2. *Law Related Education.* This program trains, assists, disseminates information to state and local school jurisdictions to incorporate specific curriculum materials in all grades to help youth understand and appreciate the fundamentals, principles and processes of the justice system and its relevance to their everyday life. Curricula are reviewed and revised as necessary.

3. *Training of The Learning Disabled.* The project will conduct training modules to address the results and implications of forerunner research which investigated the link between learning disabilities (LD) and juvenile delinquency (JD) and the evaluation of remediation for jurvenile offenders. The remediation treatment program will be demonstrated.

4. *Juvenile Prosecutor Services.* The National District Attorneys Association (NDAA) will (1) expand and broaden access of district attorneys in the United States to experts and other professionals and private citizens concerned with issues of juvenile justice and delinquency prevention; (2) make available to district attorneys through formal training, newsletters, publications, and technical assistance, state-of-the-art information on current research, national trends, standards, model legislation, promising programs and other topics of special importance to the field of juvenile justice and delinquency prevention; and (3) assist in preparing district attorneys to assume a more active role locally in the formation of juvenile justice policy.

5. *National Criminal Justice Reference Service/Juvenile Justice Clearinghouse.* This is a continuation of the effort to serve as an information clearinghouse in support of OJJDP programs. In order to accomplish these goals, the activities of the Clearinghouse include: The capability of reference specialists to respond to information requests from the juvenile justice community through the use of an "800" toll-free number and an information hotline; the maintenance of mailing lists; the preparation of editing of documents for printing; and the support of special programs sponsored by OJJDP.

6. *Juvenile Court Management and Administration.* The National Center for State Courts/Institute for Court Management will conduct training seminars for juvenile justice personnel on management training, policy and program strategies relating to serious and repetitive juvenile offenders, juvenile justice management and juvenile court intake.

7. *Printing.* In order "to serve as a clearinghouse and information center", NIJJDP has established mechanisms to review, assess, and market, through a continuum of dissemination options, OJJDP documents for publication to appropriate audiences in the most cost-effecitve and cost-recovery methods. This aspect of the OJJDP program will serve to print and disseminate those documents to the juvenile justice community.

8. *Juvenile and Family Court Training Project.* This is a continuation grant to the National Council of Juvenile and Family Court Judges (NCJFCJ). The goals of this project are to: supplement NCJFCJ and law school curricula and to provide training for juvenile and family court judges and court related personnel; provide judges with current information on important developments in juvenile and family case law and ever changing, ever increasing options for sentencing and treatment.

9. *The National School Safety Center.* The National School Safety Center, operated by Pepperdine University, assists school boards, educators, law enforcers, and the public to make schools safe, secure and tranquil places of learrning. States are assisted in establishing state centers. Assistance is in the form of information of all types, based upon research conducted by the Center.

10. *Children In Custody.* This continuation of the work on the 1982/3 and 1984/5 censuses of public and private juvenile detention, correctional and shelter care facilities. Work on this project will be carried out under an interagency agreement with the Bureau of Justice Statistics and will include publications of the findings from the 1982/3 census and the field work for the 1984/5 census. This census has been conducted biennially since 1971 (with interruption in 1981) and is the only national source of routinely collected information on youth in custody in juvenile correctional institutions and community-based programs.

11. *Juvenile Detention Resource Centers.* The American Correctional Association will continue the program of training in detention management at three selected detention center host sites. The ACA and OJJDP will train the staff at the resource centers to provide training and technical assistance on policies, precedures, programs, and operation of detention centers.

B. New Projects

1. *State Legislators Training.* This program will serve to inform state legislators and legislative staff of

committees who deal with juvenile justice issues about recent trends and developments in juvenile justice based on national statistical data on youth cirme.

The activities of the project will include: a national survey of the opinions of jurists, legislators and other experts as to how best to deal with juvenile crime; a review and analysis of the legal codes in each of the fifty states to determine the approaches taken in dealing with juvenile crime; the development of a model code to guide states in dealing with juvenile crime; the designing of training materials to guide legislators and others in implementing new approaches to juvenile crime; and the presentation of one national and three regional conferences.

2. *American Bar Association Commission: Youth, Alcohol and Drug Problems.* The Commission, comprised of legal and other experts, will examine how law and the juvenile justice system can be effectively used to reduce the incidence, prevalence, and morbidity of adolescent alcohol and drug abuse and its effects upon juvenile delinquency. Particular attention will be paid to the enhancement of prevention, early identification, diagnosis, parental relations, and the removal of legal barriers to treatment. The objectives will be achieved through a program of research and hearings conducted by the Commission in several cities.

3. *Court-Appointed Special Advocates (CASA) Training.* To provide training for the CASA volunteers in the organization and implementation of CASA programs. The project would also provide ongoing training to volunteers in various developments in the law and fields related to representing abused and neglected children.

C. Further Information: Training, Dissemination and Standards Division

For further information on the National Institute of Juvenile Justice and Delinquency Prevention's Training, Dissemination and Standards projects contact: Mr. Irving Slott, Acting Director, Training, Dissemination and Standards Divison, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724-5940.

IV. Formula Grants and Technical Assistance Division

Technical Assistance is provided to Federal, State and local governments, courts, public and private agencies, institutions, and individuals in the planning, establishment, funding, operation, or evaluation of juvenile delinquency programs.

The States have initial responsibility for planning technical assistance to assure close coordination with state plans and attention to local needs. The Office of Juvenile Justice and Delinquency Prevention is responsible for developing a national technical assistance plan, using as a prime consideration those needs for which states do not have resources.

The Technical Assistance Program is planned and directed to achieve a positive change which, in turn, contributes to the achievement of the goals and priorities of the Office. Furthermore, to use its limited resources effectively, OJJDP focuses its assistance on the development and implementation of programs with the greatest potential for reducing juvenile crime, while enhancing juvenile justice.

A. Continuation Projects

1. *Courts Improvement.* Juvenile courts will receive TA in a program that will continue to focus on those concerns that are central to judges and juvenile court administrators and that are at the heart of court operation.

2. *Technical Assistance by OJJDP Staff.* Staff personnel of the Formula Grant and Technical Assistance Division as well as other OJJDP staff have specialized experience and are particularly capable of providing TA in various areas of juvenile justice and delinquency prevention and in improving the operations of State and local agencies. Funds will support their travel for TA purposes.

B. New Projects

1. *Law Enforcement.* A program of technical assistance to public law enforcement in handling juvenile delinquency, delinquency prevention, records management, status offenses, and inter-agency coordination.

2. *Technical Assistance to States for Compliance with the JJDP Act.* The purpose of this procurement is to provide nationwide technical assistance from OJJDP in improving detention practices, policies, facilities, alternative services and other issues related to the juvenile justice system's preadjudicatory handling of juveniles. It will provide technical assistance support for Office programs and policies with particular emphasis on needs and issues related to complying with section 223(a)(12), (13), (14), and (15) of the Act and provides assistance and support to the State Advisory Groups and State Planning Agencies in carrying out their operational and management responsibilities.

3. *Corrections.* This project provides technical assistance to public and private secure and non-secure juvenile correctional (post disposition) agencies; to develop and test a seminar series for policy makers on major policy issues in juvenile corrections; to promote more efficient use of existing training resources; and to help develop and strengthen the national network of juvenile correctional leaders through activities such as an annual forum.

4. *State Advisory Group Conference.* This project would provide support for the planning and implementation of the annual State Advisory Group conference for purposes of advising the President, Congress, and the Office of Juvenile Justice and Delinquency Prevention.

C. Further Information: Formula Grants and Technical Assistance Division

Ms. Emily Martin, Acting Director, Formula Grants and Technical Assistance Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724-5921.

V. Concentration of Federal Effort

Concentration of Federal Effort funds are utilized by the Office of Juvenile Justice and Delinquency Prevention for activities authorized under sections 204, 205 and 206 of the JJDP Act, as amended. Funds provide operational support for the Coordinating Council on Juvenile Justice and Delinquency Prevention (CC), as well as provide for the funding of interagency projects and activities intended to coordinate the overall Federal effort to prevent delinquency and improve the juvenile justice system in the United States.

A. Concentration of Federal Effort Projects: New Project

Support Concentration. OJJDP will issue a request for contract to provide technical assistance, program development assistance, and support to OJJDP/NIJJDP, and their grantees, the Coordinating Council on Juvenile Justice and Delinquency Prevention, the Missing Children's Program, and the Missing Children's Advisory Group in all research, program development, evaluation, training, and research utilization activities.

B. Further Information: Concentration of Federal Effort

For further information on the Concentration of Federal Effort Program please contact: Ms. Roberta Dorn, Acting Director, Concentration of Federal Effort Program, Office of Juvenile Justice and Delinquency

Prevention, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724–7655.

[FR Doc. 85–5307 Filed 3–4–85; 8:45 am]

BILLING CODE 4410–18–M

DEPARTMENT OF LABOR

Employment and Training Administration

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance, E.M. Kelley, et al.

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period February 18, 1985–February 22, 1985.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–15, 565; E.M. Kelley d.b.a. Miss Kelley and Miss Kelley II, Fort Bragg, CA

TA–W–15, 644; PBI Industries, Williamsport, PA

TA–W–15, 613; Terada Manufacturing Co., Elizabeth, NJ

In the following cases the investigation revealed that criterion (3) has not been met for the reasons specified.

TA–W–15, 622; U.S. Steel Corp., Tin Finishing Dept., Pittsburg Works, Pittsburg, CA

Separations for the subject firm were seasonal in nature.

TA–W–15, 528; Fairfield Garment, Fairfield, IL

Separations for the subject firm resulted from a transfer of production to another domestic facility.

Affirmative Determinations

TA–W–15, 595; Motion Control Industries, Ridgway, PA

A certification was issued covering all workers separated on or after November 1, 1984.

TA–W–15, 555; Craddock-Terry Shoe Corp., Dillwyn, VA

A certification was issued covering all workers separated on or after October 29, 1983 and before February 1, 1985.

TA–W–15, 556; Craddock-Terry Shoe Corp., Blackstone, VA

A certification was issued covering all workers separated on or after October 29, 1983 and before February 1, 1985.

TA–W–15, 660; Bonnie Lynne, Inc., North Bergen, NJ

A certification was issued covering all workers separated on or after November 9, 1983 and before December 15, 1984.

TA–W–15, 612; North Star Steel Texas, Beaumont, TX

A certification was issued covering all workers separated on or after October 1, 1984.

TA–W–15, 594; McNally Mountain States Steel Co., Lindon, UT

A certification was issued covering all workers separated on or after October 1, 1984.

TA–W–15, 564; Dale Garment Co., Inc., Lynchburg, VA

A certification was issued covering all workers separated on or after March 1, 1984 and before October 31, 1984.

TA–W–15, 515; Waldo Shoe Corp., Belfast, ME

A certification was issued covering all workers separated on or after October 12, 1983.

TA–W–15, 515A; Dorson-Fleisher, Inc., Manchester, NH

A certification was issued covering all workers separated on or after October 12, 1983.

TA–W–15, 491; Leckenby Co., Seattle, WA

A certification was issued covering all workers separated on or after August 1, 1984.

TA–W–15, 511; Moose River Moccasin, Skowhegan, ME

A certification was issued covering all workers separated on or after October 4, 1983 and before November 31, 1984.

TA–W–15, 544; R.A.M. Enterprises, Inc., Gonic, NH

A certification was issued covering all workers separated on or after October 15, 1983 and before October 21, 1984.

TA–W–15, 535; Bendey Shoe, Inc., Bangor, ME

A certification was issued covering all workers separated on or after October 26, 1983.

TA–W–15, 552; Century Brass Products, Inc., Waterbury, CT

A certification was issued covering all workers at the Casting Shop and the Rod Operation separated on or after September 1, 1984 and before June 1, 1985.

TA–W–15, 553; Century Brass Products, Inc., New Milford, CT

A certification was issued covering all workers of the New Milford, CT plant of the Metals Div. of Century Brass Products, Inc., separated on or after January 1, 1985.

I hereby certify that the aforementioned determinations were issued during the period February 18, 1985–February 22, 1985. Copies of these determinations are available for inspection in Room 6434, U.S. Department of Labor, 601 D Street, NW., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: February 26, 1985.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 85–5306 Filed 3–4–85; 8:45 am]

BILLING CODE 4510–30–M

NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a new guide planned for its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft guide, temporarily identified by its task number, FC 406–4 (which should be mentioned in all correspondence concerning this draft

guide), is entitled "Guide for the Preparation of Applications for Licenses and Approvals to Authorize Distribution of Various Items to Group Medical Licenses" and is intended for Division 10, "General." It is being developed to provide guidance in conformance with the new NRC Form 313 for preparing applications for licenses and approvals for distribution of various items to group medical licensees.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Comments on both drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by May 3, 1985.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Silver Spring, Maryland this 26th day of February 1985.

For the Nuclear Regulatory Commission.

Denwood F. Ross,

Deputy Director, Office of Nuclear Regulatory Research.

[FR Doc. 85-5302 Filed 3-4-85; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 70-2968]

Finding of No Significant Impact; Issuance of Special Nuclear Material License No. SNM-1928 to Cleveland Electric Illuminating Co., Lake County, OH

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of Special Nuclear Material License No. SNM-1928 to permit the receipt, possession, inspection, and storage of unirradiated nuclear fuel assemblies at the Perry Nuclear Plant in Lake County, Ohio. The unirradiated fuel assemblies will be for eventual use in the Perry Nuclear Power Plant, Unit 1, once its operating license is issued.

The Commission's Division of Fuel Cycle and Material Safety has prepared an Environmental Assessment related to the issuance of Special Nuclear Material License No. SNM-1928. On the basis of this assessment, the Commission has concluded that the environmental impact created by the proposed licensing action would not be significant and does not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate. The Environmental Assessment is available for public inspection and copying at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. Copies of the Environmental Assessment may be obtained by calling (301) 427-4510 or by writing to the Uranium Fuel Licensing Branch, Division of Fuel Cycle and Material Safety, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Silver Spring, Maryland this 27th day of February 1985.

For the Nuclear Regulatory Commission.

W.T. Crow,

Acting Chief, Uranium Fuel Licensing Branch Division of Fuel Cycle and Material Safety, NMSS.

[FR Doc. 85-5303 Filed 3-4-85; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-23615; 70-7003]

Central Power and Light Co.; Pollution Control Financing

February 26, 1985.

Central Power and Light Company ("CP&L"), 120 North Chaparral Street, Corpus Christi, Texas 78401, a wholly owned subsidiary of Central and South West Corporation, a registered holding company, has filed a post-effective amendment to its application-declaration pursuant to sections 6(a), 7, 9(a), 10 and 12 of the Public Utility Holding Company of 1935 ("Act") and Rules 44 and 50(a)(5) thereunder.

An aggregate of $250.9 million principal amount of Matagorda County Navigation District Number One Adjustable Rate Collateralized Pollution Control Revenue Bonds Series 1984 and 1984A (the "Series 1984 Bonds" and "Series 1984A Bonds") was issued October 25, 1984 and December 11, 1984 pursuant to orders of the Commission (HCAR Nos. 23462 and 23524). CP&L now requests authority to issue through December 31, 1986, in one or more additional series, up to $150 million aggregate principal amount of pollution control bonds ("New Bonds"), which amount includes the $46.3 million over which the Commission reserved jurisdiction in the December 11 order. The New Bonds will have substantially the same terms as the Series 1984A Bonds previously approved, or may be issued as conventional 5-30 year fixed interest term bonds ("Term Bonds"). Based on market conditions, the first date on which the initial interest rate may be changed and the first right of bondholders to cause redemption of or put the New Bonds (the "Initial Put Date") may be earlier than the five years applicable for the Series 1984A Bonds. The initial interest rate, the specific interest payment dates, interest adjustment dates and other similar dates will, be determined by market conditions. For the period until the Initial Put Date, market conditions may also require that the New Bonds have protection against refunding through the issuance of debt securities at a lower interest cost than the New Bonds; or, refunding may be prohibited at any interest cost until a specified date.

CP&L ALSO REQUESTS THE OPTION TO ISSUE FIRST MORTGAGE BONDS ("Bonds") as security for the payment of one or more series of the New Bonds. CP&L will issue the Bonds, subject to applicable indenture restrictions to the Trustee for the New Bonds (RepublicBank Dallas, N.A.) who will hold them solely for the benefit of the holders of such New Bonds. The Bonds will not be transferable except to a successor Trustee. Payments on the New Bonds will be used to make the necessary payments of interest and principal on the Bonds in respect thereof. Each series of the Bonds will mirror such series of New Bonds and therefore will not have sinking fund provisions unless such series of New

Bonds has sinking fund provisions. Term Bonds may also have Bonds issued as security thereof.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 25, 1985, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-5255 Filed 3-4-85; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-21724; SR-OCC-84-20]

Self-Regulatory Organizations; Proposed Rule Change by Options Clearing Corporation Relating To the Modification of Its System for Processing Random Assignment of Exercise Notices

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on January 2, 1985, The Options Clearing Corporation filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed random assignment system will provide uniform distribution of assignments among Clearing Members because it will assign exercised contracts in standardized lots, with a uniform "skip interval" between assigned positions, instead of assigning each exercise notice individually.

Under the proposed system, all short positions in a given series are totalled. Next, the number of exercised contracts of that series is totalled. If the number of exercised contracts is less than the number of open short positions,[1] it is subdivided into standardized "assignment increments." OCC has determined that initially the assignment increment for all option exercises will be 25 contracts. However, OCC may in the future determine to use different assignment increments for options on different underlying interests. The next step is to calculate a "skip interval".[2]

Next, the system chooses a random starting point for the first assignment. The first 25 contracts are then assigned to the 25 positions beginning with the randomly selected starting position. After assignment of these 25 contracts, the system skips to the short position whose number equals the number of the randomly selected starting position plus the predetermined skip interval, and assigns another 25 contracts. This process continues until all exercised contracts have been assigned. Note that the skip is from the first position assigned within any group of contracts. The assignment increment and skip interval eliminate the need for multiple random numbers; only one random number is chosen to begin the process. Also, the entire assignment process requires only one turn of the "assignment wheel".

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to provide more uniformity in the distribution of assignments. It does this in two ways: by assigning exercised contracts in standardized lots ("assignment increments"), rather than assigning each exercise notice individually, and by using uniform skip intervals. As a result, the new system will assure that disproportionately large segments of the open interest will not be assigned as a block.

Furthermore, the new system will operate in a substantially more efficient manner. Since only one random number is chosen, and only one turn of the "assignment wheel" is necessary, significant savings in processing time and expense will be realized. The current system takes approximately 90 minutes to run. The proposed system should take only 20–30 minutes to accomplish the same task.

OCC intends to implement the new assignment system as soon as possible. However, since OCC uses different processing systems for equity and non-equity options, the non-equity system will be modified first, followed by the equity system within several months.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period: (i) As the Commission may designate up to 90 days if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

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[1] If the number of contracts being exercised is equal to the number of open short positions, the entire open interests for that series will be assigned automatically.

[2] The skip interval is calculated as follows:

$$\text{SKIP INTERVAL} = \frac{\frac{T}{S+1-1^{*}}}{I}$$

* (With decimal points truncated).

S = The total number of contracts being exercised for the particular series.

T = The total number of contracts on the wheel for a particular series.

I = The assignment increment.

All submissions should refer to the file number in the caption above and should be submitted by March 26, 1985.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-5254 Filed 3-4-85; 8:45 am]

BILLING CODE 8010-01-M

[File No. 1-8709]

Issuer Delisting; Application To Withdraw From Listing and Registration; United Stockyard Corp.

February 26, 1985.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the American Stock Exchange, Inc. ("Exchange").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

(1) The $.01 par value common stock of the Registrant has been listed for trading on the Exchange and, pursuant to a registration statement of Form 8-A, which became effective on February 7, 1985, the New York Stock Exchange ("NYSE"). Trading in the Registrant's common stock on the NYSE commenced at the opening of business on February 11, 1985, and concurrently therewith such stock was suspended from trading on the Exchange.

(2) The Board of Directors of the Registrant determined that, in view of the listing of the Company's common stock on the NYSE, it was advisable for the Company to withdraw from listing on the Exchange.

(3) The Exchange has informed the Registrant that it has no objection to the withdrawal of the Registrant's common stock from listing on the Exchange.

Any interested person may, on or before March 19, 1985, submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-5192 Filed 3-4-85; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Presidential Advisory Committee on Small and Minority Business Ownership; Public Meeting

The Presidential Advisory Committee on Small and Minority Business Ownership, located in Washington, D.C., will hold a public meeting at 9:00 a.m. until 5:00 p.m., Monday, March 11, 1985, at the Small Business Administration, 1441 L Street, N.W., Second Floor Conference Room #214, Washington, D.C. 20416, to discuss such business as may be presented by the Committee members. The meeting is open to the interested public, however, space is limited.

Persons wishing to present written statements should notify Mrs. Maurine Fisher, Committee Coordinator, Office of Private Industry Programs, Small Business Administration, Room 602, 1441 L Street, N.W., Washington, D.C. 20416 in writing no later than March 8, 1985.

Dated: February 22, 1985.

Jean M. Nowak,

Director, Office of Advisory Councils.

[FR Doc. 85-5276 Filed 3-4-85; 8:45 am]

BILLING CODE 8025-01-M

Region I Advisory Council Meeting; Concord, NH

The U.S. Small Business Administration Region I Advisory Council, located in the geographical area of Concord, New Hampshire, will hold a public meeting at 10:00 a.m., on Wednesday, March 20, 1985, in the Concord National Bank Board Room, Concord National Bank, 43 N. Main and Warren Streets, Concord, New Hampshire, to discuss such matters as May be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call William Phillips, District Director, U.S. Small Business Administration, 55 Pleasant Street, Cocnord, New Hampshire 03301, (603) 224-4041.

Jean M. Nowak,

Director, Office of Advisory Councils.

February 25, 1985.

[FR Doc. 85-5273 Filed 3-4-85; 8:45 am]

BILLING CODE 8025-01-M

Region I Advisory Council Meeting; Montpelier, VT

The U.S. Small Business Administration Region I Advisory Council, located in the geographical area of Montpelier, Vermont, will hold a public meeting at 10:00 a.m., March 15, 1985, at the Lobster Pot Meeting and Banquet Room, 118 Main Street, in Montpelier, Vermont (Banquet Room entrance on School Street behind the Howard Drive-In-Bank), to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call David C. Emery, District Director, U.S. Small Business Administration, Federal Building, 87 State Street, P.O. Box 605, Montpelier, Vermont 05602, (802) 229-0538.

Jean M. Nowak,

Director, Office of Advisory Councils.

February 26, 1985.

[FR Doc. 85-5274 Filed 3-4-85; 8:45 am]

BILLING CODE 8025-01-M

National Advisory Council Meeting; Washington, D.C.

The U.S. Small Business Administration, Office of Advisory Councils, located in the geographical area of Washington, D.C., will hold its semiannual National Advisory Council meeting from 8:30 a.m., Monday, April 1, to 12 noon, Tuesday, April 2, 1985, at the Washington Plaza Hotel, Massachusetts and Vermont Avenues, N.W., Washington, D.C. 20005 to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Jean M. Nowak, Director, U.S. Small Business Administration, Office of

Advisory Councils, 1441 L Street, N.W., Washington, D.C. 20416, (202) 653-6748.

Jean M. Nowak,

Director, Office of Advisory Councils.

February 26, 1958.

[FR Doc. 85-5275 Filed 3-4-85; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Radio Technical Commission for Aeronautics (RTCA) Executive Committee; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the RTCA Executive Committee to be held on March 22, 1985, in the RTCA Conference Room, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Opening Remarks (2) Approval of Minutes of Meeting Held on January 25, 1985; (3) Chairman's Report on RTCA Administration and Activities; (4) Special Committee Activities Report for January and February 1985; (5) Briefing on the Satellite Search and Rescue (SARSAT) Program; (6) Consideration of Proposals to Establish New Special Committees; (7) Consider Approval of Special Committee 152 (SC-152) Report on Software Considerations in Airborne Systems and Equipment Certification; (8) Consider Approval of Change 1 to RTCA Document DO-186 "Minimum Operational Performance Standards for Radio Communications Equipment Operating Within the Radio Frequency Range 117.975-137.000 MHz"; (9) Consider Approval of Change 1 to RTCA Document DO-185 "Minimum Operational Performance Standards for Traffic Alert and Collision Avoidance System (TCAS) Airborne Equipment; and (10) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C. 20005, (202) 682-0266. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on February 25, 1985.

Karl F. Bierach,

Designated Officer.

[FR Doc. 85-5208 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA) Special Committee 153—Airborne VOR Equipment; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the RTCA Special Committee 153 on Airborne VOR Equipment to be held on March 25-26, 1985, in the RTCA Conference Room, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of the Fifth Meeting Held on December 12-14, 1984; (3) Consideration of Proposed Changes to the Sixth Draft of the Committee Report on Minimum Operational Performance Standards for Airborne VOR Equipment; (4) Review and Discuss European Organization for Civil Aviation Electronics (EUROCAE) Activities; (5) Review the First Draft of the Committee Report on Minimum Performance Standards for Instrument Landing System (ILS) Airborne Localizer Equipment; (6) Review Progress on Drafting the Committee Report on Minimum Operational Performance Standards for Instrument Landing System (ILS) Airborne Glide Slope Equipment; and (7) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C. 20005, (202) 682-0266. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on February 25, 1985.

Karl F. Bierach,

Designated Officer.

[FR Doc. 85-5207 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA); Renewal

Notice is hereby given of the renewal of the Radio Technical Commission for Aeronautics (RTCA) as an advisory committee utilized by the Federal Aviation Administration (FAA) and other Government agencies. The Associate Administrator for Development and Logistics, Federal Aviation Administration, is the sponsor.

The membership of RTCA comprises over 140 Government and industry organizations. At this time, eight Government agencies, the Departments of State, Commerce, Army, Navy and Air Force; the Federal Aviation Administration (FAA) and U.S. Coast Guard of the Department of Transportation; and the National Aeronautics and Space Administration (NASA), participate in RTCA. Private sector members include Aeronautical Radio, Incorporated (ARINC); Air Line Pilots Association (ALPA); Air Transport Association of America (ATA); Aircraft Owners and Pilots Association (AOPA); National Business Aircraft Association (NBAA); General Aviation Manufacturers Association (GAMA); Electronics Industries Association (EIA) Members; and Affiliated Independent Members.

The objective of RTCA is to advance the art and science of aeronautics through the investigation of all available or potential applications of the telecommunication art, their coordination with allied arts, and the adaptation thereof to recognized operational requirements. To achieve this objective, the RTCA through its special committees seeks solutions to problems involving the application of electronics and telecommunications to aeronautical operations and frequently recommends technical performance standards and operational requirements for consideration by Government, industry and aviation users.

The Secretary of Transportation has determined that the utilization of RTCA is necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Except as provided in section 10(d) of the Federal Advisory Committee Act (86 Stat. 770), meetings of all RTCA committees when utilized as an advisory committee, will be open to the public.

Issued in Washington, D.C., on February 15, 1985.

A.P. Albrecht,

Associate Administrator for Development and Logistics.

[FR Doc. 85-5206 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement: Logan County, KY

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA, in cooperation with the Kentucky Transportation Cabinet, intends to prepare an EIS for a proposed highway project located in McCracken County, just east and south of Paducah, Kentucky. The highway proposal involves the reconstruction of KY 1954 (Husband Road) to a 4-lane connector route between I-24 to the south and US 60-62, Downtown Business Loop on the north.

Six (6) alternates are under consideration at this time which include the "do nothing" option and a "one-way couplet" option. The one-way couplet option would utilize the exiting roadway of KY 1954 in conjunction with a new two (2) lane roadway to complete the couplet.

Proposed Scoping Process: An Interdisciplinary Team Meeting (IDT) was held on January 28, 1985, by the Kentucky Transportation Cabinet. The input received at the IDT meeting was useful in determining what alternatives would be considered viable for study in the draft environmental impact. Early public information meetings will be held as well as formal location/design public hearing.

FOR FURTHER INFORMATION CONTACT: Robert E. Johnson, Division Administrator, FHWA, P.O. Box 536, Frankfort, Kentucky 40602, Phone (502) 227-7321, FTS 352-5468. To ensure that a full range of issues related to this proposed action are addressed and all significant impacts are identified, suggestions are invited from all interested parties. Comments or questions should be directed to the above person.

Issued: February 22, 1985.

Robert E. Johnson,

Division Administrator.

[FR Doc. 85-5231 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

Grants and Denials of Applications for Exemptions

Correction

The FR document number for the DOT/RSPA notice beginning on page 7437 in the issue of Friday, February 22, 1985, should have read "FR Doc. 85-4084" in the file line at the end of the document on page 7442.

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Supplement to Department Circular; Public Debt Series—No. 6-85]

Notes; Series J-1990

The Secretary announced on February 26, 1985, that the interest rate on the notes designated Series J-1990, described in Department Circular—Public Debt Series—No. 6-85 dated February 21, 1985, will be 11⅜ percent. Interest on the notes will be payable at the rate of 11⅜ percent per annum.

Carole Jones Dineen,

Fiscal Assistant Secretary.

February 27, 1985.

[FR Doc. 85-5226 Filed 3-4-85; 8:45 am]

BILLING CODE 4810-40-M

VETERANS ADMINISTRATION

Paramus, NJ; State Veterans Nursing Facility; Finding of No Significant Impact

The Veterans Administration (VA) has assessed the potential environmental impacts that may occur as a result of the proposed construction of a State Veterans Nursing Facility at Paramus, New Jersey. This project is being considered for federal assistance under the grants to State Homes Program and involves the construction of a new facility that will accommodate a 300-bed nursing home care unit. The estimated project cost is $20 million. This is a magnitude estimate and is subject to revision.

A beneficial impact will be achieved through the addition of 300 beds which will provide expanded health care service to New Jersey veterans. The project will also provide additional employment and income to the local area surrounding the facility.

Construction related traffic may affect the flow of on-site traffic, and construction noise associated with the development of the new nursing home wing may cause annoyance to occupants of adjacent residences. Complaints about noise usually give rise to a controversial situation. The impact of dust and fumes that will exist during construction will be of short effect lasting only during the construction phase of project development.

In relation to both construction and operation, the new facility will be built in accordance with applicable Federal, State and local air quality standards.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environment Quality (Title 40, § 1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, §§ 1501.3 and 1508.9, Title 40, Code of Federal Regulations. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of that document may do so at the following office:

Director, Office of Environmental Affairs (10A4A4), room 601, Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. (202/389-3544). Questions or requests for single copies of the Environmental Assessment may be addressed to the above.

Dated: February 26, 1985.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

[FR Doc. 85-5227 Filed 3-4-85; 8:45 am]

BILLING CODE 8320-01-M

Medical Research Service Merit Review Boards; Meetings

The Veterans Administration gives notice pursuant to Pub. L. 92-463 of the meetings of the following Merit Review Boards.

Merit review board	Date	Time	Location
Surgery	Apr. 1, 1985	8 a.m. to 5 p.m.	Room 817, VA Central Office.[1]
Oncology	Apr. 2, 1985	do	Room 119, VA Central Office.
Cardiovascular Studies	Apr. 11, 1985	do	Room 119, VA Central Office.
Do	Apr. 12, 1985	do	Do.
Respiration	Apr. 14, 1985	7 p.m. to 11 p.m.	Soup San Room, General Scott Inn.[2]
Do	Apr. 15, 1985	8 a.m. to 5 p.m.	Do.
Mental Health and Behavioral Sciences.	Apr. 17, 1985	do	Soup San Room, General Scott Inn.
	Apr. 18, 1985	do	Do.
Do	Apr. 19, 1985	do	Do.
Alcoholism and Drug	Apr. 21, 1985	do	San Clemente Room, Disneyland Hotel.[3]
Hematology	Apr. 27, 1985	do	San Cruz Room, Disneyland Hotel.
Basic Sciences	Apr. 29, 1985	do	Room 119, VA Central Office.
Do	Apr. 30, 1985	do	Do.
Immunology	May 2, 1985	do	Room 119, VA Central Office.
Infectious Diseases	May 1, 1985	7 p.m. to 10 p.m.	Soup San Room, General Scott Inn.
Do	May 2, 1985	8 a.m. to 5 p.m.	Do.
Gastroenterology	May 3, 1985	do	Room 119, VA Central Office.
Nephrology	May 7, 1985	do	Soup San Room, General Scott Inn.
Do	May 8, 1985	do	Do.
Endocrinology	May 7, 1985	do	Room 119, VA Central Office.
Do	May 8, 1985	do	Do.
Neurobiology	May 13, 1985	do	Soup San Room, General Scott Inn.
Do	May 14, 1985	do	Do.
Do	May 15, 1985	do	Do.

[1] Veterans Administration Central Office, 810 Vermont Avenue, NW, Washington, DC 20420.
[2] General Scott Inn, 1464 Rhode Island Avenue, NW, Washington, DC 20005.
[3] Disneyland Hotel, 1150 West Cerritos, Anaheim, CA 92803.

These meetings will be for the purpose of evaluating the scientific merit of research conducted in each specialty by Veterans Administration investigators working in Veterans Administration Medical Centers and clinics.

The meetings will be open to the public up to the seating capacity of the rooms at the start of each meeting to discuss the general status of the program. All of the Merit Review Board meetings will be closed to the public after approximately one-half hour from the start, for the review, discussion and evaluation of initial, and renewal research projects.

The closed portion of the meeting involves: Discussion, examination, reference to, and oral review of site visits, staff and consultant critiques of research protocols, and similar documents. During this portion of the meeting, discussion and recommendations will deal with qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, as well as research information, the premature disclosure of which would be likely to significantly frustrate implementation of proposed agency action regarding such research projects. As provided by subsection 10(d) of Pub. L. 92–463, as amended by Pub. L. 94–409, closing portions of these meetings are in accordance with 5 U.S.C. 552(c) (6) and (9)(B). Because of the limited seating capacity of the rooms, those who plan to attend should contact Mr. Howard M. Berman, Chief, Program Review Division, Medical Research Service, Veterans Administration, Washington, DC, (202) 389–5065 at least five days prior to each meeting. Minutes of the meetings and rosters of the members of the Boards may be obtained from this source.

Dated: February 26, 1985.

By direction of the Administrator.

Rosa Maria Fontanez,

Committee Management Officer.

[FR Doc. 85–5243 Filed 3–4–85; 8:45 am]

BILLING CODE 8320-01-M

Advisory Committee on Readjustment Problems of Vietnam Veterans; Meeting

The Veterans Administration gives notice under Pub. L. 92–463 that a meeting of the Advisory Committee on the Readjustment Problems of Vietnam Veterans will be held in the Omar Bradley Conference Room, VA Central Office, 810 Vermont Avenue, NW, Washington, DC, on March 14 and 15, 1985. These meetings will begin at 9:00 a.m. and conclude at 4:30 p.m.

Both meetings will be open to the public to the seating capacity of the conference room. Anyone having questions concerning the meetings may contact Mr. Edward Lord, Assistant Director for Administration and Development, Readjustment Counseling Service, Veterans Administration Central Office at phone number 202/389–5410/5419.

This notice not appear in the **Federal Register** at least 15 days prior to the date of the first meeting due to delays in administrative proceeding.

Dated: February 28, 1985.

By direction of the Administrator.

Rosa Maria Fontanez,

Committee Management Officer.

[FR Doc. 85–5268 Filed 3–4–85; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 50, No. 43
Tuesday, March 5, 1985

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

FEDERAL COMMUNICATIONS COMMISSION

Joint Board Meeting Deferred (CC Docket Nos. 78–72 and 80–286)

The Joint Board meeting scheduled for Friday, March 1, 1985 (50 FR 8435; March 1, 1985) has been deferred. A new meeting date will be announced in the near future.

For further information contact Claudia Pabo or Margot Bester (202) 632–6363.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 85–5320 Filed 3–1–85; 11:32 am]

BILLING CODE 6712-01-M

2

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.

February 27, 1985.

TIME AND DATE: 10:00 a.m., Wednesday, March 6, 1985.

PLACE: Room 600, 1730 K St., N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission consider and act on the following:

1. U.S. Steel Mining Co., Inc., Docket No. PENN 82–322; (Issues include whether the administrative law judge erred in concluding that a violation of 30 CFR 75.515, dealing with suitable cable fittings and bushings was "significant and substantial".)

2. Kenneth A. Wiggins v. Eastern Associated Coal Corp., Docket No. WEVA 82–300–D; (Issues include whether the administrative law judge erred in concluding that the miner was discharged in violation of section 105(c)(1) of the Mine Act and whether the judge awarded appropriate remedial relief.)

Any person intending to attend this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Thus, the Commission may, subject to the limitations of 29 CFR 2706.150(a)(3) and 2706.160(e), ensure access for any handicapped person who gives reasonable advance notice.

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen, (202) 653–5632.

Jean H. Ellen,

Agenda Clerk.

[FR Doc. 85–5370 Filed 3–1–85; 3:19 pm]

BILLING CODE 6735-01-M

3

FEDERAL RESERVE SYSTEM

Board of Governors

TIME AND DATE: 11:00 a.m., Monday, March 11, 1985.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Implementation of the Board's Program Improvement Project.

2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

3. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: March 1, 1985.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 85–5394 Filed 3–1–85; 4:00 pm]

BILLING CODE 6210-01-M

Federal Register

Tuesday
March 5, 1985

Part II

Department of the Interior

National Park Service

National Registry of Natural Landmarks; Annual Supplemental Listing of Natural Landmarks; Notice

DEPARTMENT OF THE INTERIOR

National Park Service

National Registry of Natural Landmarks

AGENCY: National Park Service, Interior.
ACTION: Public notice.

SUMMARY: This notice lists all natural landmarks designated by the Secretary of the Interior between October 1, 1983 and September 30, 1984 and included on the National Registry of Natural Landmarks. The listing published in the **Federal Register** on March 1, 1983 (48 FR 8682) contains all natural landmarks designated prior to that date and should be retained for reference purposes. The listing published in the **Federal Register** on February 7, 1984 (49 FR 4605) contains all natural landmarks designated between March 1, 1983 and September 30, 1983. All listings provide information on each landmark's location, natural values, designation date, ownership, and the owner's voluntary commitment to protect the landmark's natural resources. Federal agencies should consider the existence and location of natural landmarks when assessing the impact of their actions on the environment under section 102(2)(c) of the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321).

FOR FURTHER INFORMATION CONTACT: Mr. Arthur L. Stewart, Acting Chief, Natural Landmarks Branch, Interagency Resources Division, National Park Service, Washington, D.C. 20240, (202) 343-9525.

SUPPLEMENTARY INFORMATION: The Secretary of the Interior established the National Natural Landmarks Program in 1962 to identify and encourage the preservation of nationally significant examples of the full array of ecological and geological features that represent the Nation's natural heritage. Potential natural landmarks are identified through studies conducted by the National Park Service, evaluated by natural scientists, and, if judged nationally significant, designated as National Natural Landmarks by the Secretary of the Interior. Areas so designated are included on the National Registry of Natural Landmarks. Through September 30, 1984 there were 551 sites listed on the National Registry of Natural Landmarks. The National Natural Landmarks Program is administered by the National Park Service.

Natural landmark designation is not a land withdrawal and affects neither the ownership nor management and use of a site. Natural landmark preservation is often ensured through cooperative commitment of public and private owners toward protection of the area's nationally significant features. This commitment is voluntary and is exercised through a nonbinding agreement with the National Park Service to protect the National Natural Landmark. Owners who elect to enter into such an agreement are eligible to receive a certificate signed by the Secretary of the Interior which recognizes the special status of the area. A bronze plaque may also be presented for appropriate display on the site.

In addition, Federal agencies must consider the existence and location of National Natural Landmarks when they assess the effects of their actions on the environment under section 102(2)(c) of the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321).

The Secretary of the Interior transmits annually to the Congress a report on those National Natural Landmarks with known damage or threats to the integrity of their nationally significant features (90 Stat. 1940; 16 U.S.C. 1a-5). This report is prepared for the Secretary by the National Park Service.

National Registry of Natural Landmarks

The National Registry of Natural Landmarks is the Nation's official list of those nationally significant natural areas representative of the ecological and geological heritage of this country. Of the 551 sites listed on the National Registry of Natural Landmarks, over one-half are administered solely by public agencies at the Federal, State, county, or municipal government levels. Almost one-third of the National Natural Landmarks are owned entirely by private parties. The remaining National Natural Landmarks are owned or administered by a mixture of public and private owners.

The following list contains all National Natural Landmarks added to the National Registry of Natural Landmarks between October 1, 1983 and September 30, 1984. The sites are arranged alphabetically by State and county. A description of each landmark's location, significance, designation date and ownership is provided. Designation dates are enclosed in parentheses. Ownership data are arranged in the following arbitrary order and do not reflect the relative amount of land owned by any party: Federal, State, County, Municipal, Private. An asterisk (*) indicates that the owner(s) of a landmark have voluntarily agreed to protect the nationally significant features.

Because many natural landmarks are privately owned and/or not managed for public access, landowner permission must first be obtained before visits are planned to those areas. The specific locations of certain landmarks are not provided because of owner request for minimum publicity and/or because of the fragility of the natural features.

Dated: January 16, 1985.

Russell E. Dickenson,
Director, National Park Service.

MAINE

Knox County

Appleton Bog Atlantic White Cedar Stand—Four miles southeast of Liberty in southeastern Maine. Largest and best of the few remaining virgin stands of Atlantic white cedar in the northeasternmost extension of its range. Large and undisturbed peatland with a continuous forest covering a classic hummock-and-hollow topography. (January 1984) Owner: Private

Somerset County

* No. 5 Bog and Jack Pine Stand—13 miles southeast of the Quebec border in northwestern Maine. One of the larger peatlands in Maine and the only intermontane peatland in the northern Appalachian Mountains. It has the greatest abundance and variety of string patterns of any U.S. peatland east of the Northern Great Lakes. The jack pine forest and well-defined surficial glacial features coupled with the many botanical species and geological features located here constitute a diversity of natural features found nowhere else in the northern United States. (August 1984) Owner: Private, State

NEW JERSEY

Passaic County

Great Falls of Paterson-Garrett Mountain—Adjacent to the city of Paterson. Garrett Mountain is an expansion of Great Falls of Paterson National Natural Landmark (April 1967). Together Great Falls of Paterson and Garrett Mountain provide an excellent illustration of the jointed basaltic lava flow which began a period of extrusion and intrusion throughout eastern North America in the early Mesozoic, influencing present day landforms in this region. (January 1984) Owner: Municipal

SOUTH CAROLINA

Lancaster County

Flat Creek Natural Area and 40 Acre Rock—54 miles northeast of Columbia. Contains the largest remaining undisturbed granitic flat-rock outcrop in the Carolina Piedmont. Flat-rock vegetation is in good condition, including 13 rare or endemic species and 20 other species characteristic of these outcrops. Chestnut, oak, mockernut, hickory, sweetgum and pignut hickory trees abound on the southeast facing slopes. Flat Creek Dike is one of the thickest in eastern North America (1,123 feet). Taken together, these geological and biological features in such close proximity represent an unusual outdoor laboratory. (August 1984) Owner: Private

The following are corrections to the list of natural landmarks included on the National Registry of Natural Landmarks and published in the **Federal Register**, Part III, March 1, 1983 on page 8702.

SOUTH DAKOTA

Marshall County

* Sica Hollow—(previously listed as Sico Hollow)

SOUTH DAKOTA

Roberts County

* Sica Hollow—(previously listed as Sico Hollow)

WEST VIRGINIA

Pendleton County

Sinnett-thorn Mountain Cave System—(previously listed as Sennett-Thorn Mountain Cave System)

[FR Doc. 85-5005 Filed 3-4-85; 8:45 am]

BILLING CODE 4310-70-M

federal register

Tuesday
March 5, 1985

Part III

Department of the Interior

National Park Service

National Register of Historic Places; Annual Listing of Historic Properties; Notice

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Annual Listing of Historic Properties

The National Historic Preservation Act of 1966, as amended (80 Stat. 915, 16 U.S.C. 470 et seq.), authorizes the Secretary of the Interior to expand and to maintain a National Register of districts, sites, buildings, structures and objects significant in American history, architeture, archeology, engineering and culture. The National Park Service expands and maintains the National Register of Historic Places for the Secretary.

It is purpose of this notice, though publication of the information included herein, to apprise the public, as well as governmental agencies associations, and all other organizations and individuals interested in historic preservation, of the properties added to the National Register between October 1, 1983, and September 30, 1984 and those omitted in the list published February 7, 1984.

For a cumulative listing comprising all properties on the National Register, we recommend that users retain the **Federal Register**, listings from February 6, 1979 (Vol. 44, No. 26, Part II); March 18, 1980 (Vol. 45, No. 54, Part II); February 3, 1981 (Vol. 45, No. 54, Part II); February 2, 1982 (Vol. 47, No. 22, Part III); March 1, 1983 (Vol. 48, No. 41, Part II) and February 7, 1984 (Vol. 49, No. 26, Part IV). Together these listings provide information for all National Register properties and for properties determined eligible for inclusion on the National Register through September 1984. A limited number of copies of the 1979, 1980, 1981, 1982, 1983, and 1984 issues of the **Federal Register**, is available from the Department of the Interior, National Park Service, National Register of Historic Places, 18th and C Sts., NW., Washington, DC 20240.

Dated: January 16, 1985.

Russell E. Dickenson,

Director.

ALABAMA

Autauga County

Prattville, *Daniel Pratt Historic District*, Roughly bounded by Northington Rd., 1st, 6th, Bridge, and Court Sts. (08/30/84)

Calhoun County

Anniston, *McKleroy-Wilson-Kirby House*, 1604 Quintard Ave. (08/30/84)
Piedmont, *Southern Railway Depot*, 200 N. Center Ave. (01/05/84)

Coffee County

Elba vicinity, *Pea River Power Company Hydroelectric Facility*, S of Elba (08/01/84)

Colbert County

Sheffield, *Nitrate Village No. 1 Historic District*, Roughly bounded by Wilson Dam Circle, Wheeler and Wilson Dam Aves., Fontana and Pickwick Sts. (08/30/84)
Tuscumbia, *Norman, Felix Grundy, House*, 401 N. Main St. (04/12/84)

Covington County

Andalusia, *Central of Georgia Depot*, 125 Central St. (08/30/84)

Cullman County

Cullman, *Ave Maria Grotto*, St. Bernard Abbey (01/19/84)
Cullman, *Cullman Historic District*, Roughly bounded by 1st and 8th Aves., 3rd and 9th Sts. (08/30/84)
Cullman, *Stiefelmeyer's*, 202 — 1st Ave. SE (12/22/83)

DeKalb County

Mentone, *Mentone Springs Hotel*, AL 117 (10/20/83)

Etowah County

Gadsden, *Eleventh Street School*, 1026 Chestnut St. (05/10/84)

Greene County

Eutaw, *Pierce, William F., House*, 309 Womack Ave. (11/17/83)
Forkland vicinity, *Thornhill*, NW of Forkland (05/10/84)

Jefferson County

Birmingham, *Age-Herald Building*, 2107 — 5th Ave. N (08/30/84)
Birmingham, *Bank of Ensley*, 19th St. and Ave. E (06/21/84)
Birmingham, *Claridge Manor Apartments (Apartment Hotels in Birmingham, 1900–1930, TR)*, 1100 — 27th St. S (05/17/84)
Birmingham, *Exclusive Furniture Shop*, 704 — 29th St. S (08/30/84)
Birmingham, *Glen Iris Park Historic District*, 1–20 Glen Iris Park (08/30/84)
Birmingham, *Highland Plaza Apartments (Apartment Hotels in Birmingham, 1900–1930, TR*, 2250 Highland Ave. S. (05/17/84)
Birmingham, *Quinlan Castle*, 2030 — 9th S (09/13/84)
Birmingham, *Ridgely Apartments (Apartment Hotels in Birmingham, 1900–1930, TR)*, 608 — 21st St. N (05/17/84)
Birmingham, *West Park*, 5th Ave. and 16th St. (05/24/84)
Birmingham, *Windham Construction Office Building*, 528 — 8th Ave. N (08/09/84)

Lee County

Opelike, *Railroad Avenue Historic District*, Roughly bounded by 7th and 10th Sts., 1st Ave. and Ave. B (08/30/84)

Limestone County

Athens vicinity, *Blackburn House*, W of Athens (09/20/84)
Athens, *Robert Beaty Historic District*, Roughly bounded by Louisville and Nashville RR, Forrest, East, and Washington Sts. (08/30/84)

Macon County

Tuskegee, *Main Street District*, Main St. (03/12/84)

Madison County

Huntsville, *Building at 105 N. Washington Street (Downtown Huntsville MRA)*, 105 N. Washington St. (05/23/84)
Huntsville, *Hutchens, W.T., Building (Downtown Huntsville MRA)*, 100 — 104 S. Jefferson St. (12/28/83)
Huntsville, *White-Turner-Sanford House*, 601 Madison St. (04/2/84)
Madison, *Bibb, James H., House*, 11 Allen St. (04/12/84)

Marengo County

Demopolis, *Demopolis Public School*, 601 S. Main Ave. (10/28/83)
Demoplis, *US Post Office*, 100 W. Capitol St. (07/28/84)

Marshall County

Guntersville, *Saratoga Victory Mill*, 1821 Gunter Ave. (04/12/84)

Mobile County

Mobile, *Church Street Historic District (Boundary Increase)*, Roughly bounded by Broad, Conti, Water, Claiborne, and Canal Sts. (01/13/84)
Mobile, *Dahm House*, 7 N. Claiborne St. (01/05/84)
Mobile, *Davis Avenue Branch, Mobile Public Library*, 564 Davis Ave. (12/22/84)
Mobile, *Denby House*, 558 Conti St. (01/05/84)
Mobile, *Fire Station No. 5*, 7 N. Lawrence St. (12/22/83)
Mobile, *Hawthorn House*, 352 Stanton Rd. (05/21/84)
Mobile, *Meaher-Zoghby House*, 5 N. Claiborne St. (01/05/84)
Mobile, *Metzger House*, 7 N. Hamilton St. (01/05/84)
Mobile, *Monterey Place*, 1552 Monterey Pl. (01/05/84)
Mobile, *Neville House*, 255 St. Francis St. (01/05/84)
Mobile, *Old Dauphin Way Historic District*, Roughly bounded by Springhill Ave., Broad, Government, and Houston Sts. (08/30/84)
Mobile, *Phillipi House*, 53 N. Jackson St. (01/05/84)
Mobile, *Scottish Rites Temple*, 351 St. Francis St. (01.05/84)
Mobile, *St. Francis Street Methodist Church*, 15 N. Joachim St. (01/95/84)
Mobile, *Vickers and Schumacher Buildings*, 707–709 and 711 Dauphin St. (12/22/83)

Montgomery County

Montgomery, *Court Square-Dexter Avenue Historic District*, Roughly Dexter Ave., Perry, Court, and Monroe Sts. (08/30/84)
Montgomery, *Garden District*, Roughly bounded by Norman Bridge Rd., Court St., Jeff Davis, and Fairview Aves. (09/13/84)
Montgomery, *Jackson, Jefferson Franklin, House*, 409 S. Union St. (05/17/84)
Montgomery, *North Lawrence-Monroe Street Historic District*, 132–148, 216, 220 Monroe St. and 14, 22, 28–40, 56 N. Lawrence St. (08/30/84)

Montgomery, *South Perry Street Historic District*, Roughly Perry St. between Washington St. and Dexter Ave. (08/30/84)

Morgan County

Decatur, *Rhea-McEntire House*, 1105 Sycamore St. (08/30/84)

Perry County

Uniontown, *Pitts' Folly*, Old Cahaba Rd. (08/09/84)
Uniontown, *Westwood*, AL 61 (03/15/84)

Pike County

Troy, *Troy High School*, 436 Elm St. (08/30/84)

Russell County

Phenix City, *Brooks-Hughes House (Phenix City MRA)*, 1010 Sandfort Rd. (11/03/83)
Phenix City, *Brownville-Summerville Historic District (Phenix City MRA)*, Roughly bounded by 15th and 23rd Sts., and 6th and 11th Aves. (11/03/83)
Phenix City, *Floyd-Newsome House (Phenix City MRA)*, 900 — 22nd St. (11/03/83)
Phenix City, *Girard High School (Phenix City MRA)*, Sandfort Rd. (11/03/83)
Phenix City, *Girard Historic District (Phenix City MRA)*, Roughly bounded by 8th Pl., 10th St., 5th, and 8th Aves. (11/03/83)
Phenix City, *Kid Alley Residential Historic District (Phenix City MRA)*, 11th Ave. at 9th Pl. (11/03/83)
Phenix City, *Lower Twentieth Street Residential Historic District (Phenix City MRA)*, 20th St. from 2nd to 5th Aves. (11/03/83)
Phenix City, *Morgan-Curtis House (Phenix City MRA)*, 1815 Abbott Dr. (11/03/83)
Phenix City, *Shapre-Monte House (Phenix City MRA)*, 728 — 6th Ave. (11/03/83)
Phenix City, *Smith Residential Historic District (Phenix City MRA)*, 20th St., 7th Ave., and 6th Court (11/03/83)
Phenix City, *Snow Valley Residential Historic District (Phenix City MRA)*, 11th and 12th Sts. at 11th Ave. (11/03/83)
Phenix City, *Upper Twentieth Street Residential Historic District (Phenix City MRA)*, 1201–1217 W. 20th St. (11/03/83)

Talladega County

Talladega, *First Presbyterian Church*, 130 North St. E (11/17/83)

Tuscaloosa County

Tuscaloosa, *Bama Theatre-City Hall Building*, 600 Greensboro Ave. (08/30/84)
Tuscaloosa, *Searcy House*, 815 Greensboro Ave. (09/14/84)

Wilcox County

Camden, *Liberty Hall*, AL 221 (01/05/84)

ALASKA

Anchorage Division

Anchorage, *Lathrop Building*, 801 W. 4th Ave. (02/22/84)

Barrow-North Slope Division

Barrow, *Utkeagvik Church Manse*, Off Momegana St. (10/06/83)

Fairbanks Division

Fairbanks vicinity, *Goldstream Dredge No. 8*, Steese Hwy. (02/28/84)

ARIZONA

Cochise County

Douglas, *El Paso and Southwestern Railroad YMCA*, 1000 Pan American Ave. (03/01/84)

Coconino County

Flagstaff vicinity, *Coyote Range*, N of Flagstaff on US 180 (05/14/84)
Williams vicinity, *Laws Spring*, Kaibab National Forest (07/05/84)

Gila County

Glove vicinity, *Besh-Ba-Gowah*, S of Globe (05/09/84)
Globe, *Holy Angels Church*, 231 S. Broad St. (12/01/83)

Maricopa County

Phoenix vicinity, *Hedgpeth Hills Petroglyph Site*, N of Beardsley Rd. and 43rd Ave. (02/16/84)
Phoenix, *Anderson, Helen, House (Roosevelt Neighborhood MRA)*, 149 W. McDowell Rd. (11/30/83)
Phoenix, *Celora Stoddard/Lon Harmon House (Roosevelt Neighborhood MRA)*, 801 N. 1st Ave. (11/30/83)
Phoenix, *Chelsea Place Historic District (Roosevelt Neighborhood NRA)*, Roughly bounded by W. Lynwood and W. Willetta Sts. between Central and 3rd Aves. (11/30/83)
Phoenix, *Concrete Block House (Roosevelt Neighborhood MRA)*, 640 N. 6th Ave. (11/30/83)
Phoenix, *Concrete Block House (Roosevelt Neighborhood MRA)*, 618–620 N. 4th Ave. (11/30/83)
Phoenix, *Concrete Block House (Roosevelt Neighborhood MRA)*, 614 N. 4th Ave. (11/30/83)
Phoenix, *Dunlap, Charles H., House (Roosevelt Neighborhood MRA)*, 650 N. 1st Ave. (11/30/83)
Phoenix, *Elizabeth Seargeant/Emery Oldaker House (Roosvelt Neighborhood MRA)*, 649 N. 3rd Ave. (11/30/84)
Phoenix, *Ellis-Shackelford House (Roosevelt Neighborhood MRA)*, 1242 N. Central Ave. (11/30/83)
Phoenix, *Encanto-Palmcroft Historic District*, Bounded by N. 7th and N. 15th Aves., McDowell and Thomas Rds. (02/16/84)
Phoenix, *Humbert, William K., House*, 2238 N. Alvarado Rd. (12/01/03)
Phoenix, *Kenilworth Historic District (Roosevelt Neighborhood MRA)*, Roughly bounded by W. Lynwood and W. Willetta Sts. between 3rd and 7th Aves., and W. Culver between 5th and 7th Aves. (11/30/83)
Phoenix, *Phoenix LDS Second Ward Church (Roosevelt Neighborhood MRA)*, 1120 N. 3rd Ave. (11/30/83)
Phoenix, *Pierce, Harry E., House (Roosevelt Neighborhood MRA)*, 632 N. 3rd Ave. (11/30/83)
Phoenix, *Pieri-Elliot House*, 767 E. Moreland St. (12/29/83)
Phoenix, *Portland Street Historic District (Roosevelt Neighborhood MRA)*, W. Portland St. between 3rd and 7th Aves. (11/30/83)
Phoenix, *Rancho Joaquina House*, 4630 E. Cheery Lynn Rd. (07/09/84)
Phoenix, *Roosevelt Historic District (Roosevelt Neighborhood MRA)*, Roughly bounded by Roosevelt St. between 1st and 7th Aves., 6th Ave. Between Roosevelt and McKinley, 5th Ave. between Roosevelt and Fillmore, and Portland St. Between Central and 3rd Aves. (11/30/83)
Phoenix, *San Carlos Hotel*, 202 N. Central Ave. (12/08/83)
Tempe, *Elias-Rodriguez House (Tempe MRA)*, 927 E. 8th St. (05/07/84)
Tempe, *Elliott House (Tempe MRA)*, 1010 Maple Ave. (05/07/84)
Tempe, *Gonzales-Martinez House* (Tempe MRA), 320 W. 1st St. (05/07/84)
Tempe, *Goodwin Building (Tempe MRA)*, 512–518 S. Mill Ave. (05/07/84)
Tempe, *Harrington-Birchett House (Tempe MRA)*, 202 E. 7th St. (05/07/84)
Tempe, *Hiatt House (Tempe MRA)*, 1104 Ash Ave. (05/07/84)
Tempe, *Kloss, Rev. Daniel, House (Tempe MRA)*, 202 E. 6th St. (05/07/84)
Tempe, *Laird, Hugh, House (Tempe MRA)*, 821 S. Farmer (05/07/84)
Tempe, *Miller Block (Farmers and Merchants Bank) (Tempe MRA)*, 418–422 Mill Ave. (05/07/84)
Tempe, *Miranda, Jesus, Homestead (Tempe MRA)*, 1992 E. University. (05/07/84)
Tempe, *Moeru, W.A., House (Tempe MRA)*, 850 Ash Ave. (05/07/84)
Tempe, *Morrow-Hudson House (Tempe MRA)*, 1203 E. Alameda Dr. (05/07/84)
Tempe, *Mullen, C.P., House (Tempe MRA)*, 918 Mill Ave. (05/07/84)
Tempe, *Ollerton House (Tempe MRA)*, 1004 S. Mill Ave. (05/07/84)
Tempe, *Openshaw, Samuel, House (Tempe MRA)*, 104 W. 6th St. (05/07/84)
Tempe, *Redden, Byron, House (Tempe MRA)*, 948 Ash Ave. (05/07/84)
Tempe, *Sampson House (Tempe MRA)*, 109 W. 6th St. (05/07/84)
Tempe, *Scudder, B.H., Rental House (Tempe MRA)*, 919 S. Maple Ave. (05/07/84)
Tempe, *Steward House (Tempe MRA)*, 612 Maple St. (05/07/84)
Tempe, *Tempe Concrete Arch Highway Bridge (Tempe MRA)*, Mill Ave. and Salt River (05/07/84)
Tempe, *Tempe Cotton Exchange Cotton Gin Seed Storage Building (Tempe MRA)*, 215 W. Seventh St. (05/07/84)
Tempe, *Walker, Harry, House (Tempe MRA)*, 118 E. 7th St. (05/07/84)

Mohave County

Littlefield vicinity, *Horse Valley Ranch*, Lake Mead National Recreation Area (04/12/84)
Moccasin, *Big House*, Main Rd. (10/20/83)

Navajo County

Homolovi I Ruin, (06/04/84)
Winslow vicinity, *Chevelon Creek Bridge*, Chevelon Creek, SE of Winslow (12/08/83)
Winslow vicinity, *Chevelon Ruin*, SE of Winslow (03/01/84)
Winslow vicinity, *Homolovi III*, N of Winslow (03/01/84)

Pima County

Valencia Site (BB:13:15:BB:13:74), (05/17/84)
Tucson, *University Heights Elementary School*, 1201 N. Park Ave. (10/06/83)

Pinal County

Oracle, *Acadia Ranch*, AZ 77 (02/22/84)
Oracle, *All Saint's Church*, AZ 77 (05/03/84)

Yavapai County

Prescott, *Hill, Samuel, Hardware Company Warehouse*, 232 N. McCormick St. (09/13/84)
Prescott, *Hotel Vendome*, 230 S. Cortez (11/25/83)
Prescott, *Mormon Church*, 126 N. Marina St. (12/22/83)

Yuma County

Yuma, *Lee Hotel (Yuma MRA)*, 390 Main St. (04/12/84)
Yuma, *Masonic Temple (Yuma MRA)*, 153 S. 2nd Ave. (04/12/84)
Yuma, *San Carlos Hotel (Yuma MRA)*, 106 — 1st St. (04/12/84)

ARKANSAS

Bradley County

Warren, *Ederington House*, 326 S. Main St. (06/21/84)

Calhoun County

Calion vicinity, *Ouachita River Lock and Dam No. 8*, SE of Calion (12/19/83)

Crittenden County

Marion, *Crittenden County Bank and Trust Company*, Military Rd. (04/19/84)

Dallas County

Carthage vicinity, *Garrison Place (Dallas County MRA)*, S of AR 48 (10/28/83)
Carthage vicinity, *Hampton Springs Cemetery (Black Section) (Dallas County MRA)*, Off AR 48 (10/28/83)
Carthage vicinity, *Mt. Zion Methodist Church (Dallas County MRA)*, NE of Carthage (10/28/83)
Dalark, *Atchley, Henry, House (Dallas County MRA)*, Off AR 8 (10/28/83)
Fairview, *Thomas Homestead (Dallas County MRA)*, Off AR 7 (03/27/84)
Fordyce, *Amis House (Dallas County MRA)*, 2nd St. (10/28/83)
Fordyce, *Brewster House (Dallas County MRA)*, US 79 (10/28/83)
Fordyce, *Dallas County Courthouse (Dallas County MRA)*, 3rd and Oak Sts. (3/27/84)
Fordyce, *Elliott House (Dallas County MRA)*, 309 Pine St. (03/27/84)
Fordyce, *Fielder House (Dallas County MRA)*, US 79B (10/28/83)
Fordyce, *First Presbyterian Church (Dallas County MRA)*, AR 79B (10/28/83)
Fordyce, *First United Methodist Church (Dallas County MRA)*, E. 4th and Spring Sts. (10/28/83)
Fordyce, *Koonce Building (Dallas County MRA)*, 3rd St. (10/28/83)
Fordyce, *Old Fordyce Post Office (Dallas County MRA)*, E. 2nd St. (10/28/83)
Fordyce, *Rock Island Railway Depot (Dallas County MRA)*, 3rd St. (10/28/83)
Fordyce, *Russell, John, House (Dallas County MRA)*, 904 Charlotte St. (10/28/83)
Fordyce, *Smith, Jessie B., House (Dallas County MRA)*, Off US 79 (10/28/83)
Fordyce, *Wynne House (Dallas County MRA)*, 4th St. (10/28/83)
Holly Springs, *Goodgame, Capt., House (Dallas County MRA)*, AR 128 (10/28/83)
Jacinto, *Mt. Carmel Methodist Church (Dallas County MRA)*, AR 9 (10/28/83)
Pine Grove, *Brazeale Homestead (Dallas County MRA)*, SE of AR 128 (10/28/83)
Pine Grove, *Knight, Ed, House (Dallas County MRA)*, Off AR 128 (10/28/83)
Princeton vicinity, *Princeton Cemetery (Dallas County MRA)*, Off AR 9 (03/27/84)
Princeton, *Mallett, George W., House (Dallas County MRA)*, Off AR 8 (10/28/83)
Princeton, *Princeton Methodist Church (Dallas County MRA)*, AR 9 (10/28/83)
Sparkman, *Sardis Methodist Church (Dallas County MRA)*, NE of Pine Grove off AR 128 (10/28/83)
Tulip vicinity, *Butler-Matthews Homestead (Dallas County MRA)*, SW of Tulip off AR 9 (10/28/83)
Tulip, *Tulip Cemetery (Dallas County MRA)*, Off Ar 9 (10/28/83)

Drew County

Monticello, *Lambert House*, 204 W. Jackson St. (12/22/83)

Howard County

Nashville, *Holt, Elbert W., House*, 902 N. Main St. (09/20/84)

Independence County

Batesville, *Batesville East Main Historic District*, Main St. between 7th and 11th Sts. (12/22/83)

Pulaski County

Little Rock, *Gans, Solomon, House*, 1010 W 3rd St. (03/29/84)
Little Rock, *Mann, George R., Building*, 115 E. 5th St. (12/29/83)

Stone County

Marcella, *Hess, Thomas E., House*, AR 14 (12/27/83)

Union County

El Dorado, *El Dorado Apartments*, 420 Wilson Pl. (12/01/83)

Washington County

Fayetteville, *Guisinger Building*, E. Mountain St. (09/20/84)

CALIFORNIA

Alameda County

Oakland, *Oakland YWCA Building*, 1515 Webster St. (09/20/84)

Amador County

Volcano, *St. George Hotel*, 2 Main St. (09/07/84)

Calaveras County

Angels Camp, *Choy, Sam, Brick Store*, Bird Way (09/20/84)
Angels Camp, *Utica Mansion*, 1103 Bush St. (05/31/84)
San Andreas, *Snyder, John J., House*, 247 W. St. Charles St. (08/02/84)

Contra Costa County

Clayton, *Clayton Vineyards-DeMartini Winery*, 5919 Clayton Rd. (08/30/84)

El Dorado County

Placerville, *Fountain-Tallman Soda Works*, 524 Main St. (09/13/84)

Fresno County

Fresno, *Fresno Brewing Company Office and Warehouse*, 100 M St. (01/05/84)
Reedley, *Reedley Opera House Complex*, 10th and G Sts. (04/05/84)

Humboldt County

Arcata, *Hotel Arcata*, 708 — 9th St. (01/05/84)
Ferndale, *Shaw House*, 703 Main St. (09/13/84)

Kern County

Bakersfield, *Tevis Block*, 1712 — 19th St. (03/29/84)

Los Angeles County

Lloyd, Harold, Estate (Greenacres), (02/09/84)
Claremont, *Scripps College for Women*, Columbia and 10th St. (09/20/84)
Long Beach, *Reeve, Jennie A., House*, 4260 Country Club Dr. (06/21/84)
Los Angeles, *Alvarado Terrace Historic District*, Alvarado Terr., Bonnie Brae and 14th Sts. (05/17/84)
Los Angeles, *American Trona Corporation Building*, Pacific Ave. (08/30/84)
Los Angeles, *Federal Reserve Bank of San Francisco*, 409 W. Olympic Blvd. (09/20/84)
Los Angeles, *Friday Morning Club*, 938–940 S. Figueroa St. (05/17/84)
Los Angeles, *Hacienda Arms Apartments*, 8439 Sunset Blvd. (12/15/83)
Los Angeles, *Heinsbergen Decorating Company Building*, 7415 Beverly Blvd. (09/20/84)
Los Angeles, *Highland Park Police Station*, 6045 York Blvd. (03/22/84)
Los Angeles, *Los Angeles Memorial Coliseum*, 3911 S. Figueroa St. (7/27/84) NHL
Los Angeles, *Title Guarantee and Trust Company Building*, 401–411 W. 5th St. (07/26/84)
Pasadena, *Evanston Inn*, 385–395 S. Marengo Ave. (09/13/84)
Pasadena, *Lukens, Theodore Parker, House*, 267 N. El Molino Ave. (03/29/84)
Pasadena, *Villa Verde*, 800 S. San Rafael (09/13/84)
Redondo Beach, *Woman's Club of Redondo Beach*, 400 S. Broadway (04/19/84)
Torrance, *Auditorium (Torrance High School Campus TR)*, 2200 W. Carson (10/13/83)
Torrance, *Home Economics Building (Torrance High School Campus TR)*, 2200 W. Carson (10/13/83)
Torrance, *Main Building (Torrance High School Campus TR)*, 2200 W. Carson (10/13/83)
Torrance, *Torrance School (Torrance High School Campus TR)*, 2200 W. Carson (10/13/83)

Marin County

Larkspur, *Alexander-Acacia Bridge*, Alexander Ave. between Acacia and Monte Vista Aves. (01/05/84)
San Rafael, *San Rafael Improvement Club*, 1800 Fifth Ave. (03/29/84)

Merced County

Merced, *Merced County High School*, 2125 M St. (05/31/84)

Monterey County

Salinas, *Black, Samuel M., House,* 418 Pajaro St. (09/20/84)

Napa County

Napa, *Hackett House,* 2109 — 1st St. (04/19/84)

Orange County

Balboa, *Balboa Pavilion,* 400 Main St. (05/17/84)
Brea, *Brea City Hall and Park,* 401 S. Brea Blvd. (05/24/84)
Fullerton, *Fullerton Union Pacific Depot,* 100 E. Santa Fe Ave. (10/12/83)
Laguna Beach, *Mariona (Villa Rockledge),* 2529 S. Coast Hwy. (03/29/84)
Tustin, *Stevens, Sherman, House,* 228 W. Main St. (01/05/84)

Sacramento County

Sacramento, *Alkali Flat Central Historic District,* Roughly E and F Sts. between 9th and 12th Sts. (07/26/84)
Sacramento, *Alkali Flat North Historic District,* D and 11th Sts. (04/19/84)
Sacramento, *Alkali Flat West Historic District,* E, F, and 8th Sts. (07/26/84)
Sacramento, *Calpak Plant No. 11,* 1721 C St. (05/17/84)
Sacramento, *Capitol Extension District,* Capitol Mall (05/24/84)

San Benito County

San Juan Bautista, *Marentis House,* 45 Monterey St. (09/13/84)

San Diego County

Jacumba vicinity, *Table Mountain District,* NE of Jacumba (10/28/83)
San Diego, *Moylan, Major Myles, House,* 2214–2224 — 2nd Ave. (03/22/84)
San Diego, *Panama Hotel,* 105 W. F St. (03/22/84)

San Franciso County

San Franciso, *Aquatic Park Historic District,* Bounded by Van Ness Ave., Hyde and Polk Sts. (01/26/84)
San Franciso, *Chambord Apartments,* 1298 Sacramento St. (09/20/84)
San Franciso, *Dallam-Merritt House,* 2355 Washington St. (04/19/84)
San Franciso, *Koshland House,* 3800 Washington St. (01/05/84)
San Franciso, *Wapama (steam schooner),* Hyde St. Pier (04/24/73) NHL
San Franciso, *Warren, Russell, House,* 465–467 Oak St. and 368 Lily St. (12/12/83)

San Joaquin County

Lodi vicinity, *Terminous Culling Chute,* 14900 W. CA 12 (04/19/84)

San Mateo County

San Carlos, *Southern Pacific Depot,* 559 El Camino Real (09/20/84)

Santa Barbara County

Santa Maria, *Minerva Club of Santa Maria,* 127 W. Boone St. (09/20/84)

Santa Clara County

Santa Clara, *Santa Clara Verein* 1082 Alviso St. (01/19/84)

Santa Cruz County

Aptos vicinity, *Valencia Hall,* Valencia Rd. (09/20/84)
Santa Cruz vicinity, *Glen Canyon Covered Bridge,* Branciforte Dr. (05/17/84)
Watsonville, *Madison House,* 335 East Lake (02/02/84

Sonoma County

Santa Rosa, *Gables, The,* 4257 Petaluma Hill Rd. (09/20/84)

Trinity County

Helena, *Helena Historic District,* N of US 299 W. on North Fork of Trinity River (05/24/84)

Tuolumne County

Sonora, *Sugg House,* 37 Theall St. (09/13/84)

Ventura County

Santa Paula, *Glen Tavern Hotel,* 134 N. Mill St. (07/26/84)

COLORADO

Arapahoe County

Aurora, *Melvin School,* 4950 S. Laredo St. (01/05/84)
Parker vicinity, *Seventeen Mile House,* 8181 S. Parker Rd. (10/06/83)

Boulder County

Boulder vicinity, *Swedish Evangelical Lutheran Church of Ryssby,* N. 63rd St. (02/16/84)
Boulder vicinity, *Walker Ranch Historic District,* W of Boulder (06/14/84)
Hygiene vicinity, *Church of the Brethern,* 17th Ave. (01/05/84
Longmont, *Empson Cannery,* 15 — 3rd. Ave. (01/05/84)

Chaffee County

Salida, *Salida Downtown Historic District,* Roughly bounded by Arkansas River, RR track, 3rd, and D Sts. (06/14/84)

Clear Creek County

Idaho Springs, *Idaho Springs Downtown Commercial District,* Roughly bounded by Center Alley, 14th Ave., Riverside Dr., and Idaho St. (01/05/84)

Delta County

Hotchkiss, *Hotchkiss Hotel,* 101 Bridge St. (09/20/84)

Denver County

Denver, *Carter-Rice Building* 1623–1631 Blake St. (09/20/84)
Denver, *Crocker, F.W., and Company Steam Cracker Factory (Nabisco Company Building),* 1860 Blake St. (06/21/84)
Denver, *Denver City Railway Company Building,* 1635 — 17th St., 1734–1736 Wynkoop St. (06/04/84)
Denver, *Dunning-Benedict House,* 1200 Pennsylvania St. (09/20/84)
Denver, *Eppich Apartments,* 1266 Emerson St. (01/05/84)
Denver, *McPhee and McGinnity Building,* 2301 Blake St. (09/20/84)
Denver, *Norman Apartments,* 99 S. Downing St. (12/22/83)
Denver, *Orlando Flats,* 2330 Washington St. (02/16/84)
Denver, *Pacific Express Stable,* 2363 Blake St. (09/20/84)
Denver, *Smith, Pierce T., House,* 1751 Gilpin St. (09/20/84)
Denver, *Stonemen's Row Historic District,* South side 28th Ave. Between Umatilla and Vallejo Sts. (01/05/84)
Denver, *Weckbaugh House,* 1701 E. Cedar Ave. (01/16/84)

Douglas County

Castle Rock, *Castle Rock Elementary School,* 3rd and Cantril Sts. (09/20/84)

El Paso County

Colorado Springs, *Emmanuel Presbyterian Church,* 419 Mesa Rd. (05/17/84)
Colorado Springs, *Hagerman Mansion,* 610 N. Cascade Ave. (09/20/84)
Manitou Springs, *Manitou Springs Histroic District (Manitou Springs MRA),* Roughly bounded by El Paso Blvd., Ruxton Ave., US 24, and Iron Mt. Ave. (10/07/83)

Fremont County

Canon City, *Canon City Downtown Historic District,* Roughly Main St. from 3rd to 9th Sts. and Macon Ave. (10/20/83)

Gunnison County

Gunnison vicinity, *Curecanti Archeological District,* W of Gunnison (08/15/84)
Gunnison, *Fisher-Zugelder House and Smith Cottage,* 601 N. Wisconsin St. (01/05/84)
Gunnison, *Webster Building,* 229 N. Main St. (05/17/84)

Jefferson County

Golden vicinty, *Lorraine Lodge (Charles Boettcher Summer Home),* SW of Golden (01/18/84)

Kit Carson County

Burlington, *Burlington State Armory,* 191 — 14th St. (09/20/84)

Larimer County

Estes Park, *Park Theatre,* 130 Moraine Ave. (06/14/84)
Fort Collins, *Collins Municipal Railway Birnery Safety Streetcar No. 21,* 1801 W. Mountain Ave. (01/05/84)

Logan County

Sterling vicinty, *Luft, Conrad Sr., House,* 1429 CO 14 (05/17/84)
Sterling, *Harris, W.C., House,* 102 Taylor St. (05/17/84)

Mesa County

Grand Junction, *North Seventh Street Historic Residential District,* 7th St. between Hill and White Aves. (01/05/84)

Montezuma County

Dolores vicinity, *Anasazi Archeological District,* S of Dolores (07/19/84)

Otero County

La Junta, *Finney, Dr. Frank, House,* 608 Belleview Ave. (05/17/84)
La Junta, *Sciumbato, Daniel, Grocery Store,* 706 Second St. (05/17/84)

Ouray County

Ouray, *Ouray Historic District,* US 550 (10/06/83)

Pueblo County

Pueblo, vicinity, *Butler House*, 6916 Broadacre Rd. (08/16/84)
Pueblo, *Henkel-Duke Mercantile Company Warehouse*, 212–222 W. 3rd Ave. (05/17/84)
Pueblo, *Rood Candy Company Building*, 408–416 W. 7th St. (05/17/84)
Pueblo, *Star Journal Model Home*, 2920 High St. (02/16/84)
Pueblo, *Streit, J.L., House*, 2201 Grand Ave. (09/20/84)
Pueblo, *Walter, Martin, House*, 300 W. Abriendo Ave. (05/17/84)

Teller County

Goldfield, *Goldfield City Hall and Fire Station*, Victor Ave. and 9th St. (05/17/84)
Victor, *Midland Terminal Railroad Depot*, 230 N. 4th St. (05/17/84)

Weld County

Greeley, *Woodbury, Joseph A., House*, 1124 — 7th St. (05/17/84)
Longmont vicinity, *Sandstone Ranch*, E of Longmont off CO 119 (01/23/84)

CONNECTICUT

Fairfield County

Bridgeport, *Perry, Davy, House* 531 Lafayette St. (03/22/84)
Bridgeport, *St. John's Episcopal Church*, 768 Fairfield Ave. (08/02/84)
Bridgeport, *United Congregational Church*, 877 Park Ave. (07/19/84)
Danbury, *Main Street Historic District*, Boughton, Elm, Ives, Keeler, Main, West, and White Sts. (11/29/83)
Norwalk, *Loth, Joseph, Company Building*, 25 Grand St. (05/17/84)
Ridgebury, *Ridgebury Congregational Church*, Ridgebury Rd. and George Washington Hwy. (03/01/84)
Ridgefield, vicinity, *West Mountain Historic District*, CT 102 (02/23/84)
Ridgefield, *Hyott, Thomas, House*, 11 Barlow Mountain Rd. (02/16/84)
Ridgefield, *June, Lewis, House*, 478 N. Salem Rd. (02/16/84)
Ridgefield, *Ridgefield Center Historic District*, Roughly bounded by Pound St., Fairview Ave., Prospect, Ridge, and Whipstick Rds. (09/07/84)
Ridgefield, *Weir, J. Alden, Farm (District)*, Nod Hill Rd. and Pelham Lane (01/05/84)
Stamford, *Downtown Stamford Historic District*, Atlantic, Main, Bank, and Bedford Sts. (10/06/83)
Stamford, *St. Andrew's Protestant Episcopal Church*, 1231 Washington Blvd. (12/06/83)
Stratford, *Stratford Center Historic District*, Roughly bounded by E. Broadway, Ferry Blvd., Housatonic River, Connecticut Tnpke, Birdseye and Main Sts. (07/05/84)
Westport, *Bradley-Wheeler House*, 25 Avery Pl. (07/05/84)
Westport, *National Hall Historic District*, Riverside Ave., Wilton and Post Rds. (09/13/84)
Wilton, *Marvin Tavern*, 405 Danbury Rd. (04/26/84)

Hartford County

East Hartford, *Gilman-Hayden House*, 1871 Main St. (08/16/84)
East Hartford, *St. John's Episcopal Church*, 1160 Main St. (11/28/83)
Farmington, *Pequabuck Bridge*, Meadow Rd. at Pequabuck River (07/19/84)
Glastonbury, *Glastonbury Historic District*, Roughly Main St. from Hebron Ave. to Talcott Rd. (08/02/84)
Hartford, *Ann Street Historic District*, Allyn, Ann, Asylum, Church, Hicks and Pearl Sts. (11/28/83)
Hartford, *Christ Church*, 955 Main St. (12/29/83)
Hartford, *Clay Hill Historic District (Boundary Increase)*, 8 Florence St. (02/16/84)
Hartford, *Elm Street Historic District*, 71–166 Capitol Ave., 55–97 Elm St., 20–30 Trinity St. (06/28/84)
Hartford, *Frog Hollow Historic District (Boundary Increase)*, Bounded by Park Terr., Hillside Ave., Hamilton, and Summit Sts. (03/01/84)
Hartford, *Parkside Historic District*, 176–230 Wethersfield Ave. (05/01/84)
Hartford, *Polish National Home*, 60 Charter Oak Ave. (10/20/83)
Hartford, *Sigourney Square Historic District (Boundary Increase)*, 216–232 Garden St. (12/21/83)
Hartford, *St. Paul's Methodist Episcopal Church*, 1886–1906 Park St. (06/02/84)
Hartford, *Wethersfield Avenue Car Barn*, 331 Wethersfield Ave. (11/28/83)
New Britain, *Holmes, Francis H., House*, 349 Rocky Hill Ave. (06/28/84)
New Britain, *Washington School*, High and Carmody Sts. (07/19/84)
Simsbury, *Drake Hill Road Bridge*, Drake Hill Rd. at Farmington River (07/19/84)
West Hartford, *Mount St. Joseph Academy*, 235 Fern St. (12/22/83)

Litchfield County

Milton, *Welch, David, House*, Potash and Milton Rds. (02/16/84)
New Milford, *Housatonic Railroad Station*, Railroad St. (03/01/84)
Norfolk, *Low House (Taylor Alfredo, S. G., TR)*, Highfield Rd. (02/17/84)
Norfolk, *Moseley House/Farm (Taylor, Alfredo, S. G., TR)*, Greenwoods Rd. (02/17/84)
Norfolk, *Mulville House (Taylor, Alfredo, S. G., TR)*, Mountain Rd. (02/17/84)
Norfolk, *Noble House (Taylor, Alfredo, S. G. TR)*, Highfield Rd. (02/17/84)
Norfolk, *Norfolk Downs Shelter (Taylor, Alfredo, S. G., TR)*, Gold Rd. (02/22/84)
Norfolk, *Sports Building (Taylor, Alfredo, S. G., TR)*, Windrow Rd. (02/22/84)
Norfolk, *Thumb, Tom, House (Taylor, Alfredo, S. G., TR)*, Windrow Rd. (02/22/84)
Norfolk, *World War I Memorial (Taylor, Alfredo, S. G., TR)*, Greenwoods Rd. West and North Sts. (02/17/84)
Salisbury, *Lime Rock Historic District*, Roughly White Hollow, Elm, Lime Rock, Norton Hill, and Furnace Rds. (07/05/84)
Salisbury, *Scoville Powerhouse*, Twin Lakes and Beaver Dam, Rds. (02/16/84)
Thomaston, *Trinity Church*, Main St. (08/01/84)
Torrington, *Warner Theater*, 68–82 Main St. (02/16/84)
Winchester, *Winchester Soldiers' Monument*, Crown St. (01/26/84)
Winsted, *Camp, Moses, House*, 682 Main St. (05/10/84)

Middlesex County

Deep River, *Doris (sailing yacht)*, Connecticut River off River Rd. (05/31/84)
Deep River, *Pratt, Read and Company Factory Complex*, Main St. between Bridge and Spring Sts. and 5 Bridge St. (08/30/84)
Middle Haddam, *Middle Haddam Historic District*, Moodus and Long Hill Rds. (02/03/84)

New Haven County

Naugatuck, *Salem School*, 124 Meadow St. (11/03/83)
New Haven, *Ninth Square Historic District*, Roughly bounded by Church, State, George, and Court Sts. (05/03/84)
New Haven, *Chapel Street Historic District*, Roughly bounded by Park, Chapel, Temple, George, and Crown Sts. (04/05/84)
New Haven, *Cook, John, House*, 35 Elm St. (11/03/83)
New Haven, *Lighthouse Point Carousel*, Lighthouse Point Park, Lighthouse Ave. (12/15/83)
New Haven, *Lincoln Theatre*, 1 Lincoln St. (03/01/84)
New Haven, *Quinnipiac River Historic District*, Roughly bounded by Quinnipiac Ave., Lexington, Chapel, Ferry, Pine, Front, and Lombard Sts. (06/28/84)
New Haven, *Upper State Street Historic District*, Roughly State St. from Bradley St. to Mill River St. (09/07/84)
Seymour, *Seymour High School and Annex*, 100 Bank St. (11/17/83)

New London County

East Lyme, *Gorton, William, Farm*, 14 West Lane (04/05/84)
Groton, *Brandford House*, Shennecosset and Eastern Point Rds. (01/23/84)
Norwich, *Broad Street School*, 100 Broad St. (01/19/84)
Norwich, *Norwich Town Hall*, Union St. and Broadway (12/22/83)
Norwich, *Telephone Exchange Building*, 23 Union St. (11/23/83)

Tolland County

Rockville, *Rockville Historic District*, Roughly bounded by Snipsic St., Davis Ave., West and South Sts. (09/13/84)
Rockville, *Saxony Mill*, 66 West St. (11/10/83)
Vernon, *Minterburn Mill*, 215 E. Main St. (02/16/84)

Windham County

Woodstock, *Woodstock Academy Classroom Building*, Academy Rd. (02/16/84)

DELAWARE

Kent County

Smyrna vicinity, *Cook, Gov. John, House*, S of Smyrna (10/06/83)
Smyrna vicinity, *Cummins, David J., House*, E of Smyrna (10/06/83)
Smyrna vicinity, *Cummins, Timothy, House*, E of Smyrna (10/06/83)
Smyrna vicinity, *Short's Landing Hotel Complex*, NE of Smyrna (10/17/83)

Smyrna vicinity, *Voshell, John M., House*, E of Smyrna (10/06/83)

New Castle County

Delaware City, *Delaware City Historic District*, Roughly bounded by the Delaware River, Dragon Creek, DE 9, and the Delaware and Chesapeke Canals (12/15/83)
Middletown vicinity, *Pharo House*, Odessa and Silver Lake Rds. (08/09/84)
Odessa vicinity, *Fairview*, SE of Odessa (05/03/84)
Odessa, *Odessa Historic District (Boundary Increase)*, Roughly Main and High Sts. between Appoquinimink River and DE 4 (08/09/84)
Talleyville vicinity, *Hicklen, William, House*, (10/06/83)
Wilmington vicinity, *Brandywine Powder Mills District*, DE 141 and Brandywine River (05/03/84)
Wilmington, *Cool Spring Park Historic District*, Bounded by Park Pl., Jackson, Van Buren, and 10th Sts. (12/27/83)
Wilmington, *Eighth Street Park Historic District (Boundary Increase)*, Broom and 10th Sts. (05/03/84)
Wilmington, *Mount Lebanon Methodist Episcopal Church*, 850 Mount Lebanon Rd. (05/03/84)
Wilmington, *Shipley Run Historic District*, Roughly bounded by Adams, 11th, Jefferson, and 7th Sts. (08/09/84)
Wilmington, *St. Anthony's Roman Catholic Church*, W. Ninth and N. duPont Sts. (05/03/84)
Wilmington, *Trinity Episcopal Church*, 1108 N. Adams St. (08/16/84)

Sussex County

Bridgeville, *Old Bridgeville Fire House*, 102 William St. (08/09/84)
Greenwood vicinity, *Richards Historic District*, County Rd. 34 (12/15/83)

DISTRICT OF COLUMBIA

Bowen, Anthony, YMCA, 1816 — 12th St. NW (10/03/83)
Buildings at 1000 Block of Seventh Street, and 649–651 New York Avenue NW, 1005–1035 — 7th St., and 649–651 New York Ave. NW (02/02/84)
Church of the Ascension, 1215 Massachusetts Ave. NW (01/19/84)
Mayflower Hotel, 1127 Connecticut Ave. NW (11/14/83)
Union Trust Building, 740 — 15th St. NW (01/19/84)
Wardman Park Annex and Arcade, 2600 Woodley Rd. NW (01/31/84)
Wheatley, Phyllis, YWCA, 901 Rhode Island Ave. NW (10/06/83)
Wardman Row, 1416–1440 R St. NW (07/27/84)

FLORIDA

Alachua County

Micanopy, *Micanopy Historic District*, Roughly Cholokka Blvd. from US 441 to Ocala St. then Smith St. W to Okehumkee St. (10/28/83)

Brevard County

Cocoa vicinity, *Cape Canaveral Air Force Station*, Launch Pads 5, 6, 13, 14, 19, 26, 34 and Mission Control Center (04/16/84) NHL
Melbourne Beach, *Melbourne Beach Pier*, Ocean Ave., and Riverside Dr. (04/12/84)

Broward County

Ft. Lauderdale, *Bonnet House*, 900 Birch Rd. (07/05/84)
Pompano Beach, *Sample Estate*, 3161 N. Dixie Hwy. (03/01/84)

Collier County

Hinson Mounds (8CR180), (12/29/78)

Dade County

Kampong, (03/01/84)
Offshore Reefs Archeological District, (08/24/84)
Coral Gables, *Coral Gables House (Merrick Manor)*, 907 Coral Way (09/09/84)
Homestead vicinity, *Rock Gate (Coral Castle)*, 28655 S. Federal Hwy. (05/10/84)
Miami, *Fire Station No. 4*, 1000 S. Miami Ave. (03/08/84)
Miami, *Olympia Theater and Office Building*, 174 E. Flager St. (03/08/84)
Miami, *US Post Office and Courthouse*, 300 NE 1st Ave. (10/14/83)

DeSoto County

Arcadia, *Arcadia Historic District*, Roughly bounded by Lee and Miles Aves., Imogene, Cypress, Pine, and Magnolia Sts. (05/10/84)

Duval County

Jacksonville, *Florida Baptist Building*, 218 W. Church St. (01/12/84)

Gadsden County

Quincy, *Gregory, Willoughby, House*, Hwy. 274 and Krausland Rd. (12/16/83)

Gulf County

White City vicinity, *US Montgomery (Snagboat)*, S of White City on Intracoastal Waterway (11/28/83)

Hillsborough County

Plant City, *Hillsboro State Bank Building*, 121 N. Collins St. (08/01/84)
Tampa, *West Tampa Historic District*, Roughly bounded by Cypress and Ivy Sts., Fremont and Habana Aves. (10/18/83)

Lee County

Fort Myers, *Murphy-Burroughs House*, 2505 — 1st St. (08/01/84)

Leon County

Tallahassee, *Bradley's County Store Complex*, Moccasin Gap Rd. (04/12/84)
Tallahassee, *Magnolia Heights Historic District*, 701–1005 E. Park Ave., and Cadiz St. (06/29/84)

Marion County

McIntosh, *McIntosh Historic District*, Roughly bounded by RR Right-of-way, 10th St., Aves. C and H (11/18/83)
Ocala, *Ocala Historic District*, Roughly bounded by Broadway, SE 8th St., Silver Springs Pl., SE 3rd, 13th, and Watula Aves. (01/12/84)

Monroe County

Key West, *US Naval Station*, Roughly bounded by Front, Whitehead, Eaton, and Caroline Sts. (05/08/84)
Key West, *Western Union (schooner)*, Pier A, Truman Annex (05/16/84)

Orange County

Orlando, *Bridges, J.J., House*, 704 S. Kuhl Ave. (01/26/84)

Palm Beach County

Palm Beach, *Warden, William Gray, House*, 112 Seminole Ave. (08/01/84)
West Palm Beach, *Hibiscus Apartments*, 619 Hibiscus St. (05/10/84)

Pinellas County

St. Petersburg, *Central High School*, 2501 — 5th Ave. N (08/01/84)
Tarpon Springs, *Arcade Hotel*, 210 Pinellas Ave. (01/12/84)

Putnam County

Palatka, *Palatka North Historic District*, Roughly bounded by St. John's River, Bronson, N. 1st, N. 5th, and Main Sts. (11/17/83)
Palatka, *Palatka South Historic District*, Roughly bounded by St. John's River, Oak, S. 9th, and Morris Sts. (11/17/83)

Sarasota County

Sarasota, *Atlantic Coast Line Passenger Depot (Sarasota MRA)*, 1 S. School Ave. (03/22/84)
Sarasota, *Bacon and Tomlin, Inc. (Sarasota MRA)*, 201 S. Palm Ave. (03/22/84)
Sarasota, *Bay Haven School (Sarasota MRA)*, 2901 W. Tamiami Circle (04/23/84)
Sarasota, *Burns Court Historic District (Sarasota MRA)*, 400–446 Burns Court and 418, 426, and 446 S. Pineapple Ave. (03/22/84)
Sarasota, *City Waterworks (Sarasota MRA)*, 1015 N. Orange Ave. (04/23/84)
Sarasota, *DeCanizares, F.A., House (Sarasota MRA)*, 1215 N. Palm Ave. (03/22/84)
Sarasota, *DeMarcay Hotel (Sarasota MRA)*, 27 S. Palm Ave. (03/22/84)
Sarasota, *Edwards Theatre (Sarasota MRA)*, 57 N. Pineapple Ave. (03/22/84)
Sarasota, *El Vernona Apartments-Broadway Apartments (Sarasota MRA)*, 1133 — 4th St. (03/22/84)
Sarasota, *Frances-Carlton Apartments (Sarasota MRA)*, 1221–1227 N. Palm Ave. (03/22/84)
Sarasota, *Holton, Dr. Joseph, House (Sarasota MRA)*, 308 Cocoanut Ave. (03/22/84)
Sarasota, *Kress, S.H., Building (Sarasota MRA)*, 1442 Main St. (03/22/84)
Sarasota, *Purdy, Capt. W.F., House (Sarasota MRA)*, 3315 Bayshore Rd. (03/22/84)
Sarasota, *Roth Cigar Factory (Sarasota MRA)*, 30 Mira Mar Court (03/22/84)
Sarasota, *Sarasota County Courthouse (Sarasota MRA)*, 2000 Main St. (03/22/84)
Sarasota, *Sarasota Herald Building (Sarasota MRA)*, 539 S. Orange Ave. (03/22/84)
Sarasota, *Sarasota High School (Sarasota MRA)*, 1001 S. Tamiami Trail (03/22/84)
Sarasota, *Sarasota Times Building (Sarasota MRA)*, 1214–1216 — 1st St. (03/22/84)
Sarasota, *South Side School (Sarasota MRA)*, 1901 Webber St. (09/14/84)
Sarasota, *US Post Office-Federal Building (Sarasota MRA)*, 111 S. Orange Ave. (03/22/84)

Sarasota, *William, H.B., House (Sarasota MRA)*, 1509 S. Orange Ave. (03/22/84)
Sarasota, *Wilson, Dr. C.B., House (Sarasota MRA)*, 235 S. Orange Ave. (03/22/84)
Venice, *Hotel Venice*, 200 N. Nassau St. (02/06/84)

Seminole County

Longwood, *Longwood Hotel*, Old Dixie Highway (05/10/84)

St. Lucie County

Fort Pierce, *St. Lucie High School*, 1100 Delaware Ave. (01/26/84)
Ft. Pierce, *Casa Caprona*, 2605 St. Lucie Blvd. (06/07/84)

Volusia County

Ormond Beach, *Anderson-Price Memorial Library Building*, 42 N. Beach St. (01/26/84)

Washington County

Vernon vicinity, *Moss Hill Church*, Vernon-Greenhead Rd. (11/07/84)

GEORGIA

Barrow County

Russell, *Russell Homeplace Historic District*, US 29 (09/07/84)
Winder, *Broad Street Commerical Historic District*, Broad and Athens Sts. (07/26/84)
Winder, *Jackson Street Commerical Historic District*, Roughly bounded by Jackson, Athens, Candler, and Broad Sts. (07/26/84)
Winder, *North Broad Street Residential Historic District*, Roughly bounded by Woodlawn Ave., Center, Broad, and Stephens Sts. (07/26/84)

Bartow County

Cartersville, *Grand Theater*, 2 Wall St. (06/28/84)

Camden County

St. Marys vicinity, *Duck House (Cumberland Island National Seashore MRA)*, Cumberland Island (02/13/84)
St. Marys vicinity, *Dungeness Historic District (Cumberland Island National Seashore MRA)*, Cumberland Island (02/13/84)
St. Marys vicinity, *Main Road (Cumberland Island National Seashore MRA)*, Cumberland Island (02/13/84)
St. Marys vicinity, *Rayfield Archeological District (Cumberland Island National Seashore MRA)*, Cumberland Island (02/13/84)

Carroll County

Carrollton, *South Carrollton Residential Historic District*, Roughly bounded by RR tracks, Harmon and West Aves, Bradley, Mill, and Garrett Sts., Tillman and Hill Drs. (06/28/84)

Chatham County

Savannah vicinity, *Isle of Hope Historic District*, Roughly bounded by Skidaway River, Parkersburg Rd., Island, Cornus, and Noble Glen Drs. (09/02/84)
Savannah, *St. Philip AME Church*, 613 W. Broad St. (06/02/84)

Cherokee County

Canton, *Canton Commerical Historic District*, Roughly bounded by Main, Church, Archer, and Marietta Sts. (01/12/84)

Clarke County

Athens vicinity, *Chestnut Grove School*, 610 Epps Bridge Rd. (06/28/84)
Athens, *Downtown Athens Historic District (Boundary Increase)*, Roughly bounded by Hancock Ave., Foundry, Mitchell, Broad, and Lumpkin Sts. (05/31/84)

Clay County

Fort Gaines, *Fort Gaines Historic District*, Roughly bounded by Chattahoochee River, GA 37, GA 39, College, Commerce and Jefferson Sts. (05/17/84)

Clayton County

Lovejoy vicinity, *Crawford-Dorsey House and Cemetery*, Freeman and McDonough Rds. (07/05/84)

Cobb County

Marietta, *Braswell-Carnes House*, 2430 Burnt Hickory Rd., NW (03/01/84)

Colquitt County

Moultrie vicinity, *Coleman, James W., House*, GA 33 (12/22/84)

Crisp County

Cordele, *US Post Office*, 102–104 — 6th St. (06/29/84)

Dougherty County

Albany, *Albany District Pecan Growers' Exchange*, 211–213 Roosevelt Ave. (05/10/84)
Albany, *Davis-Exchange Bank Building*, 100–102 N. Washington St. (02/23/84)

Fulton County

Atlanta, *Burns Cottage*, 988 Alloway Pl. SE (12/01/84)
Atlanta, *Ford Motor Company Assembly Plant*, 699 Ponce de Leon Ave. (05/10/84)
Atlanta, *Peachtree Christian Church*, 1580 Peachtree St. NW (05/17/84)
Atlanta, *Sciple, Charles, E., House*, 1112 Peachtree St. (03/01/84)
Atlanta, *Thorton Building*, 10 Pryor St. (10 Park Place South) (02/23/84)
Fairburn vicinity, *Beavers, John F., House*, NW of Fairburn off GA 92 (03/29/84)
Palmetto, *Arnold, Thomas P., House*, 518 S. Main St. (05/10/84)

Gwinnett County

Buford, *Allen, John Quincy, House* 345 E. Main St. (01/12/84)

Habersham County

Cornelia vicinity, *Chenocetah Fire Tower*, Chenocetah Mountain (06/11/84)
Cornelia, *Irvin General Merchandise Store*, Irvin St. (07/26/84)

Hancock County

White Plains vicinity, *Jackson, John S., Plantation House and Outbuildings*, Off GA 16 (06/28/84)

Jefferson County

Wadley vicinity, *Cunningham-Coleman House*, SE of Wadley (09/07/84)

Long County

Ludowici, *Ludowici Well Pavilion*, McQueen St. (09/07/84)

Lowndes County

Valdosta, *Carnegie Library of Valdosta*, 305 W. Central Avenue (01/12/84)
Valdosta, *Crestwood*, 502 Eager Rd. (01/12/84)
Valdosta, *Fairview Historic District*, W. Central, Floyd, River, Varnedoe, and Wells Sts. (06/28/84)
Valdosta, *North Patterson Street Historic District*, 1003–1111 N. Patterson St. (06/28/84)

Madison County

Colbert, *Colbert Historic District*, Roughly bounded by 4th and 5th Sts., 4th and 8th Aves. (05/31/84)

Marion County

Buena Vista vicinity, *Shiloh-Marion Baptist Church and Cemetery*, GA 41 (05/17/84)
Friendship vicinity, *Champion-McGarrah Plantation*, Off GA 30 (06/28-84)

Meriwether County

Greenville, *Render Family Homestead*, GA 18 (03/01/84)
Odessadale, *Jones-Florence Plantation*, Off GA 109 (03/29/84)

Mitchell County

Baconton vicinity, *Bacon Family Homestead*, W. Durham St. and Albany Bainbridge Stage Rd. (11/25/83)
Baconton vicinity, *Baconton Commercial Historic District (Baconton MRA)*, E. Walton and E. Durham Sts., N. Railroad and S. Railroad Aves., and GA 3 (12/01/83)
Baconton vicinity, *Jackson, George W., house (Baconton MRA)*, 102 S. Jackson St. (12/01/83)
Baconton vicinity, *Mount Enon Church and Cemetery*, Old Stage Coach Rd. (12/22/83)
Baconton vicinity, *South Railroad Historic District (Baconton MRA)*, S. Railroad Ave., GA 3, and Seaborad Coast Line RR tracks (12/01/83)
Baconton vicinity, *Walton Street-Church Street Historic District (Baconton MRA)*, Walton and Church Sts. (12/01/83)

Muscogee County

Columbus, *Adams Cotton Gin Building*, 6601 Hamilton Rd. (05/17/84)
Columbus, *Liberty Theater*, 821 — 8th Ave. (05/22/84)
Columbus, *Waverly Terrace*, Roughly bounded by Hamilton Rd., Peabody Ave., 27th and 30th Sts. (12/01/83)

Oglethorpe County

Smithonia, (06/21/84)

Pickens County

Jasper, *Pickens County Jail*, N. Main St. (01/12/84)

Sumter County

Plains, *Plains Historic District*, Roughly bounded by Buena Vista Rd., Hospital, Clark, Main, Thomas, Paschal, and Bond Sts. (06/28/84)

Thomas County

Thomasville, *Dawson Street Residential Historic District*, Roughly bounded by North Blvd., Madison, Jackson, and Hansell Sts. (09/07/84)
Thomasville, *East End Historic District*, Roughly bounded by Metcalf, Loomis, Colton, and Blackshear Sts. (09/07/84)
Thomasville, *Paradise Park Historic District*, Roughly bounded by Metcalf Ave., Colton, Broad, and Loomis Sts. (09/07/84)
Thomasville, *Thomasville Commercial Historic District*, Roughly bounded by N. Stevens, N. Madison, N. Broad, Remington, Jackson, and Jefferson Sts. (09/07/84)
Thomasville, *Tockwotton-Love Place Historic District*, Roughly bounded by McLean Ave., Hansell, Jackson, and Seward Sts. (09/07/84)

Troup County

LaGrange, *Broad Street Histoic District*, Roughly bounded by McLendon Circle, Gordon St., Vernon Rd., and Wavely Way (01/12/84)
LaGrange, *Vernon Road Historic District*, Vernon Rd. from Jenkins St. to Forrest Ave. incl. Ferrel Dr., Broad and Carter Sts. (01/12/84)

Walton County

Jersey, *Bank of Jersey*, Main St. (03/07/84)
Monroe, *Boss, A.J., House (Monroe MRA)*, 324 Edwards St. (12/28/83)
Monroe, *Chick, Tom, House (Monroe MRA)*, 1102 E. Church St. (12/28/83)
Monroe, *East Church Street Historic District (Monroe MRA)*, E. Church St. and S. Madison Ave. (12/28/83)
Monroe, *East Marable Street Historic District (Monroe MRA)*, E. Marable St. (12/28/83)
Monroe, *McDaniel Street Historic District (Monroe MRA)*, S. Broad and McDaniel Sts. (12/28/83)
Monroe, *Monland Place Historic District (Monroe MRA)*, Alvoca St. and Blvd. (12/28/83)
Monroe, *Monroe City Hall (Monroe MRA)*, 227 S. Broad St. (12/28/83)
Monroe, *Monroe Commercial Historic District (Monroe MRA)*, Spring and Broad Sts. (12/28/83)
Monroe, *Monroe and Walton Mills Historic District (Monroe MRA)* S. Broad St., S. Madison Ave., and Georgia RR Line (12/28/83)
Monroe, *North Broad Street Historic District (Monroe MRA)*, N. Broad and Walton Sts. (12/28/83)
Monroe, *South Broad Street Historic District (Monroe MRA)*, S. Broad St. (12/28/83)
Monroe, *South Madison Avenue-Pannel Road Historic District (Monroe MRA)*, S. Madison Ave. and Pannell Rd. (12/28/83)
Monroe, *Walton County Jail (Monroe MRA)*, 203 Milledge Ave. (12/28/83)
Monroe, *Williamson House (Monroe MRA)*, 925 E. Church St. (12/28/83)

Wheeler County

Lumber City vicinity, *Woodland*, GA 19 (06/21/84)

White County

Sautee vicinity, *Harshaw-Stovall House*, GA 255 (06/28/84)

Whitfield County

Dalton, *Berry, Thomas A., House*, 506 Hawthorne St. (04/05/84)

GUAM

Tamuning, *Ypoo Beach Archeological Site*, San Vitores Rd. (05/24/84)

HAWAII

Hawaii County

Kii Petroglyphs, (07/12/84)

Honolulu County

Honolulu, *Battery Hasebrouck (Artillery District of Honolulu TR)*, Ft. Kamehameha (06/05/84)
Honolulu, *Battery Hawkins (Artillery District of Honolulu TR)*, 440 Nelson Ave. (06/05/84)
Honolulu, *Battery Hawkins Annex (Artillery District of Honolulu TR)*, Ft. Kamehameha (06/05/84)
Honolulu, *Battery Jackson (Artillery District of Honolulu TR)*, Ft. Kamehameha (06/05/84)
Honolulu, *Battery Randolph (Artillery District of Honolulu TR)*, 32 Kalia Rd. (06/05/84)
Honolulu, *Battery Selfridge (Artillery District of Honolulu TR)*, Ft. Kamehameha (06/05/84)
Honolulu, *Cooke, Grace, House*, 2365 Oahu Ave. (10/24/83)
Honolulu, *Sinclair, Dr. Archibald Neil, House*, 2726 Hillside Ave. (10/13/83)

IDAHO

Ada County

Boise vicinity, *MacMillan Chapel*, W of Boise (09/07/83)

Adams/Idaho/Nez Perce Counties

Hells Canyon Archeological Distirct, Both sides of Snake River from Hells Canyon Dam to Cougar Rapids (08/10/84)

Bannock County

Pocatello, *Idaho State University Neigborhood Historic District*, Roughly bounded by 6th, 9th, Carter, and Center Sts. (09/07/84)

Benewah County

St. Maries, *St. Maries 1910 Fire Memorial (North Idaho 1910 Fire Sites TR)*, St. Maries Cemetery (09/20/84)

Bingham County

Fort Hall, *Ross Fork Oregon Short Lines Railroad Depot*, Agency Rd. (09/07/84)

Boise County

Placerville, *Placerville Historic District*, Roughly bounded by townsite limits (09/07/84)

Bonner County

Sandpoint, *Sandpoint Historic District*, Roughly 1st and 2nd Aves., Main and Cedar Sts. (09/07/84)

Bonneville County

Idaho Falls, *Bonneville Hotel (Idaho Falls Downtown MRA)*, 400 blk. W. C St. (08/30/84)
Idaho Falls, *Douglas-Farr Building (Idaho Falls Downtown MRA)*, 493 N. Capital Ave. (08/30/84)
Idaho Falls, *Farmers and Merchants Bank Building (Idaho Falls Downtown MRA)*, 383 W. A St. (08/30/84)
Idaho Falls, *Hasbrouck Building (Idaho Falls Downtown MRA)*, 382 Park Ave. (08/30/84)
Idaho Falls, *Hotel Idaho (Idaho Falls Downtown MRA)*, 482 W. C St. (08/30/84)
Idaho Falls, *I.O.O.F. Building (Idaho Falls Downtown MRA)*, 393 N. Park Ave. (08/30/84)
Idaho Falls, *Idaho Falls City Building (Idaho Falls Downtown MRA)*, 308 W. C St. (08/30/84)
Idaho Falls, *Idaho Falls Public Library (Idaho Falls Downtown MRA)*, Elm and Eastern Sts. (08/30/84)
Idaho Falls, *Kress Building (Idaho Falls Downtown MRA)*, 451 N. Park Ave. (08/30/84)
Idaho Falls, *Montgomery Ward Building (Idaho Falls Downtown MRA)*, 504 Shoup Ave. (08/30/84)
Idaho Falls, *Rocky Mountain Bell Telephone Company Building (Idaho Falls Downtown MRA)*, 248 W. Broadway Ave. (08/30/84)
Idaho Falls, *Shane Building (Idaho Falls Downtown MRA)*, 381 N. Shoup Ave. (08/30/84)
Idaho Falls, *Underwood Hotel (Idaho Falls Downtown MRA)*, 343–349 W. C St. (08/30/84)

Boundary County

Bonners Ferry, *Fry's Trading Post*, Off US 95 (09/07/84)

Camas County

Fairfield vicinity, *Skillern, John, House*, NW of Fairfield (05/14/84)

Clearwater County

Weippe, *Brown's Creek CCC Camp Barracks*, 105 — 1st St. E (07/05/84)

Custer County

Mackay, *Mackay Methodist Episcopal Church*, Custer St. and Park Ave. (09/07/84)
Stanley vicinity, *Redfish Archeological District*, S of Stanley (12/29/83)

Elmore County

Glenns Ferry, *Glenns Ferry School*, Cleveland St. (09/07/84)
Mountain Home, *Turner Hotel*, 140–170 E. Jackson St. (09/07/84)

Gooding County

Bliss vicinity, *Teater, Archie, Studio*, SE of Bliss (09/13/84)

Jerome County

Jerome vicinity, *Canyonside School (Lava Rock Structures in South Central Idaho TR)*, S of Jerome (10/14/83)

Kootenai County

Post Falls vicinity, *Post Falls Community United Presbyterian Church*, 4th and William Sts. (09/07/84)

Nez Perce County

Lewiston, *Lewiston Historic District (Boundary Increase)*, Roughly bounded by 1st, B, 6th, and F Sts. (09/07/84)

Shoshone County

Avery vicinity, *Bullion Tunnel (North Idaho 1910 Fire Sites TR)*, E of Avery (09/20/84)
Avery vicinity, *Cedar Snags (St. Joe North Fork) (North Idaho 1910 Fire Sites TR)*, N of Avery (09/20/84)
Avery vicinity, *Grand Forks (North Idaho 1910 Fire Sites TR)*, E of Avery (09/20/84)
Avery vicinity, *Mallard Peak Lookout*, SE of Avery (04/12/84)
Avery, *Avery Depot (North Idaho 1910 Fire Sites TR)*, Chicago, Milwaukee, St. Paul, and Pacific RR track (09/20/84)
Red Lives vicinity, *Halm Creek, Bean Creek Fire (North Idaho 1910 Fire Sites TR)*, S of Red Ives (09/20/84)
Wallace vicinity, *Pulaski, Edward, Tunnel and Placer Creek Escape Route (North Idaho 1910 Fire Sites TR)*, SW of Wallace (09/20/84)
Wallace vicinity, *Wallace 1910 Fire Memorial (North Idaho 1910 Fire Sites TR)*, N of Wallace (09/20/84)

Teton County

Driggs vicinity, *Pierre's Hole 1832 Battle Area Site*, S of Driggs (09/07/84

ILLINOIS

Adams County

Clayton vicinity, *Lewis Round Barn (Round Barns in Illinois TR)*, NW of Clayton (08/16/84)
Golden, *Ebenezer Methodist Episcopal Chapel and Cemetery*, NW of Golden (06/04/84)
Quincy, *One Thirty North Eighth Building*, 130 N. 8th St. (02/09/84)

Christian County

Assumption, *Illinois State Bank Building*, 201 N. Chestnut St. (08/16/84)

Coles County

Charleston, *Will Rogers Theatre and Commercial Block*, 705–715 Monroe Ave. (01/12/84)

Cook County

Chicago, *Belmont-Sheffield Trust and Savings Bank Building*, 1001 W. Belmont Ave. and 3146 N. Sheffield Ave. (03/01/84)
Chicago, *Biograph Theater Building*, 2433 N. Lincoln Ave. (05/17/84)
Chicago, *Buena Park Historic District*, Roughly bounded by Rapid Transit, Marine Dr., Iving Park Rd., and Montrose Ave. (07/13/84)
Chicago, *Chicago Harbor Lighthouse (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, N Breakwater (07/19/84)
Chicago, *Conway Building*, 111 W. Washington St. (02/09/84)
Chicago, *Hyde Park-Kenwood Historic District (Boundary Increase)*, 821–829 and 816–826 E. 49th St. (08/16/84)
Chicago, *Loucks, Charles N., House*, 3926 N. Keeler Ave. (02/09/84)
Chicago, *Malden Towers*, 4521 N. Malden St. (12/08/83)
Chicago, *New Michigan Hotel*, 2135 S. Michigan Ave. (12/08/83)
Chicago, *North Wells Street Historic District*, 1240–1260 N. Wells St. (05/03/84)
Chicago, *Oliver Building*, 159 N. Dearborn St. (12/08/83)
Chicago, *S/S CLIPPER*, Navy Pier 600 E. Grand Ave. (12/08/83)
Chicago, *Soldier Field*, 425 E. 14th St. (08/09/84)
Evanston, *Andridge Apartments (Suburban Apartment Buildings in Evanston TR)*, 1627–1645 Ridge Ave., 1124–1136 Church St. (03/15/84)
Evanston, *Building at 1101–1113 Maple Avenue (Suburban Apartment Buildings in Evanston TR)*, 1101–1113 Maple Ave. (03/15/84)
Evanston, *Building at 1209–1217 Maple Avenue (Suburban Apartment Buildings in Evanston TR)*, 1209–1217 Maple Ave. (03/15/84)
Evanston, *Building at 1301–1303 Judson Avenue (Suburban Apartment Buildings in Evanston TR)*, 1301–1303 Judson Ave. (04/27/84)
Evanston, *Building at 1305–1307 Judson Avenue (Suburban Apartment Buildings in Evanston TR)*, 1305–1307 Judson Ave. (04/27/84)
Evanston, *Building at 1316 Maple Avenue (Suburban Apartment Buildings in Evanston TR)*, 1316 Maple Ave. (03/15/84)
Evanston, *Building at 1401–1407 Elmwood Avenue (Suburban Apartment Buildings in Evanston TR)*, 1401–1407 Elmwood Ave. (03/15/84)
Evanston, *Building at 1505–1509 Oak Avenue (Suburban Apartment Buildings in Evanston TR)*, 1505–1509 Oak Ave. (03/15/84)
Evanston, *Building at 1929–1931 Sherman Avenue (Suburban Apartment Buildings in Evanston TR)*, 1929–1931 Sherman Ave. (03/15/84)
Evanston, *Building at 2517 Central Street (Suburban Apartment Buildings in Evanston TR)*, 2517 Central St. (03/15/84)
Evanston, *Building at 2519 Central Street (Suburban Apartment Buildings in Evanston TR)*, 2519 Central St. (03/15/84)
Evanston, *Building at 2523 Central Street (Suburban Apartment Buildings in Evanston TR)*, 2523 Central St. (03/15/84)
Evanston, *Building at 417–419 Lee Street (Suburban Apartment Buildings in Evanston TR)*, 417–419 Lee St. (03/15/84)
Evanston, *Building at 548–606 Michigan Avenue (Suburban Apartment Buildings in Evanston TR)*, 548–606 Michigan Ave. (03/15/84)
Evanston, *Building at 813–815 Forest Avenue (Suburban Apartment Buildings in Evanston TR)*, 813–815 Forest Ave. (03/15/84)
Evanston, *Building at 923–925 Michigan Avenue (Suburban Apartment Buildings in Evanston TR)*, 923–925 Michigan Ave. (03/15/84)
Evanston, *Building at 999 Michigan, 200 Lee (Suburban Apartment Buildings in Evanston TR)*, 999 Michigan Ave., 200 Lee St. (03/15/84)
Evanston, *Building at 815–817 Brummel and 819–821 Brummel (Suburban Apartment Buildings in Evanston TR)*, 815–817, and 819–821 Brummel (03/15/84)
Evanston, *Castle Tower Apartments (Suburban Apartment Buildings in Evanston TR)*, 2212–2226 Sherman Ave. (03/15/84)
Evanston, *Colonnade Court (Suburban Apartment Buildings in Evanston TR)*, 501–507 Main St. and 904–908 Hinman Ave. (03/15/84)
Evanston, *Evanston Towers (Suburban Apartment Buildings in Evanston TR)*, 554–602 Sheridan Sq. (03/15/84)
Evanston, *Forest, The, and Annex (Suburban Apartment Buildings in Evanston TR)*, 901–905 Forest Ave. (03/15/84)
Evanston, *Fountain Plaza Apartments (Suburban Apartment Buildings in Evanston TR)*, 830–856 Hinman Ave. (03/15/84)
Evanston, *Greenwood, The (Suburban Apartment Buildings in Evanston TR)*, 425 Greenwood St. (03/15/84)
Evanston, *Hillcrest Apartment (Suburban Apartment Buildings in Evanston TR)*, 1509–1515 Hinman Ave. (03/15/84)
Evanston, *Hinman Apartments (Suburban Apartment Buildings in Evanston TR)*, 1629–1631 Hinman Ave. (03/15/84)
Evanston, *Judson, The (Suburban Apartment Buildings in Evanston TR)*, 1243–1249 Judson Ave. (03/15/84)
Evanston, *Lake Shore Apartments (Suburban Apartment Buildings in Evanston TR)*, 470–498 Sheridan Rd. (03/15/84)
Evanston, *Maple Court Apartments (Suburban Apartment Buildings in Evanston TR)*, 1115–1133 Maple Ave. (03/15/84)
Evanston, *Melwood Apartments (Suburban Apartment Buildings in Evanston TR)*, 1201–1213 Michigan Ave. and 205–207 Hamilton (03/15/84)
Evanston, *Michigan-Lee Apartments (Suburban Apartment Buildings in Evanston TR)*, 940–950 Michigan Ave. (03/15/84)
Evanston, *Oak Ridge Apartments (Suburban Apartment Buildings in Evanston TR)*, 1615–1625 Ridge Ave. (03/15/84)
Evanston, *Oakton Gables (Suburban Apartment Buildings in Evanston TR)*, 900–910 Oakton and 439–445 Ridge (03/15/84)
Evanston, *Ridge Boulevard Apartments (Suburban Apartment Buildings in Evanston TR)*, 843–849 Ridge Ave. and 1014–1020 Main St. (03/15/84)
Evanston, *Ridge Grove (Suburban Apartment Buildings in Evanston TR)*, 1112 Grove St. (03/15/84)
Evanston, *Ridge Manor (Suburban Apartment Buildings in Evanston TR)*, 1603–1611 Ridge Ave. and 1125 Davis St. (03/15/84)
Evanston, *Rookwood Apartments (Suburban Apartment Buildings in Evanston TR)*, 718–734 Noyes St. (03/15/84)
Evanston, *Sheridan Square Apartments (Suburban Apartment Buildings in Evanston TR)*, 620–638 Sheridan Sq. (03/15/84)
Evanston, *Stoneleigh Manor (Suburban Apartment Buildings in Evanston TR)*, 904–906 Michigan Ave. and 227–229 Main St. (03/15/84)

Evanston, *Tudor Manor (Suburban Apartment Buildings in Evanston TR)*, 524 Sheridan Sq. (03/15/84)
Evanston, *Westminster (Suburban Apartment Buildings in Evanston TR)*, 632–640 Hinman Ave. (03/15/84)
Lemont vicinity, *St. James Catholic Church and Cemetery*, 106th St. and Archer Ave. (08/16/84)
Oak Park, *Ridgeland-Oak Park Historic District*, Roughly bounded by Austin Blvd., Harlem, Ridgeland, and Chicago Aves., Lake and Madison Sts. (12/08/83)
Wilmette, *Linden Avenue Terminal*, 330 Linden Ave. (02/08/84)

DeKalb County

Earlville vicinity, *Nisbet Homestead Farm*, Suydam Rd. (05/31/84)

Edgar County

Paris vicinity, *Pine Grove Community Club*, NW of Paris (03/30/84)

Henry County

Bishop Hill, *Bishop Hill Historic District*, Off US 34 (04/17/70) NHL

Jefferson County

Belle vicinity, *Judd, C.H., House*, Ina-Belle Rive Rd. (12/08/83)

Jo Daviess County

Galena vicinity, *Wenner, Charles, House*, Rocky Rd. (08/22/84)

Kane County

Aurora, *Aurora College Complex (Eckhart, Davis and Wilkison Halls)*, 347 S. Gladstone Ave. (02/16/84)
Aurora, *GAR Memorial Building*, 23 E. Downer Pl. (08/23/84)
Geneva, *Fabyan Villa*, 1511 S. Batavia Ave. (02/09/84)
St. Charles, *Beith, William, House*, 6 Indiana St. (12/07/83)

Lake County

Highland Park vicinity, *Fort Sheridan Historic District*, Off IL 22 (09/29/80)NHL
Highland Park, *Linden Park Place/Belle Avenue Historic District (Highland Park MRA)*, Roughly bounded by Sheridan Rd., Elm Pl., Linden, Park, and Central Aves. (12/13/83)
Lake Bluff, *Armour, Lester, House*, Sheridan Rd. (05/03/84)
Libertyville, *Public Service Building*, 344–354 N. Milwaukee Ave. (12/08/83)

Logan County

Lincoln, *Foley, Stephan A., House*, 427 Tremont St. (05/03/84)

McLean County

Bloomington, *Holy Trinity Church Rectory and Convent*, 704 N. Main and 106 W. Chestnut Sts. (12/08/83)
Holder vicinity, *Benjaminville Friends Meetinghouse and Burial Ground*, N of Holder (12/13/83)

Montgomery County

Virden vicinity, *Thomas, Lewis H., House*, N. Virden Rd. (12/07/83)

Ogle County

Stillman Valley, *Stillman's Run Battle Site*, Roosevelt and Spruce Sts. (12/08/83)

Peoria County

Peoria, *North Side Historic District*, Roughly bounded by Perry, Caroline, Madison and Fayette Sts. (11/21/83)

Sangamon County

Chatham vicinity, *Caldwell Farmstead*, IL 4 (08/16/84)
Springfield *Maid-Rite Sandwich Shop*, 118 N. Pasfield St. (08/16/84)
Springfield, *Yates, Gov. Richard, House*, 1190 Willaims Blvd. (03/01/84)

Stephenson County

Dakota, *Leek, Clyde, Round Barn (Round Barns in Illinois TR)*, N. Dakota Rd. (02/23/84)
Eleroy vicinity, *Harbach, Gerald, Round Barn (Round Barns in Illinois TR)*, US 20 (02/23/84)
Eleroy vicinity, *Otte, Dennis, Round Barn (Round Barn in Illinois TR)*, E of Eleroy (02/23/84)
Freeport vicinity, *Bruce, James, Round Barn (Round Barn in Illinois TR)*, S of Freeport (02/23/84)
Freeport, *Taylor, Oscar, House*, 1440 S. Carroll Ave. (05/11/84)
Lena vicinity, *Jensen, Chris, Round Barn (Round Barn in Illinois TR)*, 11723 W. Galena Rd. (02/23/84)
Orangeville vicinity, *Fehr, Charles, Round Barn (Round Barn in Illinois TR)*, NE of Orangeville (02/23/84)

White County

Burnt Praire, *Old Morrison Mill*, Off Liberty Rd. (07/11/84)

Will County

Lockport vicinity, *Fitzpatrick House*, IL 53 (02/09/84)

Winnebago County

Durand vicinity, *Weber, Robert, Round Barn (Round Barns in Illinois TR)*, E. of Durand (02/23/84)

INDIANA

Benton County

Oxford, *Presbyterian Church Building*, NW of Benton and Justus Sts. (03/01/84)

Brown County

Nashville, *Taggart, F.P., Store*, Main and VanBuren Sts. (12/22/83)

Carroll County

Delphi, *Niewerth Building*, 124 E. Main St. (05/24/84)

Clark County

Jeffersonville, *Louisville Municipal Bridge, Pylons and Administration Building*, Spans Ohio River Between Louisville, KY and Jeffersonville, IN (03/08/84)

Clinton County

Colfax, *Rosenberger Building*, 83 Old Main St. (05/03/84)

Dearborn County

Aurora, *George Street Bridge (County Bridge No. 159)*, George, Main, and Importing Sts. (03/01/84)
Lawrenceburg, *Downtown Lawrenceburg Historic District*, Roughly bounded by ConRail tracks, Charlotte, Tate, Williams, and Elm Sts. (03/01/84)

Delaware County

Muncie, *Boyce Block*, 216–224 E. Main St. (03/01/84)
Muncie, *Jones, Margaret and George Riley, House*, 315 E. Charles St. (09/27/84)
Muncie, *Masonic Temple*, 520 E. Main St. (09/27/84)
Muncie, *Moore-Youse-Maxon House*, 122 E. Washington St. (05/24/84)
Muncie, *Rose, F.D., Building*, 121 E. Charles St. (03/01/84)

Elkhart County

Goshen vicinity, *Violett, William N., House*, 3004 S. Main St. (09/20/84)

Floyd County

Galena vicinity, *Jersey Park Farm*, Off Cunningham Sarles and Borden Rds. (03/01/84)
New Albany, *New Albany and Salem Railroad Station*, Pearl and Oak Sts. (01/12/84)

Fulton County

Rochester, *Brackett, Lyman M., House*, 328 W. 9th St. (09/27/84)

Gibson County

Princeton, *Gibson County Courthouse*, Town Square (09/27/84)

Hamilton County

Noblesville, *Harrell, Dr. Samuel, House*, 399 N. 10th St. (03/01/84)

Hendricks County

Danville, *Wilson-Courtney House*, 10 Cartersburg Rd. (02/09/84)

Henry County

Knightstown, *Hinshaw, Elias, House*, 16 W. Main St. (05/03/84)
Shirley vicinity, *Whitelock, Henry F., House and Farm*, IN 38 (12/22/83)

Howard County

Kokomo, *Haynes, Elwood, House*, 1915 S. Webster St. (09/20/84)
Kokomo, *Learner Building*, 107–111 E. Sycamore St. (09/20/84)

Huntington County

Huntington, *Hotel LaFontaine*, 200 W. State St. (02/09/84)

Kosciusko County

Warsaw, *Warsaw Cut Glass Company*, 505 S. Detroit St. (03/01/84)

LaPorte County

LaPorte vicinity, *Orr, William, House*, 4076 W. Small Rd. (03/22/84)

Lake County

Dyer, *Meyer, Joseph Ernest, House*, 1370 Joliet St. (03/01/84)

Gary, *Knights of Columbus Building*, 333 W. 5th Ave. (03/01/84)
Gary, *West Fifth Avenue Apartments Historic District*, Roughly 5th Ave. from Taft to Pierce St. (05/17/84)
Hammond, *State Bank of Hammond Building*, 5444–5446 Culumet Ave. (09/27/84)
Hobart, *Pennsylvania Railroad Station*, 1001 Lillian St. (03/01/84)

Madison County

Anderson, *Anderson Bank Building*, 931 Meridan St. (08/30/84)

Marion County

Indianapolis, *Administration Building, Indiana Central University*, Otterbein and Hanna Ave. (03/15/84)
Indianapolis, *Butler Fieldhouse (Hinkle Fieldhouse)*, Butler University campus, 49th St., and Boulevard Pl. (12/22/83)
Indianapolis, *Cotton-Ropkey House*, 6360 W. 79th St. (03/22/84)
Indianapolis, *Fletcher, Calvin L., House*, 1031 N. Pennsylvania St. (03/01/84)
Indianapolis, *General German Protestant Orphans Home*, 1404 S. State St. (05/17/84)
Indianapolis, *Independent Turnverein*, 902 N. Meridan St. (12/22/83)
Indianapolis, *Indianapolis News Building*, 30 W. Washington, St. (03/01/84)
Indianapolis, *Moore, Thomas, House*, 4200 Brookville Rd. (03/15/84)
Indianapolis, *Northside Historic District (Boundary Increase)*, Pennsylvania and 16th Sts. (09/27/84)
Indianapolis, *Pearson Terrace*, 928–940 N. Alabama St. (03/01/84)
Indianapolis, *Rink's Womens Apparel Store*, 29 N. Illinois St. (09/27/84)
Indianapolis, *Selig's Dry Goods Company Building*, 20 W. Washington St. (05/17/84)
Indianapolis, *Taylor Carpet Company Building*, 26 W. Washington St. (03/01/84)
Indianapolis, *Vera and The Olga*, 1440 and 1446 N. Illinois St. (09/27/84)
Lawrence, *Fort Harrison Terminal Station*, Building 616, Fort Harrison (03/16/84)

Miami County

Peru vicinity, *Godfroy, Francis, Cemetery*, IN 124 (03/01/84)
Peru, *Cole, James Omar, House*, 27 E. 3rd St. (03/01/84)

Monroe County

Bloomington, *Nichols, J.L., House and Studio*, 820 N. College Ave. (09/27/84)

Noble County

Ligonier vicinity, *Stone's Trace*, US 33 and IN 5 (05/24/84)

Perry County

St. Croix vicinity, *Rickenbaugh House*, SW of St. Croix in Hoosier National Forest (04/06/84)

Pike County

Winslow, *Palace Lodge (Robling Building)*, Center and Main Sts. (02/23/84)

Porter County

Hebron vicinity, *Gilson, Clinton D., Barn*, 522 W. 650 S (09/20/84)
Valparaiso, *Porter County Memorial Hall*, 104 Indiana Ave. (05/24/84)

Posey County

New Harmony, *Bentel, George, House*, Brewery and Granary St. (09/20/84)
New Harmony, *Epple, Ludwig, House*, 520 Granary St. (06/21/84)

Pulaski County

Winamac, *Thompson, Dr. George W., House*, 407 N. Market St. (09/27/84)

Putnam County

Greencastle, *Courthouse Square Historic District*, Roughly bounded by College Ave., Walnut, Market, and Franklin Sts (03/01/84)
Greencastle, *Van Arsdel, William C., House*, 125 Wood St. (09/20/84)
Putnamville, *Putnamville Presbyterian Church (Putnamville Methodist Church)*, IN 243 (03/01/84)
Stilesville vicinity, *McHaffie, Melville F., Farm*, US 40 (12/22/83)

Rush County

Carthage vicinity, *Walnut Ridge Friends Meetinghouse*, W of Carthage (03/01/84)
Rushville vicinity, *Hall-Crull Octagonal House*, N of Rushville (05/10/84)

Shelby County

Edinburgh vicinity, *St. George Lutheran Church*, IN 252 (05/24/84)
Shelbyville, *Shelbyville Commercial Historic District*, Roughly bounded by Broadway, Tompkins, Mechanic, and Noble Sts. (08/09/84)

Spencer County

Santa Claus vicinity, *Deutsch Evangelische St. Paul's Kirche*, S of Santa Claus on Sante Fe Rd. (09/27/84)

St. Joseph County

South Bend, *Kelly-Fredirckson House and Office Building*, 233 N. Lafayette Blvd. and 314 W. LaSalle St. (05/24/84)
South Bend, *O'Brien Electric Priming Company*, 2001 W. Washington St. (12/28/83)

Tippecanoe County

Lafayette, *Ball, Judge Cyrus, House*, 402 S. 9th St. (05/03/84)
Lafayette, *Enterprise Hotel*, 1015 Main St. (06/21/84)
Lafayette, *Scott Street Pavilion*, Columbian Park (09/27/84)
Lafayette, *Waldron-Beck House and Carriage House*, 829 N. 21st St. (02/09/84)

Tipton County

Tipton, *Tipton County Court House*, Public Sq. (03/01/84)
Tipton, *Tipton County Jail and Sheriff's Home*, 203 S. West St. (05/17/84)

Vanderburgh County

Evansville, *Auto Hotel Building (Downtown Evansville MRA)*, 111–115 SE 3rd St. (04/06/84)
Evansville, *Barrett's Britz Building (Downtown Evansville MRA)*, 415 Main St. (04/06/84)
Evansville, *Conner's Bookstore (Dallas Music) (Downtown Evansville MRA)*, 611–613 Main St. (04/06/84)
Evansville, *Culver Historic District*, Roughly bounded by Madison Ave., Riverside Dr., Emmett and Venice Sts. (06/01/84)
Evansville, *Evansville Municipal Market*, 813 Pennsylvania St. (12/22/83)
Evansville, *Fellwock Garage (Glass Specialty Company) (Downtown Evansville MRA)*, 315 Court St. (04/06/84)
Evansville, *Firestone Tire and Rubber Store (Downtown Evansville MRA)*, 900 Main St. (04/06/84)
Evansville, *Gemcraft-Wittmer Building (Downtown Evansville MRA)*, 609 Main St. (04/06/84)
Evansville, *Helfrich, Michael D., House*, 700 Helfrich Lane (05/24/84)
Evansville, *Huber Motor Sales Building (Downtown Evansville MRA)*, 215–219 SE 4th St. (04/06/84)
Evansville, *Kuebler-Artes Building (Downtown Evansville MRA)*, 327 Main St. (04/06/84)
Evansville, *Lockyear College (Downtown Evansville MRA)*, 209 NW 5th St. (04/06/84)
Evansville, *Old Fellwock Auto Company (Downtown Evansville MRA)*, 214 NW 4th St. (04/06/84)
Evansville, *Pearl Steam Laundry (Downtown Evansville MRA)*, 428 Market St. (04/06/84)
Evansville, *Roelker, John H., House (Downtown Evansville MRA)*, 555 Sycamore St. (04/06/84)

Vigo County

Terre Haute, *Terre Haute Post Office and Federal Building (Downtown Terre Haute MRA)*, 7th and Cherry Sts. (08/13/84)

Wabash County

Wabash, *Amoss, James M., Building*, 110 S. Wabash St. (08/30/84)
Wabash, *Wilson, Solomon, Building*, 102 S. Wabash St. (08/30/84)

Warren County

Williamsport, *Kent House and Hitchens House*, 500 Main and 303 Lincoln Sts. (03/01/84)

Wayne County

Centerville vicinity, *Jones, Lewis, House*, College Corner and Eliason Rds. (06/07/84)

Wells County

Bluffton vicinity, *Bethel Methodist Episcopal Church*, SE of Buffton 03/01/84
Bluffton, *Grove, John A., House*, 521 W. Market St. (12/22/83)

IOWA

Allamakee County

Postville, *Postville Public School*, Ogdon and Post Sts. (04/12/84)

Appanoose County

Centerville, *Sturdivant-Sawyer House*, 707 Drake Ave. (01/12/84)

Black Hawk County

Cedar Falls, *Central Hall (Administration Building)*, University of Northern Iowa campus (01/18/84)
Waterloo, *Highland Historic District*, Roughly bounded by Independence Ave., Steely, Idaho, and Vine Sts. (09/24/84)

Cass County

Atlantic, *Martin, S.F., House*, 419 Poplar St. (01/12/84)

Clay County

Spencer, *Adams-Higgins House*, 1215 N. Grand Ave. (09/27/84)

Clayton County

Guttenberg, *Eckert House (Guttenberg MRA)*, 413 S. 1st St. (09/24/84)
Guttenberg, *Front Street (River Park Drive) Historic District (Guttenberg MRA)*, River Park Dr. between Lessing and Pearl Sts. (09/24/84)
Guttenberg, *Fuerst House (Guttenberg MRA)*, 503 S. 1st St. (09/24/84)
Guttenberg, *Guttenberg Corn Canning Co. (Guttenberg MRA)*, 413 N. 3rd St. (09/24/84)
Guttenberg, *Guttenberg State Bank (Guttenberg MRA)*, 15 Goethe St. (09/24/84)
Guttenberg, *Kolker House (Guttenberg MRA)*, 110 Goethe St. (09/24/84)
Guttenberg, *Matt-Bahls House (Guttenberg MRA)*, 615 S. 3rd St. (09/24/84)
Guttenberg, *McClaine House (Guttenberg MRA)*, 300 S. 1st St. (09/24/84)
Guttenberg, *Moser Stone House (Guttenberg MRA)*, 211 S. 1st St. (09/24/84)
Guttenberg, *Nieland House (Guttenberg MRA)*, 715 S. 1st St. (09/24/84)
Guttenberg, *Parker House (Guttenberg MRA)*, 1015 S. 2nd St. (09/24/84)
Guttenberg, *Stone Barn (Guttenberg MRA)*, 12 Goethe St. (09/24/84)
Guttenberg, *Weber House (Guttenberg MRA)*, 822 S. River Park Dr. (09/24/84)
Guttenberg, *Wehmer House (Guttenberg MRA)*, 910 S. River Park Dr. (09/24/84)

Fayette County

Oelwein, *Hanson, Alfred, House*, 403 N. Frederick Ave. (07/12/84)

Grundy County

Wellsburg, *Neessen, Chris, House*, 601 E. 4th (01/12/84)

Jackson County

Bellevue, *Potter's E.G., Jasper Flour Mill*, South and 2nd Sts. (04/19/84)

Jasper County

Colfax, *Hall, James Norman, House*, 416 E. Howard St. (07/12/84)

Jefferson County

Fairfield, *Architecture of Henry K. Holsman Historic Campus District*, Bounded by Merrill St., IA 1, and Carter Memorial Dr. (10/31/83)

Johnson County

Iowa City, *Close, M.T., and Company Flaxseed Warehouse*, 521 S. Gilbert St. (07/12/84)
North Liberty, *White, H.A., General Store and House*, 10 W. Cherry St. (01/12/84)

Lee County

Fort Madison, *Cattermole Memorial Library (Public Buildings in Iowa TR)* 614 — 7th St. (04/05/84)
Keokuk, *Harrison, E.H., House*, 220 N. 4th St. (01/12/84)

Madison County

Macksburg, *Craven, J.D., Women's Relief Corps Hall*, South St. (01/19/84)
Winterset vicinity, *Schoenenberger, Nicholas, House and Barn*, Off 1A 169 (07/12/84)

Mahaska County

Oskaloosa, *Shoemake, John H., House*, 116 — 2nd Ave. W. (03/22/84)
Oskaloosa, *Stock Judging Pavilion*, Southern Iowa Fairgrounds (04/12/84)

Marion County

Knoxville
Knoxville, *Hays, E.R., House*, 301 N. 2nd St. (09/27/84)

Marshall County

Marshalltown, *Binford, Thaddeus, House*, 110 N. 2nd Ave. (01/12/84)

Monroe County

Albia, *Nobel-Kendall House*, 209 E. Benton Ave. (04/12/84)

Montgomery County

Red Oak, *Hebard, Alfred, House*, 700 — 8th St. (04/12/84)

Page County

Shenandoah, *Women's Christian Temperance Union Public Foundation*, Clarinda and Sheridan Sts. (09/27/84)

Polk County

Des Moines, *First Methodist Episcopal Church*, 10th and Pleasant Sts. (04/12/84)
Des Moines, *Mahnke House*, 2707 High St. (10/13/83)
Des Moines, *Northwestern Hotel*, 321 E. Walnut (01/12/84)
Des Moines, *West Chester*, 3520 Grand Ave. (01/19/84)

Pottawattamie County

Council Bluffs, *Cavin, Thomas E., House*, 150 Park Ave. (09/27/84)
Council Bluffs, *Hughes, Martin, House*, 903 — 3rd St. (09/27/84)
Council Bluffs, *State Savings Bank*, 509 W. Broadway (06/04/84)

Scott County

Bettendorf, *Bettendorf-Washington School*, 533 — 16th St. (07/12/84)
Davenport, *Adams, Walker, House (Davenport MRA)*, 1009 College Ave. (07/27/84)
Davenport, *Ball-Waterman House (Davenport MRA)*, 616 Kirkwood Blvd. (07/27/84)
Davenport, *Bridge Avenue Historic District (Davenport MRA)*, Bridge Ave. from River Dr. to 9th St. (11/28/83)
Davenport, *Building at 202 W. Third Street (Davenport MRA)*, 202 W. 3rd St. (04/05/84)
Davenport, *Burdick, Anthony, House (Davenport MRA)*, 833 College Ave. (07/27/84)
Davenport, *Busch, Diedrich, House (Davenport MRA)*, 2340 E. 11th St. (07/27/84)
Davenport, *Cameron, W.S., House (Davenport MRA)*, 623 Kirkwood Blvd. (07/27/84)
Davenport, *Cowley, James, House (Davenport MRA)*, 1406 Esplanade (07/27/84)
Davenport, *City Market (Davenport MRA)*, 120 W. 5th St. (04/05/84)
Davenport, *College Square Historic District (Davenport MRA)*, Roughly bounded by Brady, Main, Harrison, 11th, and 15th Sts. (11/18/83)
Davenport, *College Square Historic District (Davenport MRA)*, Roughly bounded by Brady, Main, Harrison, 11th, and 15th Sts. (11/18/83)
Davenport, *Copeland, George, House (Davenport MRA)*, 929 College Ave. (07/27/84)
Davenport, *Cork Hill District (Davenport MRA)*, Perry, Pershing, Iowa, 11th, 12th, and 13th Sts. (05/16/84)
Davenport, *Davenport Hose Station No. 3 (Davenport MRA)*, 326 E. Locust St. (07/27/84)
Davenport, *Davenport Water Co. Pumping Station No. 2 (Davenport MRA)*, 1416 Ripley St. (04/05/84)
Davenport, *Davison, Abner, House (Davenport MRA)*, 1234 E. River Dr. (07/27/84)
Davenport, *East 14th Street Historic District (Davenport MRA)*, 14th St. from Pershing to Arlington Ave. (11/18/83)
Davenport, *Ebeling, Arthur, House (Davenport MRA)*, 1106 W. 15th St. (07/27/84)
Davenport, *Ebeling, Henry, House (Davenport MRA)*, 1623 W. 6th St. (07/27/84)
Davenport, *Eldridge, D.C., House (Davenport MRA)*, 1333 E. 10th St. (07/27/84)
Davenport, *Eldridge, Theodore, House (Davenport MRA)*, 1404 E. 10th St. (07/27/84)
Davenport, *Fennern, Henry P., House (Davenport MRA)*, 1332 W. 4th St. (04/05/84)
Davenport, *First Church of Christ, Scientist (Davenport MRA)*, 636 Kirkwood Blvd. (07/27/84)
Davenport, *Grant, W.T., Company Building (Davenport MRA)*, 226 W. 2nd St. (04/07/84)
Davenport, *Grilk, Charles, House (Davenport MRA)*, 2026 Main St. (07/27/84)
Davenport, *Guy Finley, Building (Davenport MRA)*, 310 E. Locust St. (07/27/84)
Davenport, *Hall, Israel, House (Davenport MRA*, 1316 E. 10th St. (07/27/84)
Davenport, *Hamburg Historic District (Davenport MRA)*, Roughly bounded by 5th, Vine, Ripley, and 9½ Sts. (11/18/83)
Davenport, *Heinz, Bonaventura, House (first) (Davenport MRA)*, 1128 W. 5th St. (04/05/84)
Davenport, *Holbrook, William, House (Davenport MRA)*, 804 Kirkwood Blvd. (07/27/84)
Davenport, *House at 919 Oneida Street (Davenport MRA)*, 919 Oneida St. (04/05/84)
Davenport, *Iowa Reform Building (Davenport MRA)*, 526 W. 2nd St. (11/18/83)
Davenport, *Kiene, Albert, House (Davenport MRA)*, 1321 W. 8th St. (07/27/84)
Davenport, *Klindt, Henry, House (Davenport MRA)*, 834 Marquette St. (07/27/84)

Davenport, *Koch Drug Store (Davenport MRA)*, 1501 Harrison St. (07/27/84)
Davenport, *Lend-A-Hand Club (Davenport MRA)*, 105 S. Main St. (04/05/84)
Davenport, *Linden Flats (Davenport MRA)*, 219 Scott St. (11/28/83)
Davenport, *Lindsay, James E., House (Davenport MRA)*, 911 College Ave. (07/27/84)
Davenport, *Lueschen, John, House (Davenport MRA)*, 1628–1632 Washington St. (07/27/84)
Davenport, *McCarthy, Patrick F., House (Davenport MRA)*, 942 Marquette St. (07/27/84)
Davenport, *Meadly House (Davenport MRA)*, 1425 W. 10th St. (07/27/84)
Davenport, *Motie, Joseph, House (Davenport MRA)*, 421 E. 10th St. (11/18/83)
Davenport, *Murray, Thomas, House (Davenport MRA)*, 628 Kirkwood Blvd. (07/27/84)
Davenport, *Nighswander, Benjamin, House (Davenport MRA)*, 1011 Kirkwood Blvd. (07/27/84)
Davenport, *Northwest Davenport Savings Bank (Davenport MRA)*, 1529 Washington St. (07/27/84)
Davenport, *Ockershausen, Henry, House (Davenport MRA)*, 1024 Charlotte St. (04/05/84)
Davenport, *Palmer, B.J., House (Davenport MRA)*, 808 Brady St. (07/27/84)
Davenport, *Peters' Barber Shop (Davenport MRA)*, 1352 W. 3rd St. (04/05/84)
Davenport, *Peters, J.C., House (Davenport MRA)*, 1339 W. 13th St. (07/27/84)
Davenport, *Picklum, Frank, House (Davenport MRA)*, 1340 W. 7th St. (07/27/84)
Davenport, *Plambeck, Joachim, House (Davenport MRA)*, 1421 W. 14th St. (07/27/84)
Davenport, *Pohlmann, Elizabeth, House (Davenport MRA)*, 1403 W. 13th St. (07/27/84)
Davenport, *Pohlmann, Henry, House (Davenport MRA)*, 1204 W. 13th St. (07/27/84)
Davenport, *Potter-Williams House (Davenport MRA)*, 427 E. 7th St. (04/05/84)
Davenport, *Quickel, Jacob, House (Davenport MRA)*, 1712 Davenport St. (07/27/84)
Davenport, *Radcliff, William, House (Davenport MRA)*, 904 College Ave. (07/27/84)
Davenport, *Raible, F.J., House (Davenport MRA)*, 1537 W. 3rd St. (11/28/84)
Davenport, *Roberts, Edward C., House (Davenport MRA)*, 918 E. Locust St. (07/27/84)
Davenport, *Rowhouses at 702—712 Kirkwood Boulevard (Davenport MRA)*, 702—712 Kirkwood Blvd. (07/27/84)
Davenport, *Sacred Heart Roman Catholic Cathedral Complex (Davenport MRA)*, 406 and 422 E. 10th St. and 419 E. 11th St. (04/05/84)
Davenport, *Shaw, E.A., House (Davenport MRA)*, 1102 College Ave. (07/27/84)
Davenport, *Smith, James, House (Davenport MRA)*, 1037 E. 18th St. (07/27/84)
Davenport, *Smith, William G., House (Davenport MRA)*, 1002 Bridge St. (04/05/84)
Davenport, *St. Anthony's Roman Catholic Church Complex (Davenport MRA)*, 407 and 417 Main St. (04/05/84)
Davenport, *St. Katherine's Historic District (Davenport MRA)*, 901 Tremont St. (04/05/84)
Davenport, *St. Mary's Academy (Davenport MRA)*, 1334 W. 8th St. (07/27/84)
Davenport, *St. Mary's Roman Catholic Church Complex (Davenport MRA)*, 516, 519, 522, and 525 Fillmore St. (04/05/84)
Davenport, *Struck, Dr. Kuno, House (Davenport MRA)*, 1645 W. 12th St. (07/27/84)
Davenport, *Untiedt, Claus, House (Davenport MRA)*, 1429 W. 14th St. (07/27/84)
Davenport, *Von Ach, Frank, J., House (Davenport MRA)*, 1618 Davenport St. (07/27/84)
Davenport, *Walsh Flats/Langworth Building (Davenport MRA)*, 320—330 W. 4th St. (04/05/84)
Davenport, *Washington Flats (Davenport MRA)*, 1415—1431 Washington St. (07/27/84)
Davenport, *Washington Gardens (Davenport MRA)*, 1301 W. 13th St. (07/27/84)
Davenport, *Werthman Grocery (Davenport MRA)*, 1402 W. 7th St. (07/27/84)
Davenport, *West Third Street Historic District (Davenport MRA)*, Roughly 3rd St. between Ripley and Myrtle Sts. (11/18/83)
Davenport, *Westphal-Schmidt House (Davenport MRA)*, 432 S. Fairmount St. (07/27/84)
Davenport, *Wilkinson, Thomas C., House (Davenport MRA)*, 118 McManus St. (07/27/84)
Davenport, *Wolters Filling Station (Davenport MRA)*, 1229 Washington St. (07/27/84)

Story County

Sheldahl, *Sheldahl First Norwegian Evangelical Lutheran Church*, 3rd and Willow Sts. (05/11/84)

Van Buren County

Mount Zion vicinity, *Martin, Abner, House*, S of Mount Zion off IA 1 (04/12/84)

Wapello County

Ottumwa, *Ottumwa Public Library*, 129 N. Court St. (04/27/84)

Winnebago County

Forest City, *Forest City Public Library (Public Library Buildings in Iowa TR)*, E. I St. and Clark (04/05/84)

Winneshiek County

Decorah, *Koren Library*, Luther College campus (01/12/84)
Freeport vicinity, *Freeport Bowstring Arch Bridge*, Spans Upper Iowa River (04/19/84)

Woodbury County

Sioux City, *St. Thomas Episcopal Church*, 1200 Douglas St. (09/27/84)
Smithland vicinity, *Benson Archeological Site (13WD50)*, N of Smithland (04/24/84)

KANSAS

Cowley County

Arkansas City, *Arkansas City Commercial Historic District*, Summit St. and 5th Ave. (10/28/83)

Douglas County

Lawrence, *Miller, Robert H., House*, 1111 E. 19th St. (06/14/84)

Labette County

Harmon Site No. 2 (14LT323), (05/07/84)

Reno County

Hutchinson, *Terminal Station*, 111 — 2nd Ave. East (10/13/83)

Shawnee County

Berryton vicinity, *Lyons, Horace G., House*, 4831 SE 61st St. (08/01/84)

Wyandotte County

Kansas City, *Huron Building*, 905 N. 7th St. (07/05/84)
Kansas City, *Shawnee Street Overpass*, NW of US 35 (03/06/84)

KENTUCKY

Boone County

Petersburg vicinity, *Rogers Site*, (10/31/83)

Boyd County

Ashland, *Henry Clay Hotel (Ashland MRA)*, 1736 Winchester Ave. (08/03/84)

Bracken County

Augusta, *Augusta Historic District (Augusta MRA)*, Roughly bounded by Riverside Dr., 5th, Frankfort, and Williams Sts. (03/13/84)
Augusta, *Brothers-O'Neil House (Augusta MRA)*, 308 Seminary St. (05/22/84)
Augusta, *Griffith's, Evan, Grocery (Augusta MRA)*, 415 Railroad Ave. (05/22/84)
Augusta, *McKibben, Alfonso, House (Augusta MRA)*, 202 — 4th St. (05/22/84)
Augusta, *Minor, J.R., House (Augusta MRA)*, 204 — 2nd St. (05/22/84)
Augusta, *Weldon, James, House (Augusta MRA)*, 417 Railroad St. (05/22/84)
Augusta, *Wells-Keith House (Augusta MRA)*, 411–413 — 3rd St. (05/22/84)

Campbell County

Newport, *Wiedemann, Charles, House*, 1102 Park Ave. (08/16/84)

Christian County

Hopkinsville, *Higgins, E.H., House (Christian County MRA)*, 1530 E. 7th St. (01/03/84)

Daviess County

Owensboro vicinity, *McKay-Thornberry House*, S. Hampton Rd. (05/03/84)
Owensboro, *St. Joseph Church*, 4th and Clay Sts. (11/03/83)

Fayette County

Lexington, *Kinkead, Henry P., House*, 403 Walnut St. (07/12/84)
Lexington, *North Limestone Commercial District*, N. Limestone St. between Church and 3rd Sts. (11/03/83)
Lexington, *Southeast Lexington Residential and Commercial District*, Roughly bounded by High St., Rose Lane, Lexington and Woodland Aves. (08/01/84)

Fulton County

Adams Site (15 FU 4), (03/15/84)

Garrard County

Lancaster, *Boll, Billy House (Lancaster MRA)*, 209 Richmond St. (03/26/84)
Lancaster, *Denny Place (Lancaster MRA)*, 217 Lexington St. (03/26/84)
Lancaster, *Garrard County Jail (Lancaster MRA)*, Stanford St. (03/26/84)
Lancaster, *Garrard Mills (Lancaster MRA)*, 205 E. Buford St. (03/26/84)
Lancaster, *Hamilton House (Lancaster MRA)*, 107 Maple Ave. (03/26/84)
Lancaster, *Hemphill, J.C., House (Lancaster MRA)*, 211 Lexington St. (03/26/84)
Lancaster, *Hill, Dr. Oliver Perry, House (Lancaster MRA)*, 106 Hill Court (03/26/84)
Lancaster, *Lancaster Cemetery (Lancaster MRA)*, Campbell, Crab Orchard, and Richmond Sts. (03/26/84)
Lancaster, *Lancaster Commercial Historic District (Lancaster MRA)*, Danville, Lexington, Richmond, and Stanford Sts., (03/26/84)
Lancaster, *Lear, Judge V.A., House (Lancaster MRA)*, 222 Lexington St. (03/26/84)
Lancaster, *Male Academy (Lancaster MRA)*, 108 S. Campbell St. (03/26/84)
Lancaster, *Mason, Sue Shelby, House (Lancaster MRA)*, 213 Lexington St. (03/26/84)
Lancaster, *Methodist Episcopal Church (Lancaster MRA)*, Stanford St. (07/02/84)
Lancaster, *Peacock House (Lancaster MRA)*, 215 Buford St. (03/26/84)
Lancaster, *Peacock-Miller House (Lancaster MRA)*, 212 Danville St. (03/26/84)
Lancaster, *Petrie House (Lancaster MRA)*, 404 Danville St. (03/26/84)
Lancaster, *Wearren Place (Lancaster MRA)*, Stanford St. (03/26/84)
Lancaster, *Wherritt House (Lancaster MRA)*, 210 Lexington St. (03/26/84)

Graves County

Mayfield, *Mayfield Downtown Commercial District*, Roughly bounded by North, Water, 5th and 9th Sts. (08/16/84)

Green County

Campbellsville vicinity, *Livesay House (Green County MRA)*, Off KY 208 (08/24/84)
Creal, *Creal Store (Green County MRA)*, KY 61 (08/24/84)
Donansburg vicinity, *Montgomery House (Green County MRA)*, Off KY 1464 (08/24/84)
Donansburg vicinity, *Sandidge House (Green County MRA)*, KY 88 (08/24/84)
Donansburg, *Chewning House (Green County MRA)*, KY 88 (08/24/84)
Exie vicinity, *Edwards House (Green County MRA)*, KY 745 (08/24/84)
Exie vicinity, *Edwards, David, House (Green County MRA)*, Off KY 745 (08/24/84)
Exie, *Whitlock Log Cabin (Green County MRA)*, US 68 (08/24/84)
Greensburg vicinity, *Brents-Lisle House (Green County MRA)*, US 68 (08/24/84)
Greensburg vicinity, *Ebenezer School (Green County MRA)*, Off KY 61 (08/24/84)
Greehsburg vicinity, *Emory-Blakeman-Penick House (Green County MRA)*, Off KY 487 (08/24/84)
Greensburg vicinity, *Hilliard, David, House (Green County MRA)*, Off KY 487 (08/24/84)
Greensburg vicinity, *Mears House (Green County MRA)*, KY 61 (08/24/84)
Greensburg vicinity, *Montgomery's Mill (Green County MRA)*, Off KY 88 (08/24/84)
Greensburg vicinity, *Woodward House (Green County MRA)*, Off US 68 (08/24/84)
Greensburg, *L & N Passenger Depot (Green County MRA)*, 103 N. Depot St. (08/24/84)
Greensburg, *Wilson, R.H., House (Green County MRA)*, 402 N. Water St. (08/24/84)
Gresham vicinity, *Groves-Cabell House (Green County MRA)*, Off KY 61 (08/24/84)
Haskingsville vicinity, *Anderson House (Green County MRA)*, KY 1913 (08/24/84)
Haskingsville vicinity, *Christie, Christopher Columbus, House (Green County MRA)*, KY 1915 (08/24/84)
Haskingsville vicinity, *Keltner House (Green County MRA)*, KY 1913 (08/24/84)
Haskingsville vicinity, *Mt. Gilead Baptist Church (Green County MRA)*, KY 767 (08/24/84)
Pierce vicinity, *Wallace, Napoleon, House (Green County MRA)*, Off KY 218 (08/24/84)
Summersville vicinity, *Elmore-Carter House (Green County MRA)*, KY 793 (08/24/84)
Summersville vicinity, *Williams, Daniel Motley, House (Green County MRA)*, KY 323 (08/24/84)
Webbs vicinity, *Simpson Log House (Green County MRA)*, KY 1464 (08/24/84)
Webbs, *Webbs Female Academy (Green County MRA)*, Off KY 88 (08/24/84)

Hancock County

Hawesville, *Hawesville Historic District*, Main, Water, Main Cross, and Clay Sts. (04/12/84)
Lewisport, *Hayden, Isaac B., House (Lewisport MRA)*, Pell St. (08/01/84)
Lewisport, *Henderson, Tom, House (Lewisport MRA)*, 4th St. (08/01/84)
Lewisport, *Lewisport Masonic Lodge (Lewisport MRA)*, 4th St. (08/01/84)
Lewisport, *Patterson, Horace, House (Lewisport MRA)*, Market St. (08/01/84)
Lewisport, *Pell, Joe, Building (Lewisport MRA)*, Pell St. (08/01/84)
Lewisport, *Taylor, J.B., and Son Feed Store (Lewisport MRA)*, 307 — 4th St. (08/01/84)

Hart County

Munfordville, *Munford Inn (Munfordville MRA)*, 109 Washington St. (03/19/84)
Munfordville, *Munfordville School (Munfordville MRA)*, 3rd and Washington Sts. (03/19/84)

Jefferson County

Anchorage vicinity, *Forrester House (Jefferson County MRA)*, 1103 Evergreen Rd. (04/09/84)
Louisville, *Ballard, Rogers Clark, Memorial School*, 4200 Lime Kiln Ln. (12/08/83)
Louisville, *Brandeis House*, 310 E. Broadway (03/01/84)
Louisville, *Caperton Block*, 564–574 — 4th Ave. (07/12/84)
Louisville, *First Street District (North Old Louisville MRA)*, Roughly bounded by E. Breckinridge, E. Kentucky, and I–65 (07/12/84)
Louisville, *Gaffney House (Jefferson County MRA)*, River Rd. (12/08/83)
Louisville, *Haldeman House (Jefferson County MRA)*, 3609 Glenview Ave. (12/08/83)
Louisville, *Limerick Historic District (Amended)*, Between Breckinridge and Oak, 5th and 8th St. (12/23/83)
Louisville, *Louisville Municipal Bridge, Pylons and Administration Building*, Spans Ohio River between Louisville, KY and Jeffersonville, IN (03/08/84)
Louisville, *Old Louisville Residential District (Boundary Increase)* (07/12/84)
Louisville, *Thornburgh House (West Louisville MRA)*, 376 N. 26th St. (12/08/83)
Louisville, *Tingley, George H., Elementary School*, 1311–1317 S. Preston St. (07/12/84)
Lyndon vicinity, *Nachand House (Jefferson County MRA)*, Off Westport Rd. (07/28/84)
Middletown vicinity, *Middletown Inn (Jefferson County MRA)*, 11705 Main St. (04/09/84)
Middletown, *Beynroth House*, 11503 Main St. (05/31/84)
St. Matthews vicinity, *Lewis, Dr. John, House (Jefferson County MRA)*, 220 Ridgeway Ave. (04/09/84)
St. Matthews vicinity, *Taylor, Zachary, National Cemetery/Taylor Burial Ground (Jefferson County MRA)*, 4701 Brownsboro Rd. (11/03/83)
Valley Station vicinity, *Kosmosdale Dale (Jefferson County MRA)*, Off Dixie Hwy. (04/09/84)

Jessamine County

Bethel Academy Site (15JS80) (03/15/84)
Keene vicinity, *Burrier House (Jessamine County MRA)*, N of Keene (07/13/84)
Keene vicinity, *Hughes House (Jessamine County MRA)*, KY 169 (07/05/84)
Keene vicinity, *Locust Grove Stock Farm (Jessamine County MRA)*, N of Keene (07/05/84)
Keene vicinity, *Mt. Pleasant Baptist Church (Jessamine County MRA)*, N of Keene (07/05/84)
Keene vicinity, *Pleasant Grove (Jessamine County MRA)*, N of Keene (07/05/84)
Keene vicinity, *Keene Springs Hotel (Jessamine County MRA)*, KY 1267 (07/05/84)
Nicholasville vicinity, *Ashurst, Craig, House (Jessamine County MRA)*, Off US 27 (07/05/84)
Nicholasville vicinity, *Barkley House (Jessamine County MRA)*, US 68 (07/05/84)
Nicholasville vicinity, *Barkley, Isaac, House (Jessamine County MRA)*, KY 169 (07/05/84)
Nicholasville vicinity, *Brick House on Shun Pike (Jessamine County MRA)*, Off KY 1268 (07/05/84)
Nicholasville vicinity, *Bryan, George and Betty, House (Jessamine County MRA)*, US 68 (07/05/84)
Nicholasville vicinity, *Butler's Tavern (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Chrisman, Joseph, House (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Duncan, J.W., House (Jessamine County MRA)*, KY 169 (07/05/84)
Nicholasville vicinity, *Hoover House (Jessamine County MRA)*, US 27 (07/05/84)

Nicholasville vicinity, *Knight, Grant, House (Jessamine County MRA)*, KY 169 (07/05/84)
Nicholasville vicinity, *Log House on Shun Pike (Jessamine County MRA)*, Off KY 1268 (07/05/84)
Nicholasville vicinity, *Lowry, William C., House (Jessamine County MRA)*, Off KY 169 (07/05/84)
Nicholasville vicinity, *Marshall-Bryan House (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Martin, James G., House (Jessamine County MRA)*, Tates Creek Rd. (07/05/84)
Nicholasville vicinity, *Nave-Brown House (Jessamine County MRA)*, KY 29 (07/05/84)
Nicholasville vicinity, *Providence Church (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Roberts Chapel (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Sandy Bluff (Jessamine County MRA)*, Off KY 1268 (07/13/84)
Nicholasville vicinity, *Scott, John Harvey, House (Jessamine County MRA)*, Off US 27 (07/13/84)
Nicholasville vicinity, *Sunnyside Farm House (Jessamine County MRA)*, US 27 (07/05/84)
Nicholasville vicinity, *Thornwood (Jessamine County MRA)*, Baker Lane (07/13/84)
Nicholasville vicinity, *Venable-Todhunter Houses (Jessamine County MRA)*, Tates Creek Rd. (07/05/84)
Nicholasville vicinity, *Woodland (Jessamine County MRA)*, US 68 (07/05/84)
Nicholasville vicinity, *Young House (Jessamine County MRA)*, KY 29 (07/13/84)
Nicholasville, *Bronaugh, J.S., House (Jessamine County MRA)*, 103 N. 2nd St. (07/05/84)
Nicholasville, *McConnell-Woodson-Philips House (Jessamine County MRA)*, 303 S. Main St. (07/05/84)
Nicholasville, *Nicholasville Historic District (Jessamine County MRA)*, Court Row, Maple and Main Sts. (07/19/84)
Spears vicinity, *Newman, Davis, House (Jessamine County MRA)*, W of Spears (07/13/84)
Spears, *Grubb, A., House (Jessamine County MRA)*, KY 169 (07/05/84)
Wilmore vicinity, *Bicknell House (Jessamine County MRA)*, KY 29 (07/05/84)
Wilmore vicinity, *Curd House (Jessamine County MRA)*, KY 29 (07/13/84)

Kenton County

Covington, *Patton, Robert, House (John G. Carlisle House)*, 1533 Garrard St. (03/01/84)
Covington, *West Side/Main Strasse Historic District*, Roughly bounded by C & O Railroad, 6th, Philadelphia, Dalton, Pike, and Robbins Sts. (11/10/83)

Knox County

Barbourville, *Barbourville Commerical District*, Roughly bounded by Daniel Boone Dr., Liberty, High, and Jail Sts. (08/02/84)
Barbourville, *Mitchell Building-First State Bank Building*, 222 Knox St. (08/01/84)
Barbourville, *Soldiers and Sailors Memorial Gymnasium*, Union College Campus (08/01/84)

Madison County

Richmond, *Arlington (Richmond MRA)*, Lexington Rd. (10/13/83)
Richmond, *Blair Park (Richmond MRA)*, 108 Rosedale St. (10/13/83)
Richmond, *Bronston Place (Richmond MRA)*, Woodland Ave. (10/13/83)
Richmond, *Burnawood (Richmond MRA)*, Burnam Court (01/03/84)
Richmond, *Eastern Kentucky University Historic District (Richmond MRA)*, Lancaster, Crabbe St., and University Dr. (01/03/84)
Richmond, *Holloway, William, House (Rosehill) (Richmond MRA)*, Hillsdale St. (10/13/83)
Richmond, *Mt. Pleasant (Richmond MRA)*, 2nd and Water Sts. (10/13/83)
Richmond, *Richmond Cemetery (Richmond MRA)*, E. Main St. (10/13/83)
Richmond, *Squire Turner House (Richmond MRA)*, 302 N. 2nd St. (10/13/83)
Richmond, *Taylor House (Richmond MRA)*, 216 Water St. (10/13/83)
Richmond, *Walker House (Richmond MRA)*, 315 Lancaster Ave. (10/13/83)
Richmond, *West Richmond Historic District (Richmond MRA)*, Roughly W. Main St. between Church and Norwood Sts. (01/12/84)

Mason County

Pyles Site (15MS28), (04/05/84)
Maysville, *Armstrong Row*, 207–227 W. 2nd St. (03/01/84)

McCraken County

Paducah, *Anderson-Smith House*, Lone Oak Rd. (03/01/84)

Meade County

Brandenburg, *Brandenburg Methodist Episcopal Church (Brandenburg MRA)*, 215 Broadway (08/14/84)
Brandenburg, *Goff-Baskett House (Brandenburg MRA)*, 550 Lawrence St. (08/14/84)
Brandenburg, *Jones-Willis House (Brandenburg MRA)*, 321 Main St. (08/14/84)
Brandenburg, *Meade County Clerk Office-Rankin House (Brandenburg MRA)*, 205 Lafayette St. (08/14/84)
Brandenburg, *Meade County Jail (Brandenburg MRA)*, 125 Main St. (08/14/84)
Brandenburg, *Richardson House (Brandenburg MRA)*, 547 Lawrence St. (08/14/84)
Brandenburg, *Yeakel, Edward, House (Brandenburg MRA)*, 116 Decatur St. (08/14/84)

Mercer County

Harrodsburg vicinity, *Burrus, Nathaniel, House*, 955 Vanarsdall Rd. (08/01/84)
Harrodsburg vicinity, *Fairview* 2408 Lexington Rd. (08/01/84)

Nelson County

Bardstown vicinity, *Sisters of Charity of Nazareth Historic District*, N of Bardstown off US 31E (03/15/84)
Bloomfield vicinity, *Stone, John, House*, US 62 (07/12/84)

Ohio County

Wallace, Charles, House, (03/15/84)

Oldham County

Brownsboro vicinity, *Yewell-Snyder House*, 6206 N. Hitt Lane (11/03/83)

Owen County

Owenton, *Central Owenton Historic District (Owenton MRA)*, Roughly Bryan, Madison, Seminary, and Thomas Sts. (09/04/84)
Owenton, *Cox, L.O., House (Owenton MRA)*, 311 N. Main St. (09/04/84)
Owenton, *Ford House (Owenton MRA)*, 311 S. Main St. (09/04/84)
Owenton, *Linsey, William, House (Owenton MRA)*, 220 W. Seminary St. (09/04/84)
Owenton, *McKay House (Owenton MRA)*, 105 E. Adair St. (09/04/84)
Owenton, *North Main-North Adams Historic District (Owenton MRA)*, N. Main, N. Adams, Bryan, and North Sts. (09/04/84)
Owenton, *Settle, E.E., House (Owenton MRA)*, 403–405 N. Adams St. (09/04/84)

Pike County

Pikeville, *College Street Historic District (Pikeville MRA)*, Roughly College St. from Elm St. to Huffman Ave. (09/20/84)
Pikeville, *Commercial Historic District (Pikeville MRA)*, Main St. and Division Ave. (09/20/84)
Pikeville, *Greer, R.T., and Company (Pikeville MRA)*, Auxier St. (09/20/84)
Pikeville, *Huffman Avenue Historic District (Pikeville MRA)*, Hufman Ave. and Main St. (04/26/84)
Pikeville, *Odd Fellows Building (Pikeville MRA)*, 333 — 2nd St. (04/26/84)
Pikeville, *Scott Avenue Historic District (Pikeville MRA)*, Scott Ave., 6th and 7th Sts. (09/20/84)
Pikeville, *Third Street Historic District (Pikeville MRA)*, 3rd St. and Scott Ave. (09/20/84)
Pikeville, *York House (Pikeville MRA)*, Main St. (04/26/84)
Pikeville, *York Mansion (Pikeville MRA)*, 209 Elm St. (04/26/84)

Pulaski County

Burnside, *Boland House (Pulaski County MRA)*, Lakeshore Dr. (08/14/84)
Burnside, *Burnside Historic District (Pulaski County MRA)*, Lakeshore Dr. and French Ave. (08/14/84)
Burnside, *Burnside Lodge (Pulaski County MRA)*, Off US 27 (08/14/84)
Dabney, *Dabney Post Office (Pulaski County MRA)*, KY 39 (08/14/84)
Eubank, *Payne Mill (Pulaski County MRA)*, Off SR 1247 (08/14/84)
Somerset vicinity, *Buck-Mercer House (Pulaski County MRA)*, Waynesburg Rd. (08/14/84)
Somerset, *City Hall (Pulaski County MRA)*, 400 E. Mt. Vernon St. (08/14/84)
Somerset, *Crawford House (Pulaski County MRA)*, 121 Maple St. (08/14/84)
Somerset, *Harvey's Hill Historic District (Pulaski County MRA)*, 401–527 N. Main St. and 402–526 N. Main St. (08/14/84)
Somerset, *Hotel Beecher (Pulaski County MRA)*, 203 S. Main St. (08/14/84)
Somerset, *Morrow House (Pulaski County MRA)*, 208 E. Oak St. (08/14/84)

Somerset, *North Main Street Historic District (Pulaski County MRA)*, N. Main and Columbia Sts. (08/14/84)
Somerset, *Richardson House (Pulaski County MRA)*, 206 N. Vine St. (08/14/84)
Somerset, *Robinson Mill (Pulaski County MRA)*, S. Main St. (08/14/84)
Somerset, *Scott, Dill, House (Pulaski County MRA)*, 200 N. Main St. (08/14/84)
Somerset, *Smith House (Pulaski County MRA)*, 200 N. College St. (08/14/84)
Somerset, *Smith, Beecher, House (Pulaski County MRA)*, 405 College St. (08/14/84)
Somerset, *South Courthouse Square Historic District (Pulaski County MRA)*, Public Sq., Zachary Way, W. Mt. Vernon, S. Main, and S. Maple Sts. (08/14/84)
Somerset, *Waddle-Prather House (Pulaski County MRA)*, 311 N. College St. (08/14/84)
Somerset, *West Columbia Street District (Pulaski County MRA)*, 201–303 W. Columbia St. (08/14/84)
Somerset, *Withers House (Pulaski County MRA)*, 116 Maple St. (08/14/84)

Rockcastle County

Mt. Vernon, *Mt. Vernon Commercial District*, Main St. from Church to Richmond Sts. (11/10/83)

Scott County

Georgetown vicinity, *Craig, Newton, House and Penitentiary Buildings Complex*, US 460 (07/19/84)
Georgetown vicinity, *Edge Hill Farm*, 1661 Payne's Depot Pike (03/01/84)
Georgetown vicinity, *Johnson, James, Quarters (Early Stone Buildings of Central Kentucky TR)*, Off KY 227 (10/11/83)
Georgetown vicinity, *Lane's Run Historic District*, Old Oxford Road., US 62 and US 460 (01/12/84)
Georgetown, *First African Baptist Church and Parsonage*, 209–211 W. Jefferson St. (03/01/84)
Midway vicinity, *Weisenberger Mills and Related Buildings*, Off US 421 (also in Woodford County) (08/16/84)

Shelby County

Lincoln Ridge vicinity, *Young, Whitney M. Jr., Birthplace and Boyhood Home*, Lincoln Institute campus (04/27/84) NHL
Shelbyville vicinity *Allen Dale Farm*, Off US 60 (11/17/83)
Shelbyville vicinity *Threlkeld, Thomas, House*, Benson Pike (05/14/84)
Shelbyville, *Bayne House (Shelbyville MRA)*, 37 Main St. (09/28/84)
Shelbyville, *Bethel AME Church (Shelbyville MRA)*, 414 Henry Clay St. (09/28/84)
Shelbyville, *Church of Annunication (Shelbyville MRA)*, 105 Main St. (09/28/84)
Shelbyville, *Saffell Funeral Home (Shelbyville MRA)*, 4th and Caly Sts. (09/28/84)
Shelbyville, *St. John United Methodist Church (Shelbyville MRA)*, College St. (09/28/84)
Shelbyville, *Tevis Cottage (Shelbyville MRA)*, 607 Washington St. (09/28/84)
Shelbyville, *Wickland (Shelbyville MRA)*, 169 Kentucky St. (09/28/84)

Todd County

Elkton vicinity, *Reeves, W.L., House*, KY 102 (02/02/84)

Trimble County

Bedford vicinity, *Bates House (Trimble County MRA)*, New Hope Rd. (04/09/84)
Bedford vicinity, *Logan, W.W., House (Trimble County MRA)*, Sulpher-Bedford Pike (04/09/84)
Bedford, *Hancock House (Trimble County MRA)*, Main St. (04/09/84)
Bedford, *House Tm–B–7 (Trimble County MRA)*, Main St. (04/09/84)
Bedford, *Peak House (Trimble County MRA)*, Spring and West Sts. (04/09/84)
Bedford, *Trimble County Jail (Trimble County MRA)*, Main St. (04/09/84)
Milton vicinity, *House on Kentucky Highway 1492 (Trimble County MRA)*, KY 1492 (04/09/84)
Milton vicinity, *Moreland School (Cooper's Bottom School) (Trimble County MRA)*, Cooper's Bottom Rd. (04/09/84)
Milton vicinity, *Neal House (Trimble County MRA)*, US 421 (04/09/84)
Milton vicinity, *Page (Trimble County MRA)*, Cooper's Bottom Rd. (04/10/84)
Milton vicinity, *Rowlett House (Trimble County MRA)*, KY 625 (04/09/84)
Milton, *House Tm–M–27 (Trimble County MRA)*, KY 36 (04/09/84)
Milton, *House Tm–M–28 (Trimble County MRA)*, KY 36 (04/09/84)
Milton, *Third Street Historic District (Trimble County MRA)*, Third St. at US 421 (04/10/84)
Wise Landing, *Yeager General Store (Trimble County MRA)*, Barebone Rd. (07/21/83)

Union County

Morganfield, *Morganfield Commericial District*, Main, Court, and Morgan Sts. (07/19/84)

Warren County

Bowling Green vicinity, *Walnut Lawn (Warren County MRA)*, W. of Bowling Green on Morgantown Rd. (10/20/83)
Bowling Green, *St. James Apartments (Warren County MRA)*, 1133 Chestnut St. (08/02/84)

LOUISIANA

Ascension Parish

Donaldsonville, *Donaldsonville Historic District*, Roughly bounded by Bayou Lafourche, the Mississippi River levee, Jackson Ave., Marchand Dr., and Monroe and Church Sts. (01/19/84)
Prairieville, *Kraemer House*, Off US 61 (08/02/84)

Avoyelles Parish

Bunke, *Epps, Edwin, House*, US 71 (04/12/84)

Caddo Parish

Shreveport, *Davidson House*, 654 Wichita Ave. (12/22/84)
Shreveport, *Holy Trinity Catholic Church*, 315 Marshall St. (09/27/84)
Shreveport, *Sprague Street Houses*, 1100–1118 Sprague St. (10/03/83)

Calcasieu Parish

Lake Charles, *Episcopal Church of the Good Sheperd*, 715 Kirkman St. (12/22/83)

Claiborne Parish

Arizona, *Arizona Methodist Church*, LA 806 (12/22/83)

East Baton Rouge Parish

Baton Rouge, *Beauregard Town Historic District (Boundary Increase/Armour Building)*, Mayflower St. (10/11/83)
Baton Rouge, *Baton Rouge Junior High School*, 1100 Laurel St. (09/27/84)
Baton Rouge, *Central Fire Station*, 427 Laurel St. (04/05/84)
Baton Rouge, *Planter's Cabin*, 7815 Highland Rd. (08/23/84)
Zachary, *Zachary Railroad Depot*, 4434 W. Central Ave. (12/28/83)

East Feliciana Parish

Clinton, *St. Andrew's Episcopal Church*, Church and St. Andrew's Sts. (06/21/84)
Clinton, *Wall House*, Woodville St. (05/31/84)

Grant Parish

Boyce vicinity, *Kateland*, N of Boyce off LA 8 (04/12/84)

Iberia Parish

Jeanerette vicinity, *Alice*, LA 87 (06/14/84)

Jackson Parish

Chatham vicinity, *Brooklyn Church and Cemetery*, SE of Chatham off LA 4 (08/02/84)

Lafayette Parish

Lafayette, *Daigle House*, 1022 S. Washington St. (06/14/84)
Lafayette, *Elrose*, 217 W. University Ave. (06/14/84)
Lafayette, *First United Methodist Church*, 703 Lee Ave. (06/21/84)
Lafayette, *Lafayette Elementary School*, 1301 W. University Ave. (06/14/84)
Lafayette, *Lafayette Hardware Store*, 121 W. Vermilion St. (06/14/84)
Lafayette, *Old Guaranty Bank Building*, 500 Jefferson St. (07/12/84)
Lafayette, *Roy, J. Arthur, House*, 1204 Johnston St. (06/14/84)
Lafayette, *Salles House and Office*, 512 and 514 S. Buchanan St. (07/19/84)
Lafayette, *Sterling Grove Historic District*, Roughly bounded by Evangeline Thwy., E. Simcoe, Chopin, and N. Sterling Sts. (07/26/84)

Lincoln Parish

Ruston, *First Presbyterian Church*, 212 N. Bonner St. (01/12/84)
Ruston, *Kidd-Davis House*, 609 N. Vienna St. (03/29/84)

Natchitoches Parish

Natchitoches, *Natchitoches Historic District*, (06/05/74) NHL
Natchitoches, *President's Home, Northwestern State University*, College Ave. (07/19/84)
Natchitoches, *Women's Gymnasium, Northwestern State University*, College Ave. (06/21/84)

Orleans Parish

New Orleans, *Criminal Courts Building*, 2700 Tulane Ave. (01/12/84)

New Orleans, *Hart House*, 2108 Palmer Ave. (06/07/84)
New Orleans, *Newberger House*, 1640 Palmer Ave. (09/27/84)

Pointe Coupee Parish

Batchelor vicinity, *Lakeside*, LA 419 (03/29/84)
Oscar, *Pleasant View Plantation House*, LA 1 (04/05/84)

Rapides Parish

Alexandria, *Bolton High School*, 2101 Vance Ave. (01/09/84)
Alexandria, *Hemenway Furniture Co. Building*, 3rd and Jackson Sts. (10/04/83)
Alexandria, *St. Francis Xavier Cathedral Complex*, 626 — 4th St. (03/29/84)

St. Landry Parish

Opelousas vicinity, *Lamorandier-Prudhomme-Jackson House*, Off US 167 (12/22/83)
Eunice, *Midland Branch Railwoad Depot*, 1st and North Sts. (09/27/83)

St. Martin Parish

Breaux Bridge vicinity, *Pellerin-Chauffe House*, S of Breaux Bridge on LA 347 (04/05/84)
Breaux Bridge vicinity, *Fontenette-Durand Maison Dimanche*, LA 94 (04/19/84)

St. Tammany Parish

Madisonville, *Madisonville Bank*, 400 Cedar St. (12/28/83)

Tangipahoa Parish

Amite vicinity, *Epney*, Off LA 445 (06/21/84)
Loranger vicinity, *Zemurray Gardens Lodge Complex*, LA 40 (10/03/83)

Terrebonne Parish

Houma, *Houma Historic District*, Roughly bounded by East Park Ave., Main, Roussell, Goode, School, Belanger, Church, Verret, Grinage, Lafayette, and Canal Sts. (12/08/83)
Schriever vicinity, *Armitage*, LA 20 and Colonial Dr. (04/12/84)

West Feliciana Parish

St. Francisville vicinity, *Catalpa*, US 61 (07/12/84)

MAINE

Androscoggin County

Auburn, *Androscoggin County Courthouse and Jail*, 2 Turner St. (12/29/83)
Auburn, *Auburn Public Library*, 49 Spring St. (03/22/84)
Lewiston, *Jordan School*, 35 Wood St. (03/22/84)
Poland, *Poland Spring Bottling Plant and Spring House*, Ricker Rd. (03/22/84)

Aroostook County

Island Falls, *Island Falls Opera House*, Patten Rd. and Sewall St. (07/19/84)

Cumberland County

Bridgton vicinity, *Walker Memorial Hall*, Lower Ridge Rd. (12/29/83)
Bridgton, *Stone House*, Burnham Rd. (07/19/84)
Cumberland Center vicinity, *Winn Road School*, Winn Rd. (03/22/84)
Gorham vicinity, *Longfellow, Stephen, House*, Longfellow Rd. (03/22/84)
Portland, *Griffin House*, 200 High St. (07/19/84)
Portland, *Western Promenade Historic District*, Roughly bounded by Western Promenade and Bramhall, Brackett, Emery, and Danforth Sts. (02/16/84)
West Baldwin, *Burnell Tavern*, ME 113 (12/29/83)

Franklin County

Farmington, *Franklin County Courthouse*, Main and Anson Sts. (10/06/83)
Rangeley vicinity, *Oquossoc Log Church*, ME 4 (07/19/84)

Hancock County

Blue Hill, *Peters, John, House*, Off ME 176 (10/06/83)

Kennebec County

Augusta, *Fuller-Weston House*, 11 Summer St. (03/22/84)
Augusta, *St. Mark's Episcopal Church*, 9 Summer St. (07/19/84)
Augusta, *Vickery Building*, 261 Water St. (03/22/84)
North Vassalboro, *Mill Agent's House*, ME 32 (10/06/83)
Readfield vicinity, *Lee, Jesse, Church*, ME 17 and Plains Rd. (07/19/84)
South China vicinity, *Jones, Eli and Sybil, House*, Dirigo Corner (03/22/84)
Vassalboro vicinity, *Leach, Philip House*, Hussey Hill Rd. (10/20/83)
Winthrop, *Cobbossee Lighhouse*, Ladies Delight Island (01/12/84)

Knox County

Allen's Island, (12/15/83)
Mullen's Cove, (03/30/84)
Camden, *Stephen Taber (schooner)*, Camden Harbor (07/30/84)
Vinalhaven, *Union Church of Vinalhaven*, E. Main St. (07/19/84)

Lincoln County

Archeological Site 16.175 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.198 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.20 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.21 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.37, Area I and II (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.38 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.47 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.68 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.73 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 16.8 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Archeological Site 26.27 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Taylor Site 16.65 (Boothbay Region Prehistoric Sites TR), (06/29/84)
Edgecomb vicinity, *Parsons, Stephen House*, SW of Edgecomb (10/06/83)
Monhegan, *Influence*, Monhegan Island (12/29/83)

Oxford County

Vail Site 81.1 (Boundary Increase) (01/11/84)
Fryeburg, *District No. 1 Schoolhouse*, 98 Main St. (07/19/84)
Hartford, *Irish, J. & O., Store*, ME 140 (12/29/83)

Penobscot County

Maine Archeological Survey Site, (01/26/84)
Bangor, *Connors House*, 277 State St. (10/06/83)
Bangor, *Great Fire of 1911 Historic District*, Harlow, Center, Park, State, York, and Central Sts. (06/14/84)

Piscataquis County

Monson, *Swedish Lutheran Church*, Wilkins and Hebron Sts. (07/19/84)

Sagadahoc County

Hunter Site, (01/26/84)

Somerset County

Athens, *Somerset Academy*, Academy St. (07/19/84)
Skowhegan, *History House (Aaron Spear House)*, 40 Elm St. (12/29/83)
Skowhegan, *Skowhegan Fire Station*, Island Ave. (10/20/83)

Waldo County

Northport vicinity, *Cobe Estate*, N of Northport on Bluff Rd. (10/20/83)
Searsport, *McGilvery, Capt. John, House*, E. Main St. (12/29/83)
Searsport, *McGilvery, Capt. William, House*, E. Main St. (12/29/83)

Washington County

Cherryfield, *Campbell, David W., House*, Main St. (07/19/84)
Eastport, *Boynton Street Historic District*, 13-26 Boynton St. (07/19/84)
Lubec, *Fowler, Jeremiah, House*, 35 School St. (12/29/83)
Lubec, *Young, Daniel, House*, 34 Main St. (03/22/84)
Robbinston, *Brewer, Henrietta, House*, US 1 (10/06/83)
Robbinston, *Brewer, John N.M., House*, US 1 (10/06/83)

York County

Biddleford, *St. Joseph's School*, Birch St. (12/29/83)
Cornish, *Odd Fellows-Rebekah Hall*, High St. (12/29/83)
Goodwins Mills, *Foss, Levi, House*, ME 35 (03/22/84)
Kennebunkport, *Cape Arundel Summer Colony Historic District*, Roughly bounded by Chick's Creek, Ocean Ave., S. Main St., Endcliff Rd., and Walkers Point (08/16/84)
Limerick, *Limerick Upper Village Historic District*, ME 5 (04/05/84)
Ogunquit, *Ogunquit Memorial Library*, Shore Rd. (12/29/83)
South Berwick, *Jewett-Eastman House*, 37 Portland St. (12/29/83)
Wells vicinity, *Laudholm Farm*, Laudholm Farm Rd. (10/20/83)
York, *York Cliffs Historic District*, Agamenticus Ave. (07/26/84)

MARYLAND

Allegany County

Cumberland vicinity, *Big Bottom Farm*, Hazen Rd. (06/07/84)
Frostburg vicinity, *Borden Mines Superintendent's House*, MD 36 (03/22/84)
Westernport, *Waverly Street Bridge*, Waverly St. at Georges Creek (09/07/84)

Anne Arundel County

Annapolis Junction vicinity, *Grassland*, MD 32 (09/13/84)
Annapolis, *Annapolis Historic District*, Roughly bounded by Spa Creek, Southgate Ave., Hanover and West Sts. (09/29/84)
Annapolis, *Helianthus III (yacht)*, Hilton Inn dock (08/09/84)
Annapolis, *Stanton Center*, 92 W. Washington St. (12/01/83)
Crofton vicinity, *Linthicum Walks*, 2295 Davidsonville Rd. (08/09/84)
Edgewater, *Gresham*, 784 Mayo Rd. (09/07/84)
Galesville vicinity, *Norman's Retreat*, 5325 Muddy Creek Rd. (09/07/84)
Millersville vicinity, *Abington Farm*, 1761 Severn Chapel Rd. (09/13/84)

Baltimore (Independent City)

Charles Village-Abell Historic District, Roughly bounded by University Pkwy., Guilford Ave., and 25th, Mace, Charles, and Barclay Sts. (12/15/83)
Hutzler Brothers Palace Building, 210–218 N. Howard St. (06/07/84)
Paca Street Firehouse, 106 N. Paca St. (10/28/83)
Rieman Block, 617–631 W. Lexington St. (06/07/84)
Rowhouse at 303–327 East North Avenue, 303–327 E. North Ave. (09/13/84)
Dundalk *Dundalk Historic District*, Roughly bounded by Liberty Pkwy., Dunman, Dundark, Willow Spring and Sunship Rds., Colgate, Chesapeake and Patapsco Aves. (12/08/83)

Baltimore County

Cantonsville, *St. Charles College Historic District*, 711 Maiden Choice Lane (09/30/83)
Kingsville vicinity, *Jericho Farm*, 12230 Jericho Rd. (09/07/84)
Parkton, *Parkton Hotel*, York Rd. (12/08/83)

Calvert County

Solomons, *Lore, J.C., Oyster House*, MD 2 (03/22/84)

Caroline County

Denton, *Denton Historic District*, Roughly bounded by 1st, 10th, Gay, High Franklin and Sunnyside Sts. (12/01/83)

Carroll County

Eldersburg vicinity, *Wesley Chapel Methodist Episcopal Church*, Liberty and Johnsville Rds. (03/22/84)
Mount Airy, *Mount Airy Historic District*, Roughly Main, Church, Maple, Park, Hill, and Warfield Sts. (also in Frederick County) (09/13/84)

Cecil County

Bumpstead Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
Heath Farm Camp Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
Heath Farm Jasper Quarry Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
Iron Hill Cut Jasper Quarry Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
McCandless Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
Elkton vincinity, *Elk Landing*, Landing Lane (09/07/84)
Elkton vicinity, *Rock United Presbyterian Church*, MD 273 at Rock Church Rd. (12/01/83)
Harrisville, *Harris, Nathan and Susannah, House*, 541 Rising Sun Rd. (03/22/84)
Port Deposit vicinity, *Snow Hill Site*, Off US 222 (04/27/84)
Port Deposit vicinity, *Tome School for Boys Historic District*, Bainbridge Naval Training Grounds (05/16/84)
St. Augustine vicinity, *Great House*, 284 Great House Farm Rd. (06/07/84)

Charles County

La Plata vicinity, *Exchange, The*, Spring Hill-Newtown Rd. (06/07/84)
La Plata vicinity, *Oak Grove*, Turkey Hill Rd. (11/23/83)

Dorchester County

Cambridge, *Christ Episcopal Church and Cemetery*, High St. (04/12/84)

Frederick County

Emmitsburg, *St. Euphemia's School and Sisters' House*, 5052 DePaul St. (09/13/84)
Frederick, *Spring Bank*, 7945 Worman's Mill Rd. (09/07/84)

Garrett County

Accident vicinity, *Kaese Mill*, N of Accident (09/13/84)
Deer Park vicinity, *Glamorgan*, MD 135 (09/13/84)
Oakland, *Oakland Historic District*, Roughly bounded by Oak, 8th, High, 3rd, Omaha, and Bartlet Sts. (01/26/84)
Selbysport vicinity, *Mercy Chapel at Mill Run*, Mill Run Rd. (09/07/84)
Swanton, *Anderson Chapel*, Swanton Hill and Pine Hill Rds. (06/07/84)

Harford County

Aberdeen vicinity, *Chestnut Ridge, 3850 W. Chapel Rd.* (12/01/83)
Darlington vicinity, *Silver Houses Historic District*, S of Darlington on MD 161 (09/07/84)

Howard County

Woodbine vicinity, *Hobson's Choice*, 2921 Florence Rd. (09/13/84)

Kent County

Betterton, *Betterton Historic District*, Roughly bounded by Sassafras River, Gut Marsh, 6th, and Ericsson Aves. (06/07/84)
Chestertown, *Chestertown Historic District (Boundary Increase)*, Roughly bounded by Chester River, Lynchberg, and Cannon Sts., College Ave., Philosophers and Riverside Terrs. (09/13/84)

Montgomery County

Gaithersburg, *Belt, J.A., Building*, 227 E. Diamond Ave. (08/09/84)
Glen Echo, *Glen Echo Park Historic District*, MacArthur Blvd. (06/08/84)

Prince Georges County

Upper Marlboro, *Treband, John H., House*, 14204 Marlboro Pike (03/22/84)

Queen Annes County

Centreville vicinity, *Bachelor's Hope*, MD 18 (05/03/84)
Centreville vicinity, *Lansdowne*, MD 305 (06/07/84)
Sudlersville, *St. Andrew's Episcopal Chapel*, Church St. and Maple Ave. (09/07/84)

Somerset County

Manokin vicinity, *Waters' River*, Hood Rd. (08/09/84)
Marion Station vicinity, *Williams' Conquest*, Charles Cannon Rd. (05/03/84)
Marion vicinity, *Lankford House*, MD 667 (08/09/84)
Marion vicinity, *Pomfret Plantation*, MD 667 (09/07/84)
Princess Anne vicinity, *White Hall*, Cooley Rd. (06/07/84)
Rehobeth vicinity, *Caldicott*, SW of US 13 (12/22/83)
Rehobeth vicinity, *Coventry Parish Ruins*, Off MD 667 (08/09/84)
Upper Fairmount Vicinity, *Academy Grove Historic District*, MD 361 (05/03/84)
Upper Fairmount vicinity, *Schoolridge Farm*, MD 361 (09/07/84)
Ventor, *Panther's Den*, Drawbridge Rd. (03/22/84)
Westover vicinity, *Beauchamp House*, Old Westover-Marion Rd. (08/09/84)

Talbot County

Wye Mills, *Old Wye Church*, Queenstown-Easton Rd. (08/09/84)

Washington County

Hagerstown, *Western Maryland Railway Steam Locomotive No. 202*, City Park (06/07/84)

Worcester County

Berlin vicinity, *Henry's Grove*, MD 611 (09/13/84)

MASSACHUSETTS

Berkshire County

Dalton, *Dalton Grange Hall No. 23*, South St. and Grange Hall Rd. (11/10/83)
Great Barrington, *Monument Mills*, Park and Front Sts. (11/29/83)
Monterey, *Brewer, Capt. John, House*, Main Rd. (03/29/84)
New Marlborough, *Shepard, Thomas, House*, East Hill Rd. (05/31/84)
North Adams, *Sherman, Eber, Farm*, 1010 State Rd. (10/06/83)
North Adams, *St. Joseph's School*, Eagle St. (12/22/83)
Pittsfield, *Morewood School*, S. Mountain Rd. (05/31/84)
South Egremont, *South Egremont Village Historic District*, MA 23/41, Buttonball Lane, Sheffield, and Pinecrest Hill Rds. (05/31/84)

Stockbridge, *Villa Virginia*, Ice Glen Rd. (11/29/83)
Williamstown, *Mill Village Historic District*, Cole Ave., Mill, Arnold, and Elm Sts. (10/06/83)

Bristol County

Attleboro, *Hebronville Mill Historic District*, Knight Ave., Read and Phillip Sts. (05/17/84)
Easton, *Furnace Village Historic District*, MA 106/123 (10/06/83)
Fall River, *Lower Highlands Historic District (Fall River MRA)*, Roughly bounded by Cherry, Main, Winter, and Bank Sts. (01/10/84)
New Bedford, *Smith, Bradford, Building*, 1927–1941 Purchase St. (05/17/84)
Taunton, *Atwood, Charles R., House (Taunton MRA)*, 30 Dean St. (07/05/84)
Taunton, *Barnum School (Taunton MRA)*, Barnum St. (07/05/84)
Taunton, *Bartlett, J.C., House (Taunton MRA)*, 12 Walnut St. (07/05/84)
Taunton, *Bassett, C.J.H., House (Taunton MRA)*, 20 Chestnut St. (07/05/84)
Taunton, *Beattie, W.C., House (Taunton MRA)*, 289 W. Brittania St. (07/05/84)
Taunton, *Brow's Tavern (Taunton MRA)*, 211 Tremont St. (07/05/84)
Taunton, *Brownell, Henry C., House (Taunton MRA)*, 119 High St. (07/05/84)
Taunton, *Building at 80 and 88 W. Brittania St. (Taunton MRA)*, 80 and 88 W. Brittania St. (07/05/84)
Taunton, *Capron, George, House (Taunton MRA)*, 6 N. Pleasant St. (07/05/84)
Taunton, *Central Fire Station (Taunton MRA)*, Leonard and School Sts. (07/05/84)
Taunton, *Colby, Samuel, House (Taunton MRA)*, 74 Winthrop St. (07/05/84)
Taunton, *Dean, Abiezar, House (Taunton MRA)*, 57 Summer St. (07/05/84)
Taunton, *Dean, George, House (Taunton MRA)*, 135 Winthrop St. (07/05/84)
Taunton, *Dean, Jonathan, House (Taunton MRA)*, 175 Dean St. (07/05/84)
Taunton, *Dean, Lloyd, House (Taunton MRA)*, 164 Dean St. (07/05/84)
Taunton, *Dean, Theodore, House (Taunton MRA)*, 26 Dean St. (07/05/84)
Taunton, *Dean-Barstow House (Taunton MRA)*, 275 William St. (07/05/84)
Taunton, *Dean-Hartshorn House (Taunton MRA)*, 68 Dean St. (07/05/84)
Taunton, *East Taunton Fire Station (Taunton MRA)*, Middleboro Ave. (07/05/84)
Taunton, *Eldridge House (Taunton MRA)*, 172 County St. (07/05/84)
Taunton, *Fairbanks-Williams House (Taunton MRA)*, 19 Elm St. (07/05/84)
Taunton, *Field, Albert, Tack Company (Taunton MRA)*, 19 Spring St. (07/05/84)
Taunton, *Fuller-Dauphin Estate (Taunton MRA)*, 145 School St. (07/05/84)
Taunton, *Godfrey, Gen. George, House (Taunton MRA)*, 125 County St. (07/05/84)
Taunton, *Godfrey, Richard, House (Taunton MRA)*, 62 County St. (07/05/84)
Taunton, *Harris Street Bridge (Taunton MRA)*, Spans Taunton River at Dean and Harris Sts. (07/05/84)
Taunton, *Haskins, Sarah A., House (Taunton MRA)*, 18 Harrison St. (07/05/84)
Taunton, *Higgins-Hodgeman House (Taunton MRA)*, 19 Cedar St. (07/05/84)
Taunton, *Hodges House (Taunton MRA)*, 41 Worcester St. (07/05/84)
Taunton, *Hopewell Mills District (Taunton MRA)*, Bay St. and Albro Ave. (07/05/84)
Taunton, *Hopewell School (Taunton MRA)*, Monroe St. (07/05/84)
Taunton, *Kilmer Street Fire Station (Taunton MRA)*, Oak and Kilmer Sts. (07/05/84)
Taunton, *King Airfield Hanger (Taunton MRA)*, Middleboro Ave. (07/05/84)
Taunton, *Knapp, Job, House (Taunton MRA)*, 81 Shores St. (07/05/84)
Taunton, *Leonard School (Taunton MRA)*, W. Brittania St. (07/05/84)
Taunton, *Leonard, James, House (Taunton MRA)*, 3 Warren St. (07/05/84)
Taunton, *Lincoln, Ambrose Jr., House (Taunton MRA)*, 1916 Bay St. (07/05/84)
Taunton, *Lincoln, Asa, House (Taunton MRA)*, 171 Shores St. (07/05/84)
Taunton, *Lincoln, Gen. Thomas, House (Taunton MRA)*, 104 Field St. (07/05/84)
Taunton, *Lord-Baylies-Bennett House (Taunton MRA)*, 66 Winthrop St. (07/05/84)
Taunton, *Lothrop Memorial Building-G.A.R. Hall (Taunton MRA)*, Washington and Governor Sts. (07/05/84)
Taunton, *Lothrop, H.B., Store (Taunton MRA)*, 210 Weir St. (07/05/84)
Taunton, *Macomber, Calvin T., (Taunton MRA)*, 312 W. Brittania St. (07/05/84)
Taunton, *Marvel, Theodore L., House (Taunton MRA)*, 188 Berkley St. (07/05/84)
Taunton, *Mason, N.S., House (Taunton MRA)*, 58 Tremont St. (07/05/84)
Taunton, *McKinstrey House (Taunton MRA)*, 115 High St. (07/05/84)
Taunton, *Morse House (Taunton MRA)*, 6 Pleasant St. (07/05/84)
Taunton, *Morse, Henry, House (Taunton MRA)*, 32 Cedar St. (07/05/84)
Taunton, *North Taunton Baptist Chruch (Taunton MRA)*, 1940 Bay St. (07/05/84)
Taunton, *Old Colony Iron Works-Nemasket Mills Complex (Taunton MRA)*, Old Colony Ave. (07/05/84)
Taunton, *Old Colony Railroad Station (Taunton MRA)*, 40 Dean St. (07/05/84)
Taunton, *Old Weir Stove Company (Taunton MRA)*, W. Water St. (07/05/84)
Taunton, *Paull, Alfred, House (Taunton MRA)*, 467 Weir St. (07/05/84)
Taunton, *Pilgrim Congregational Church (Taunton MRA)*, 45 Broadway (07/05/84)
Taunton, *Reed and Barton Complex (Taunton MRA)*, W. Brittania and Danforth Sts. (07/05/84)
Taunton, *School Street School (Taunton MRA)*, School and Fruit Sts. (07/05/84)
Taunton, *St. Mary's Complex (Taunton MRA)*, Broadway and Washington St. (07/05/84)
Taunton, *St. Thomas Episcopal Chruch (Taunton MRA)*, 115 High St. (07/05/84)
Taunton, *Staples, Sylvanus N., (Taunton MRA)*, 21 Second St. (07/05/84)
Taunton, *Stone House (Taunton MRA)*, 15–17 Plain St. (07/05/84)
Taunton, *Sweet, Albert, House (Taunton MRA)*, 179 Highland St. (07/05/84)
Taunton, *Taunton Alms House (Taunton MRA)*, Norton Ave. (07/05/84)
Taunton, *Taunton Public Library (Taunton MRA)*, Pleasant St. (07/05/84)
Taunton, *Thomas, H.P., House (Taunton MRA)*, 322 Somerset Ave. (07/05/84)
Taunton, *Tisdale-Morse House (Taunton MRA)*, 17 Fayette Pl. (07/05/84)
Taunton, *Union Congregational Church (Taunton MRA)*, W. Brittania and Rockland Sts. (07/05/84)
Taunton, *Union Mission Chapel-Historical Hall (Taunton MRA)*, Cedar St. (07/05/84)
Taunton, *Vickery, Capt. David, House (Taunton MRA)*, 33 Plain St. (07/05/84)
Taunton, *Vickery-Baylies House (Taunton MRA)*, 56 Summer St. (07/05/84)
Taunton, *Walker School (Taunton MRA)*, Berkley St. (07/05/84)
Taunton, *Walker, Peter, House (Taunton MRA)*, 1679 Somerset Ave. (07/05/84)
Taunton, *Washburn, Samuel, House (Taunton MRA)*, 68 Winthrop St. (07/05/84)
Taunton, *Washington School (Taunton MRA)*, 40 Vernon St. (07/05/84)
Taunton, *Weir Engine House (Taunton MRA)*, 530 Weir St. (07/05/84)
Taunton, *Westville Congregational Church (Taunton MRA)*, Winthrop and N. Walker Sts. (07/05/84)
Taunton, *White, William L. Jr., House (Taunton MRA)*, 242 Winthrop St. (07/05/84)
Taunton, *Whittenton Fire and Police Station (Taunton MRA)*, Bay St. (07/05/84)
Taunton, *Whittenton Mills Complex (Taunton MRA)*, Mill River and Whittenton St. (07/05/84)
Taunton, *Williams, Abiathar King, House (Taunton MRA)*, 43 Ingell St. (07/05/84)
Taunton, *Williams, Enoch, House (Taunton MRA)*, 616 Middleboro Ave. (07/05/84)
Taunton, *Williams, Francis D., House (Taunton MRA)*, 3 Plain St. (07/05/84)
Taunton, *Williams, N.S., House, (Taunton MRA)*, 1150 Middleboro Ave. (07/05/84)
Taunton, *Willis, Joseph, House (Taunton MRA)*, 28 Worcester St. (07/05/84)
Taunton, *Winslow Congregational Church (Taunton MRA)*, 61 Winthrop St. (07/05/84)
Taunton, *Winthrop Street Baptist Church (Taunton MRA)*, 58 Winthrop St. (07/05/84)

Dukes County

Edgartown, *Edgartown Village Historic District*, Bounded by Water St. (North and South) and Peases Point Way (North and South) (12/09/83)
West Tisbury, *Old Mill*, Edgartown-West Tisbury Rd. (03/29/84)

Essex County

Beverly, *Beverly Center Business District*, Roughly bounded by Chapman, Central, Brown, Dane, and Essex Sts. (07/05/84)
Danvers, *State Lunatic Hospital at Danvers*, 450 Maple St. (01/26/84)
Marblehead, *Marblehead Historic District*, Roughly bounded by Marblehead Harbor, Waldron Court, Essex, Elm, Pond, and Norman Sts. (01/10/84)
Methuen, *Barker, Stephen, House (Methuen MRA)*, 165 Haverhill St. (01/20/84)
Methuen, *Buswell, J.E., House (Methuen MRA)*, 535–537 Prospect St. (01/20/84)
Methuen, *Daddy Frye's Hill Cemetery (Methuen MRA)*, East and Arlington Sts. (01/20/84)
Methuen, *Dolan, Terence, House (Methuen MRA)*, 478 Prospect St. (01/20/84)
Methuen, *Double-arch Sandstone Bridge (Methuen MRA)*, Hampshire Rd. (06/20/84)

Methuen, *Emerson House (Methuen MRA)*, 58 Ayers Village Rd. (01/20/84)
Methuen, *Emerson, Capt. Oliver, Homestead (Methuen MRA)*, 133 North St. (01/20/84)
Methuen, *Emmons, G.B., House (Methuen MRA)*, 283 Broadway (01/20/84)
Methuen, *First Baptist Church (Methuen MRA)*, 253 Lawrence St. (01/20/84)
Methuen, *Hardy, Urias, House (Methuen MRA)*, 50 Brown St. (01/20/84)
Methuen, *House at 10 Park Street (Methuen MRA)*, 10 Park St. (01/20/84)
Methuen, *House at 113–115 Center Street (Methuen MRA)*, 113–115 Center St. (01/20/84)
Methuen, *House at 13 Annis Street (Methuen MRA)*, 13 Annis St. (01/20/84)
Methuen, *House at 136 Hampstead Street (Methuen MRA)*, 136 Hampstead St. (06/20/84)
Methuen, *House at 15–19 Park Street (Methuen MRA)*, 15–19 Park St. (01/20/84)
Methuen, *House at 23 East Street (Methuen MRA)*, 23 East St. (01/20/84)
Methuen, *House at 262–264 Pelham Street (Methuen MRA)*, 262–264 Pelham St. (01/20/84)
Methuen, *House at 306 Broadway (Methuen MRA)*, 306 Broadway (01/20/84)
Methuen, *House at 4 Birch Avenue (Methuen MRA)*, 4 Birch Ave. (01/20/84)
Methuen, *House at 491 Prospect Street (Methuen MRA)*, 491 Prospect St. (01/20/84)
Methuen, *House at 50 Pelham Street (Methuen MRA)*, 50 Pelham St. (01/20/84)
Methuen, *House at 526 Prospect Street (Methuen MRA)*, 526 Prospect St. (01/20/84)
Methuen, *House at 9 Park Street (Methuen MRA)*, 9 Park St. (01/20/84)
Methuen, *Johnson House (Methuen MRA)*, 8 Ditson Pl. (01/20/84)
Methuen, *Lawrence Street Cemetery (Methuen MRA)*, Lawrence St. (01/20/84)
Methuen, *Methuen Water Works (Methuen MRA)*, Cross St. (01/20/84)
Methuen, *Morse, Moses, House (Methuen MRA)*, 311 Pelham St. (01/20/84)
Methuen, *Nevins Memorial Library (Methuen MRA)*, 305 Broadway (01/20/84)
Methuen, *Nevins, Henry C., Home for Aged and Incurables (Methuen MRA)*, 110 Broadway (01/20/84)
Methuen, *Old Town Farm (Methuen MRA)*, 430 Pelham St. (01/20/84)
Methuen, *Park Lodge (Methuen MRA)*, 257 Lawrence St. (01/20/84)
Methuen, *Perkins, Joseph, House (Methuen MRA)*, 297 Howe St. (01/20/84)
Methuen, *Pleasant-High Historic District (Methuen MRA)*, Roughly bounded by Broadway, High, Vine, Charles, and Pleasant Sts. (06/20/84)
Methuen, *Searles High School (Methuen MRA)*, 41 Pleasant St. (01/20/84)
Methuen, *Simpson, James E., House (Methuen MRA)*, 606 Prospect St. (01/20/84)
Methuen, *Spicket Falls Historic District (Methuen MRA)*, Roughly bounded by Spicket River, Railroad, Pelham, Hampshire, Broadway, and Osgood Sts. (06/20/84)
Methuen, *Swan, Asie, House (Methuen MRA)*, 669 Prospect St. (01/20/84)
Methuen, *Tenny Castle Gatehouse (Methuen MRA)*, 37 Pleasant St. (01/20/84)
Methuen, *Turnpike House (Methuen MRA)*, 314 Broadway (01/20/84)
Methuen, *Waldo, George A., House (Methuen MRA)*, 233 Lawrence St. (01/20/84)
Methuen, *Walnut Grove Cemetery (Methuen MRA)*, Grove and Railroad Sts. (01/20/84)
Newburyport, *Newburyport Historic District*, Roughly bounded by Merrimack River, Plummer Ave., Marlboro, Parker, State and High Sts. (08/02/84)
Peabody, *Southwick House*, 151 Lowell St. (11/29/83)
Salem, *Downtown Salem District (Downtown Salem MRA)*, Roughly bounded by Church, Central, New Derby, and Washington Sts. (10/18/83)

Franklin County

Greenfield, *Leavitt-Hovey, House*, 402 Main St. (12/22/83)

Hampden County

Holyoke, *Maplewood Hotel*, 328–330 Maple St. (11/10/83)
Monson, *Memorial Town Hall*, Main St. (05/17/84)
Monson, *Norcross, William, House*, 14 Cushman St. (03/29/84)
Springfield, *Masonic Temple*, 339–341 State St. (11/10/83)
Westfield, *United States Whip Company Complex*, 24 Main St. (11/29/83)

Hampshire County

Amherst, *Strong House*, 67 Amity St. (07/05/84)
Goshen, *Mountain Rest*, Spruce Corner Rd. (11/10/83)
South Hadley, *Woodbridge Street Historic District*, 3 and 7 Silver St., 25–82 Woodbridge St. (11/14/83)

Middlesex County

Billerica, *Billerica Mills Historic District*, Roughly bounded by Concord River, Treble Cove Terr., Kohlrausch Ave., Indian Rd., Holt Ruggles, and Rogers Sts. (11/10/83)
Cambridge, *Homer-Lovell House (Cambridge MRA)*, 11 Forest St. (12/22/83)
Framingham, *Ellis, Moses, House*, 283 Pleasant St. (11/29/83)
Lowell, *Hoyt-Shedd Estate*, 386–396 Andover St., 569–579 E. Merrimack St. (05/17/84)
Lowell, *Worcester House*, 658 Andover St. (12/22/83)
Marlborough, *Cotting, John, House*, 74 Main St. (08/16/84)
Medford, *Old Medford High School*, 22–24 Forest St. (10/06/83)
Melrose, *Larrabee's Brick Block*, 500–504 Main St. (03/29/84)
Newton, *Claflin School*, 110–112 Washington Park (08/16/84)
Newton, *East Parish Burying Ground*, Centre and Cotton Sts. (11/23/84)
Reading, *Bancroft, Joseph, House (Reading MRA)*, 101 Lowell St. (07/19/84)
Reading, *Bancroft, Samuel, House (Reading MRA)*, 232 West St. (07/19/84)
Reading, *Bancroft, Wendell, House (Reading MRA)*, 20 Washington St. (07/19/84)
Reading, *Bassett, Edwin, House (Reading MRA)*, 115 Prescott St. (07/19/84)
Reading, *Batchelder House (Reading MRA)*, 607 Pearl St. (07/19/84)
Reading, *Batchelder, Alden, House (Reading MRA)*, 797 Main St. (07/19/84)
Reading, *Batchelder, George, House (Reading MRA)*, 127–129 Franklin St. (07/19/84)
Reading, *Batchelder, Nathaniel, House (Reading MRA)*, 71 Franklin St. (07/19/84)
Reading, *Battell House (Reading MRA)*, 293 Haverhill St. (07/19/84)
Reading, *Beard, Benjamin, House (Reading MRA)*, 251 Ash St. (07/19/84)
Reading, *Boston and Maine Railroad Depot (Reading MRA)*, Lincoln St. (07/19/84)
Reading, *Bowser Gazebo (Reading MRA)*, 25 Linden St. (07/19/84)
Reading, *Brackett House (Reading MRA)*, 276 Summer Ave. (07/19/84)
Reading, *Brande House (Reading MRA)*, 54 Woburn St. (07/19/84)
Reading, *Brooks, Francis, House (Reading MRA)*, 78–80 Prescott St. (07/19/84)
Reading, *Carroll-Hartshorn House (Reading MRA)*, 572 Haverhill St. (07/19/84)
Reading, *Carter Mansion (Reading MRA)*, 89 Woburn St. (07/19/84)
Reading, *Coggin, Gilman, House (Reading MRA)*, 123 Prescott St. (07/19/84)
Reading, *Cook, Asa M., House (Reading MRA)*, 81 Prospect St. (07/19/84)
Reading, *Damon, Joseph, House (Reading MRA)*, 178 South St. (07/19/84)
Reading, *Damon, Washington, House (Reading MRA)*, 38 Salem St. (07/19/84)
Reading, *Dewey Place (Reading MRA)*, 176 Summer Ave. (07/19/84)
Reading, *Durgin House (Reading MRA)*, 66 Prospect St. (07/19/84)
Reading, *Eaton-Prescott House (Reading MRA)*, 284 Summer Ave. (07/19/84)
Reading, *Elliott, Luther, House (Reading MRA)*, 309 Haven St. (07/19/84)
Reading, *Hall, Stephen, House (Reading MRA)*, 64 Minot St. (07/19/84)
Reading, *Hartshorn, Timothy, House (Reading MRA)*, 379 Haverhill St. (07/19/84)
Reading, *Hartwell House (Reading MRA)*, 121 Willow St. (07/19/84)
Reading, *Highland School (Reading MRA)*, 64 Middlesex Ave. (07/19/84)
Reading, *House at 11 Beech Street (Reading MRA)*, 11 Beech St. (07/19/84)
Reading, *House at 1177 Main Street (Reading MRA)*, 1177 Main St. (07/19/84)
Reading, *House at 129 High Street (Reading MRA)*, 129 High St. (07/19/84)
Reading, *House at 16 Mineral Street (Reading MRA)*, 16 Mineral St. (07/19/84)
Reading, *House at 199 Summer Avenue (Reading MRA)*, 199 Summer Ave. (07/19/84)
Reading, *House at 206 West Street (Reading MRA)*, 206 West St. (07/19/84)
Reading, *House at 242 Summer Avenue (Reading MRA)*, 242 Summer Ave. (07/19/84)
Reading, *House at 26 Center Avenue (Reading MRA)*, 26 Center Ave. (07/19/84)
Reading, *House at 322 Haven Street (Reading MRA)*, 322 Haven St. (07/19/84)
Reading, *House at 42 Salem Street (Reading MRA)*, 42 Salem St. (07/19/84)
Reading, *House at 44 Temple Street (Reading MRA)*, 44 Temple St. (07/19/84)

Reading, *House at 483 Summer Avenue (Reading MRA)*, 483 Summer Ave. (07/19/84)
Reading, *House at 57 Woburn Street (Reading MRA)*, 57 Woburn St. (07/19/84)
Reading, *House at 77 Howard Street (Reading MRA)*, 77 Howard St. (07/19/84)
Reading, *House at 79–81 Salem Street (Reading MRA)*, 79–81 Salem St. (07/19/84)
Reading, *Kemp Barn (Reading MRA)*, 186 Summer Ave. (07/19/84)
Reading, *Kemp Place (Reading MRA)*, 186 Summer Ave. (07/19/84)
Reading, *Lewis House (Reading MRA)*, 276 Woburn St. (07/19/84)
Reading, *Manning, Charles, House (Reading MRA)*, 145 Salem St. (07/19/84)
Reading, *Manning, Jacob, House (Reading MRA)*, 140 High St. (07/19/84)
Reading, *Masonic Block (Reading MRA)*, 600–622 Main St. (07/19/84)
Reading, *Nichols, Daniel, Homestead (Reading MRA)*, 434 Haverhill St. (07/19/84)
Reading, *Nichols, James, House (Reading MRA)*, 273 Pearl St. (07/19/84)
Reading, *Nichols, Jerry, Tavern (Reading MRA)*, 51 Mill St. (07/19/84)
Reading, *Nichols, Richard, House (Reading MRA)*, 483 Franklin St. (07/19/84)
Reading, *Octagon House (Reading MRA)*, 97 Pleasant St. (07/19/84)
Reading, *Old Hose House (Reading MRA)*, 1249 Main St. (07/19/84)
Reading, *Parker House (Reading MRA)*, 52 Salem St. (07/19/84)
Reading, *Parker House (Reading MRA)*, 316 Haven St. (07/19/84)
Reading, *Parker, Capt. Nathaniel, Red House (Reading MRA)*, 77–83 Ash St. (07/19/84)
Reading, *Parker, Joseph, House (Reading MRA)*, 107 Grove St. (07/19/84)
Reading, *Parker, Joseph, House (Reading MRA)*, 420 Franklin St. (07/19/84)
Reading, *Parker, Samuel, House (Reading MRA)*, 132 West St. (07/19/84)
Reading, *Parker, Stillman, House (Reading MRA)*, 484 Summer Ave. (07/19/84)
Reading, *Parker, William, House (Reading MRA)*, 55 Walnut St. (07/19/84)
Reading, *Pierce House (Reading MRA)*, 128 Salem St. (07/19/84)
Reading, *Pierce Organ Pipe Factory (Reading MRA)*, 10–12 Pierce St. (07/19/84)
Reading, *Pratt House (Reading MRA)*, 456 Haverhill St. (07/19/84)
Reading, *Pratt, Stillman, House (Reading MRA)*, 472 Summer Ave. (07/19/84)
Reading, *Reading Municipal Building (Reading MRA)*, 49 Pleasant St. (07/19/84)
Reading, *Reading Municipal Light and Power Station (Reading MRA)*, 226 Ash St. (07/19/84)
Reading, *Roberts House (Reading MRA)*, 59 Prospect St. (07/19/84)
Reading, *Rowhouses at 256–274 Haven Street (Reading MRA)*, 256–274 Haven St. (07/19/84)
Reading, *Sanborn, Rev. Peter, House (Reading MRA)*, 55 Lowell St. (07/19/84)
Reading, *Symonds, Thomas, House (Reading MRA)*, 320 Haverhill St. (07/19/84)
Reading, *Temple, Joseph, House (Reading MRA)*, 42 Chute St. (07/19/84)
Reading, *Temple, Mark, House (Reading MRA)*, 141 Summer Ave. (07/19/84)
Reading, *Walnut Street School (Reading MRA)*, 55 Hopkins St. (07/19/84)
Reading, *Wells, Charles, House (Reading MRA)*, 99 Prescott St. (07/19/84)
Reading, *Weston, Ephrain, House (Reading MRA)*, 229 West St. (07/19/84)
Reading, *Weston, Jabez, House (Reading MRA)*, 86 West St. (07/19/84)
Reading, *Wisteria Lodge (Reading MRA)*, 146 Summer Ave. (07/19/84)
Somerville, *Carr, Martin W., School*, 25 Atherton St. (07/05/84)
Stoneham, *Almshouse (Stoneham MRA)*, 136 Elm St. (04/13/84)
Stoneham, *Beard, Padilla, House (Stoneham MRA)*, 18 Maple St. (04/13/84)
Stoneham, *Boston and Maine Railroad Depot (Stoneham MRA)*, 36 Pine St. (04/13/84)
Stoneham, *Bottume, John, House (Stoneham MRA)*, 4 Woodland Rd. (04/13/84)
Stoneham, *Brown, C.H., Cottage (Stoneham MRA)*, 34 Wright St. (04/13/84)
Stoneham, *Bryant, William, Octagon House (Stoneham MRA)*, Spring and Washington Sts. (04/13/84)
Stoneham, *Buck, Charles, House (Stoneham MRA)*, 68 Pleasant St. (04/13/84)
Stoneham, *Buswell, Clara, House (Stoneham MRA)*, 481 Main St. (04/13/84)
Stoneham, *Chamberlain, Samuel, House (Stoneham MRA)*, 3 Winthrop St. (04/13/84)
Stoneham, *Cogan, Bernard, House (Stoneham MRA)*, 10 Flint St. (04/13/84)
Stoneham, *Cogan, James, House (Stoneham MRA)*, 48 Elm St. (04/13/84)
Stoneham, *Colonial Beacon Gas Station (Stoneham MRA)*, 474 Main St. (04/13/84)
Stoneham, *Cowdrey, George, House (Stoneham MRA)*, 42 High St. (04/13/84)
Stoneham, *Daniels, Blake, Cottage (Stoneham MRA)*, 111–113 Elm St. (04/13/84)
Stoneham, *Dean, Silas, House (Stoneham MRA)*, 8 Pine St. (04/13/84)
Stoneham, *Dow Block (Stoneham MRA)*, Central Square (04/13/84)
Stoneham, *Durgin, E.A., House (Stoneham MRA)*, 113 Summer St. (04/13/84)
Stoneham, *Farrier, Amasa, Boardinghouse (Stoneham MRA)*, 280 Main St. (04/13/84)
Stoneham, *Farrier, Amasa, House (Stoneham MRA)*, 55 Central St. (04/13/84)
Stoneham, *First Baptist Church (Stoneham MRA)*, 461 Main St. (04/13/84)
Stoneham, *First Congregational Church (Stoneham MRA)*, Main and Church Sts. (04/13/84)
Stoneham, *First Unitarian Church (Stoneham MRA)*, Central and Common Sts. (04/13/84)
Stoneham, *Foley, Michael, Cottage (Stoneham MRA)*, 14 Emerson St. (04/13/84)
Stoneham, *Foster, Walter K., House (Stoneham MRA)*, 57 Central St. (04/13/84)
Stoneham, *Fuller, Enoch, House (Stoneham MRA)*, 72 Pine St. (04/13/84)
Stoneham, *Fuller, William Griffin, House (Stoneham MRA)*, 32 Franklin St. (04/13/84)
Stoneham, *Gill, Charles, House (Stoneham MRA)*, 76 Pleasant St. (04/13/84)
Stoneham, *Gilmore, Onslow, House (Stoneham MRA)*, 477 Main St. (04/13/84)
Stoneham, *Green, Jonathan, House (Stoneham MRA)*, 63 Perkins St. (04/13/84)
Stoneham, *Hawkins, Lorenzo D., House (Stoneham MRA)*, 1 Cedar St. (04/13/84)
Stoneham, *Hibbard, Benjamin, House (Stoneham MRA)*, 5–7 Gerry St. (04/13/84)
Stoneham, *Hill, Sidney A., House (Stoneham MRA)*, 31 Chestnut St. (04/13/84)
Stoneham, *House at 107 William Street (Stoneham MRA)*, 107 William St. (04/13/84)
Stoneham, *House at 114 Marble Street (Stoneham MRA)*, 114 Marble St. (04/13/84)
Stoneham, *House at 19 Tremont St. (Stoneham MRA)*, 19 Tremont St. (04/13/84)
Stoneham, *House at 269 Green Street (Stoneham MRA)*, 269 Green St. (04/13/84)
Stoneham, *House at 391 Williams Street (Stoneham MRA)*, 391 Williams St. (04/13/84)
Stoneham, *House at 6 S. Marble St. (Stoneham MRA)*, 6 S. Marble St. (04/13/84)
Stoneham, *Jenkins, Franklin B., House (Stoneham MRA)*, 35 Chestnut St. (04/13/84)
Stoneham, *Jenkins, Franklin B., House (Stoneham MRA)*, 2 Middle St. (04/13/84)
Stoneham, *Jones, John, House (Stoneham MRA)*, 1 Winthrop St. (04/13/84)
Stoneham, *Jones, Thomas W., House (Stoneham MRA)*, 34 Warren St. (04/13/84)
Stoneham, *Keene, Walter, House (Stoneham MRA)*, 28 High St. (04/13/84)
Stoneham, *Kenney, David, House (Stoneham MRA)*, 67 Summer St. (04/13/84)
Stoneham, *Lamson, Newton, House (Stoneham MRA)*, 33 Chestnut St. (04/13/84)
Stoneham, *Locke-Baldwin-Kinsey House (Stoneham MRA)*, 45 Green St. (04/13/84)
Stoneham, *Lyon, T.U., House (Stoneham MRA)*, 9 Warren St. (04/13/84)
Stoneham, *Metropolitan District Commission Pumping House (Stoneham MRA)*, Woodland Rd. (04/13/84)
Stoneham, *Millard-Souther-Green House (Stoneham MRA)*, 218 Green St. (04/13/84)
Stoneham, *Oddfellows Building (Stoneham MRA)*, Central Square (04/13/84)
Stoneham, *Old Burying Ground (Stoneham MRA)*, Pleasant and William Sts. (04/13/84)
Stoneham, *Shoe Shop-Doucette Ten Footer (Stoneham MRA)*, 36 William St. (04/13/84)
Stoneham, *South School (Stoneham MRA)*, 9–11 Gerry St. (04/13/84)
Stoneham, *Steele, John, House (Stoneham MRA)*, 2–4 Montvale St. (04/13/84)
Stoneham, *Stoneham Firestation (Stoneham MRA)*, Central and Emerson Sts. (04/13/84)
Stoneham, *Stoneham Public Library (Stoneham MRA)*, Main and Maple Sts. (04/13/84)
Stoneham, *Tay, Jesse, House (Stoneham MRA)*, 51 Elm St. (04/13/84)
Stoneham, *Turnbull, R.P., House (Stoneham MRA)*, 6 Pine St. (04/13/84)
Stoneham, *Wiley, Caleb, House (Stoneham MRA)*, 125 North St. (04/13/84)
Stoneham, *Williams, Micah, House (Stoneham MRA)*, 342 William St. (04/13/84)
Stoneham, *Williams-Linscott House (Stoneham MRA)*, 357 William St. (04/13/84)

Stoneham, *Wood, Charles, House (Stoneham MRA)*, 34 Chestnut St. (04/13/84)
Stoneham, *Wright, Elisha, Homestead (Stoneham MRA)*, 170 Franklin St. (04/13/84)

Norfolk County

Canton, *Canton Viaduct*, Neponset and Walpole Sts. (09/20/84)
Foxboro, *Boyden, Seth, House*, 135 Oak St. (11/10/83)
Quincy, *Cranch School*, 270 Whitwell St. (07/05/84)
Randolph, *Gills Farm Archeological District*, (10/24/83)
Sharon, *Stoughtonham Furnace Site*, 195 Furnace St. (08/16/84)
Wrentham, *Roebuck Tavern*, 21 Dedham St. (05/17/84)

Plymouth County

Conant's Hill, (11/25/83)
Brockton, *South Street Historic District*, Roughly South St. from Main St. to Warren Ave. (10/06/83)
Plymouth, *Bradford-Union Street Historic District*, Bradford, Union, Emerald, Water Cure, and Freedom Sts. (11/10/83)
Scituate, *James, Capt. Benjamin, House* 301 Driftway (11/29/83)

Suffolk County

Boston, *(Codman Building) 10 Liberty Square Building*, 55 Kilby St. (10/19/83)
Boston, *Fenway-Boylston Street District*, Fenway, Boylston, Westland, and Hemenway Sts. (09/04/84)
Boston, *LUNA (tugboat)*, Boston Harbor (10/06/83)
Boston, *Leather District*, Roughly bounded by Atlantic Ave., Kneeland, Lincoln, and Essex Sts. (12/21/83)
Boston, *Moreland Street Historic District*, Roughly bounded by Kearsarge, Blue Hill Aves., Warren, Waverly, and Winthrop Sts. (03/29/84)

Worcester County

Clinton, *Bigelow Carpet Company Woolen Mills*, Main St. (10/06/83)
Clinton, *Bowers School*, 411 Water St. (11/10/83)
Leominster, *Wellington Piano Case Company Building*, 54 Green St. (05/31/84)
Sturbridge, *Tantiusques Reservation*, Leadmine Rd. (10/06/83)
Uxbridge, *Adams, Benjamin, House (Uxbridge MRA)*, 81 N. Main St. (10/07/83)
Uxbridge, *Albee, E., House (Uxbridge MRA)*, Highland St. (10/07/83)
Uxbridge, *Aldrich, Daniel, Cottage and Sawmill (Uxbridge MRA)*, Aldrich St. (10/07/83)
Uxbridge, *Aldrich, J., House (Uxbridge MRA)*, Aldrich St. (01/20/84)
Uxbridge, *Aldrich, S., House (Uxbridge MRA)*, Aldrich St. (10/07/83)
Uxbridge, *Aldrich, W., House (Uxbridge MRA)*, Henry St. (10/07/83)
Uxbridge, *Bank Building (Uxbridge MRA)*, 40–44 S. Main St. (10/07/83)
Uxbridge, *Brown, E., House (Uxbridge MRA)*, 3 Sutton St. (10/07/83)
Uxbridge, *Butler Block (Uxbridge MRA)*, 210 Linwood St. (10/07/83)
Uxbridge, *Capron, Charles, House (Uxbridge MRA)*, 2 Capron St. (10/07/83)
Uxbridge, *Carpenter, George, House (Uxbridge MRA)*, 67 S. Main St. (10/07/83)
Uxbridge, *Central Woolen Mills District (Uxbridge MRA)*, Mendon and Cross Sts. (01/20/83)
Uxbridge, *Chapin, A., House (Uxbridge MRA)*, 26 Pleasant St. (10/07/83)
Uxbridge, *Cook, A. E., House (Uxbridge MRA)*, Aldrich St. (10/07/83)
Uxbridge, *Deane, Francis, Cottage (Uxbridge MRA)*, 58 N. Main St. (10/07/83)
Uxbridge, *Farnum Block (Uxbridge MRA)*, 2–6 N. Main St. (10/07/83)
Uxbridge, *Farnum, Moses, House (Uxbridge MRA)*, MA 146 (10/07/83)
Uxbridge, *Farnum, R., House (Uxbridge MRA)*, 20 Oak St. (10/07/83)
Uxbridge, *Farnum, William and Mary, House (Uxbridge MRA)*, Albee Rd. (01/20/84)
Uxbridge, *Granite Store (Uxbridge MRA)*, 112–116 Hecla St. (10/07/83)
Uxbridge, *Hall, S.A., House (Uxbridge MRA)*, 133 N. Main St. (10/07/83)
Uxbridge, *Hayward, William, House (Uxbridge MRA)*, 77 N. Main St. (10/07/83)
Uxbridge, *Holbrook, Sylvanus, House (Uxbridge MRA)*, Albee Rd. (10/07/83)
Uxbridge, *Ironstone Mill Housing and Cellar Hole (Uxbridge MRA)*, Ironstone St. (10/07/83)
Uxbridge, *Judson-Taft House (Uxbridge MRA)*, 30 Pleasant St. (10/07/83)
Uxbridge, *Kensely, J., House (Uxbridge MRA)*, Chestnut St. (10/07/83)
Uxbridge, *North Uxbridge School (Uxbridge MRA)*, 87 E. Hartford Ave. (10/07/83)
Uxbridge, *Richardson, Dexter, House (Uxbridge MRA)*, South St. (10/07/83)
Uxbridge, *Richardson, Joseph, House (Uxbridge MRA)*, Chockalog St. (10/07/83)
Uxbridge, *Rivulet Mill Complex (Uxbridge MRA)*, 60 Rivulet St. (10/07/83)
Uxbridge, *Sayles, Richard, House (Uxbridge MRA)*, 80 Mendon St. (10/07/83)
Uxbridge, *Southwick, Elisha, House (Uxbridge MRA)*, Chockalog St. (10/07/83)
Uxbridge, *Southwick, Israel, House (Uxbridge MRA)*, 70 Mendon St. (10/07/83)
Uxbridge, *Taft Brothers Block (Uxbridge MRA)*, 2–8 S. Main St. (10/07/83)
Uxbridge, *Taft, Aaron, House (Uxbridge MRA)*, Hazel St. (10/07/83)
Uxbridge, *Taft, Bazaleel, Jr., House and Law Office (Uxbridge MRA)*, 147 S. Main St. (10/07/83)
Uxbridge, *Taft, George, House (Uxbridge MRA)*, Richardson St. (10/07/83)
Uxbridge, *Taft, Hon. Bazaleel, House (Uxbridge MRA)*, S. Main St. (10/07/83)
Uxbridge, *Taft, Moses, House (Uxbridge MRA)*, 66 S. Main St. (10/07/83)
Uxbridge, *Taft, Samuel, House (Uxbridge MRA)*, Sutton St. (10/07/83)
Uxbridge, *Taft, Zadock, House (Uxbridge MRA)*, 112 S. Main St. (10/07/83)
Uxbridge, *Thomson, C.R., House and Barn (Uxbridge MRA)*, Chockalog St. (10/07/83)
Uxbridge, *Uxbridge Common District (Uxbridge MRA)*, Main, Court, and Douglas Sts. (01/20/84)
Uxbridge, *Uxbridge Passenger Depot (Uxbridge MRA)*, 28 S. Main St. (10/07/83)
Uxbridge, *Uxbridge Town Hall (Uxbridge MRA)*, 45 S. Main St. (10/07/83)
Uxbridge, *Waucantuck Mill Complex (Uxbridge MRA)*, Mendon and Patrick Henry Sts. (01/20/84)
Uxbridge, *Wheelockville District (Uxbridge MRA)*, Mendon and Henry Sts. (01/20/84)
Uxbridge, *Whipple, A., House (Uxbridge MRA)*, Sutton St. (10/07/83)
Uxbridge, *Williams, N., House (Uxbridge MRA)*, Rawson St. (10/07/83)
Worcester, *Robinson and Swan Blocks*, 104–108 Pleasant St. and 1–3 Irving St. (03/05/80)

MICHIGAN

Alcona County

Harrisville vicinity, *Sturgeon Point Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Point Rd. (07/19/84)

Alpena County

Alpena vicinity, *Thunder Bay Island Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Thunder Bay Island (07/19/84)
Alpena, *Alpena County Court House*, 720 Chisholm Ave. (12/08/83)

Baraga County

Pelkie vicinity, *Hanka, Herman and Anna, Farm*, NE of Pelkie (07/19/84)

Bay County

Bay City, *Saginaw River Light Station (Rear Range Light) (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Coast Guard St. (07/19/84)

Benzie County

Frankfort, *Point Betsie (Point aux Becs Scies) Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Point Betsie (07/19/84)

Calhoun County

Battle Creek, *Battle Creek City Hall*, 103 E. Michigan Ave. (04/05/84)
Marshall, *Brooks, Harold C., House (Jabez S. Fitch House) (Boundary Increase)*, 310 N. Kalamazoo Ave. (04/18/84)

Chippewa County

Sault St. Marie, *Chippewa County Courthouse*, Court St. (09/13/84)

Delta County

Fairport vicinity, *St. Martin Island Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, St. Martin Island (07/19/84)

Emmet County

Cross Village vicinity, *Skillagalee Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, SW of Waugoshance Island (07/19/84)
Mackinaw City vicinity, *White Shoal Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, NW of Waugashance Island (07/19/84)

Genesee County

Flint, *Industrial Savings Bank Building*, 432 N. Saginaw St. (04/19/84)
Flint, *Paterson, William A., Factory Complex*, 126 E. 3rd St. (02/16/84

Huron County

Port Austin, *Learned, Charles G., House*, 8544 Lake St. (05/31/84)

Ingham County

Lansing, *Brown-Price House*, 1003 N. Washington Ave. (03/22/84)
Lansing, *State Office Building*, 316 S. Walnut St. (05/17/84)

Ionia County

Ionia, *Ionia Downtown Commercial Historic District*, Roughly W. Main and Washington Sts., from Dexter to Library Sts. (09/13/84)
Ionia, *Ionia Historic District*, Roughly bounded by Summit, Pleasant, Jefferson and Main Sts. (09/13/84)

Iosco County

East Tawas, *Tawas Point (Ottowa Point) Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Tawas Point Rd. (07/19/84)

Iron County

Alpha, *Alpha Public Buildings Historic Complex (Iron County MRA)*, 404 Main St. (12/22/83)
Alpha, *First National Bank Building (Iron County MRA)*, 303 Main St. (12/22/83)
Amasa vicinity, *Triangle Ranch Headquarters Historic District (Iron County MRA)*, N of Amasa (12/29/83)
Amasa, *Amasa Historic Business District (Iron County MRA)*, 100, 200, and 300 block of Pine St. (12/22/83)
Amasa, *Bowers, Joseph, House (Iron County MRA)*, 318 Hemlock Ave. (12/22/83)
Amasa, *Jacobson, Jacob, House (Iron County MRA)*, 327 Maple Ave. (12/22/83)
Amasa, *Pork City Historic District (Iron County MRA)*, Park City and DNR Rds. (12/22/83)
Caspian, *Caspian Community Center (Iron County MRA)* 404 Brady Ave. (12/22/83)
Caspian, *Caspian Mine Headframe (Iron County MRA)*, N of Caspian Rd. (12/22/83)
Caspian, *Dober Mining Company House (Iron County MRA)*, 1 — 19th St. (12/22/83)
Caspian, *Italian Society Duke of Abruzzi Hall (Iron County MRA)*, E of McGillis Ave. between Morgan and Sawyer Sts. (12/22/83)
Crystal Falls, *Cole, Frank W., House (Iron County MRA)*, 121 — 3rd St. (12/22/83)
Crystal Falls, *Courthouse Residential Historic District (Iron County MRA)*, Roughly bounded by Crystal and Michigan Aves., Iron and 5th Sts. (12/29/83)
Crystal Falls, *Crystal Falls Dam and Power Plant (Iron County MRA)*, Pine St. (12/22/83)
Crystal Falls, *Crystal Inn (Iron County MRA)*, 400 Superior Ave. (12/22/83)
Crystal Falls, *Diele, Ernest, House (Iron County MRA)*, 213 Marquette Ave. (12/22/83)
Crystal Falls, *Falls Location Historic District (Iron County MRA)*, at Paint River (12/22/83)
Crystal Falls, *Finnish and Swedish Mercantile Association Building (Iron County MRA)*, 336 Superior Ave. (12/22/83)
Crystal Falls, *Harte, H.W., Block-Crystal Falls Village Hall (Iron County MRA)*, 414–418 Superior Ave. (12/22/83)
Crystal Falls, *Hasselstrom, John, House (Iron County MRA)*, 400 Crystal Ave. (12/22/83)
Crystal Falls, *Huse, Frank C., House (Iron County MRA)*, 408 — 5th St. (12/22/83)
Crystal Falls, *Murphy Timothy, House (Iron County MRA)*, 17 N. 4th St. (12/22/83)
Crystal Falls, *Parks, John H., Company-Wills Hardware Building (Iron County MRA)*, 319 Superior Ave. (12/22/83)
Crystal Falls, *Rau, Herman, House (Iron County MRA)*, 309 Marquette Ave. (12/22/83)
Crystal Falls, *Ross, David M., House (Iron County MRA)*, 120 S. 4th St. (12/22/83)
Crystal Falls, *Royce, Steven, House (Iron County MRA)*, 920 Forest Pkwy. (12/22/83)
Crystal Falls, *Russell, William, House (Iron County MRA)*, 209 Michigan Ave. (12/22/83)
Crystal Falls, *Soderman, John, Farmhouse (Iron County MRA)*, North 6th St. (12/22/83)
Iron River, *Beechwood Store (Iron County MRA)*, 215 Beechwood Rd. (12/22/83)
Iron River, *Bethany Lutheran Church (Iron County MRA)*, 184 Beechwood Rd. (12/22/83)
Iron River, *Byers, Isaac W., House (Iron County MRA)*, 5 N. 8th Ave. (12/22/83)
Iron River, *Cloverland Hotel (Iron County MRA)*, 423 — 3rd St. (12/22/83)
Iron River, *Ericson, Rudolf, House (Iron County MRA)*, 626 W. Boyington St. (12/22/83)
Iron River, *Fisher, Nelson E., House-High Banks (Iron County MRA)*, US 2 (12/22/83)
Iron River, *Frailing, Henry H., House (Iron County MRA)*, 19 W. Cuyuga St. (12/22/83)
Iron River, *Haggerty, Dennis J., House (Iron County MRA)*, 7 N. 7th Ave. (12/22/83)
Iron River, *Hane, Gottfried, House (Iron County MRA)*, 703 W. Cayuga St. (12/22/83)
Iron River, *Iron County Fair Exhibition Hall (Iron County MRA)*, Franklin St. (12/22/83)
Iron River, *Iron River Creamery (Iron County MRA)*, 5 W. Cayuga St. (12/22/83)
Iron River, *Iron River Town Hall (Iron County MRA)*, 106 W. Genesee St. (12/22/83)
Iron River, *Joseph, Joseph, House (Iron County MRA)*, 105 — N. 8th Ave. (12/22/83)
Iron River, *Lincoln School (Iron County MRA)*, NW of Madison St. and 2nd Ave. (12/22/83)
Iron River, *MacKinnon, Alexander, House (Iron County MRA)*, 134 Cayuga St. (12/22/83)
Iron River, *MacKinnon, Donald C., House (Iron County MRA)*, 411 N. 9th St. (12/22/83)
Iron River, *Moss, William, House (Iron County MRA)*, 528 W. Genesee St. (12/22/83)
Iron River, *Munro-M.A. Hanna Mining Company Office Building (Iron County MRA)*, 702 N. 4th St. (12/22/83)
Iron River, *Scalcucci's Grocery (Iron County MRA)*, 2102 River Ave. (12/22/83)
Iron River, *St. Mary's Assumption Catholic Church (Iron County MRA)*, 105 — 5th Ave. (12/22/83)
Iron River, *Sturgeon, Robert H., House (Iron County MRA)*, 112 Cayuga St. (12/22/83)
Iron River, *Tully, William J., House (Iron County MRA)*, 419 W. Cayuga St. (12/22/83)
Iron River, *Van Ornum's Addition Historic District (Iron County MRA)*, 927, 937, 941, 947, and 953 — 4th Ave. (12/22/83)
Iron River, *Van Wagner, Harvey, House (Iron County MRA)*, 103 N. 7th Ave. (12/22/83)
Iron River, *Wall-Seppanen House (Iron County MRA)*, 21 N. 7th Ave. (12/22/83)
Iron River, *Windsor, Joseph, House (Iron County MRA)*, 629 W. Genesee St. (12/22/83)
Mansfield, *Mansfield Mine Location Historic District (Iron County MRA)*, Stream Rd. (12/22/83)
Mineral Hills, *James Mine Historic District (Iron County MRA)*, Mineral Ave. and Mower St. (12/22/83)
Mineral Hills, *Spies Boardinghouse (Iron County MRA)*, 700 Grant St. (12/22/83)
Stambaugh, *Cooks Run Trout Feeding Station (Iron County MRA)*, 180 Cooks Run Rd. (12/22/83)
Stambaugh, *Hamilton, George, House (Iron County MRA)*, 504 Selden Rd. (12/22/83)
Stambaugh, *Hanna, M.A., Company Michigan District Superintendent's House (Iron County MRA)*, 506 Selden Rd. (12/22/83)
Stambaugh, *Hanson, John W., House (Iron County MRA)*, 601 Roosevelt Ave. (12/22/83)
Stambaugh, *Harris, Jospeh, House (Iron County MRA)*, 615 Washington Ave. (12/22/83)
Stambaugh, *Hiawatha Mine Number One Complex (District) (Iron County MRA)*, W of Selden Rd. (12/22/83)
Stambaugh, *Holmes, Nels A., Farmstead (Iron County MRA)*, Off MI 189 (12/22/83)
Stambaugh, *House at 902 Seldon Road (Iron County MRA)*, 902 Seldon Rd. (12/22/83)
Stambaugh, *Levine, Louis, House (Iron County MRA)*, 502 Seldon Rd. (12/22/83)
Stambaugh, *McLean, John S., House (Iron County MRA)*, 230 — 4th St. (12/22/83)
Stambaugh, *McQuown, Lafayette, House (Iron County MRA)*, 411 Adams St. (12/22/83)
Stambaugh, *Stolberg, Charles, House (Iron County MRA)*, 411 — 3rd St. (12/22/83)
Stambaugh, *Swanson, John, House (Iron County MRA)*, 226 — 4th St. (12/22/83)
Stambaugh, *Van Platen-Fox Lumber Camp Historic Complex (District) (Iron County MRA)*, 281 University Rd. (12/22/83)

Jackson County

Grass Lake, *Grass Lake Public School*, 661 E. Michigan Ave. (05/31/84)

Keweenaw County

Copper Harbor Vicinity, *Gull Rock Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Gull Rock (07/19/84)
Copper Harbor Vicinity, *Manitou Island Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Manitou Island (07/19/84)
Eagle Harbor, *Eagle Harbor Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Eagle Harbor (07/19/84)

Eagle River, *Eagle River Historic District*, Roughly Front, 2nd, 3rd, 4th, 5th, and Main Sts. (09/13/84)
Isle Royale National Park, *Algoma (Shipwrecks of Isle Royale National Park TR)*, Offshore of Mott Island (06/14/84)
Isle Royale National Park, *America (Shipwrecks of Isle Royale National Park TR)*, North Gap Channel (06/14/84)
Isle Royale National Park, *Chester A. Congdon (Shipwrecks of Isle Royale National Park TR)*, Congdon Shoal (06/14/84)
Isle Royale National Park, *Cumberland (Shipwrecks of Isle Royale National Park TR)*, SW of Rock of Ages Reef (06/14/84)
Isle Royale National Park, *Emperor (Shipwrecks of Isle Royale National Park TR)*, Canoe Rocks, (06/14/84)
Isle Royale National Park, *George M. Cox (Shipwrecks of Isle Royale National Park TR)*, SW of Rock of Ages Reef (06/14/84)
Isle Royale National Park, *Glenlyon (Shipwrecks of Isle Royale National Park TR)*, Glenlyon Shoal (06/14/84)
Isle Royale National Park, *Henry Chisholm (Shipwrecks of Isle Royale National Park TR)*, SW of Rock of Ages Reef (06/14/84)
Isle Royale National Park, *Kamloops (Shipwrecks of Isle Royale National Park TR)*, Kamloops Point (06/14/84)
Isle Royale National Park, *Monarch (Shipwrecks of Isle Royale National Park TR)*, S of Blake's Point (06/14/84)

Lanawee County

Tecumseh, *Tecumseh Historic District*, W. Chicago Blvd. and Union St. (09/13/84)

Lapeer County

Columbiaville, *Detroit-Bay City Railroad Company Columbiaville Depot*, 4643 — 1st St. (04/05/84)
Metamora, *Metamora Crossroads Historic District*, Oak and High Sts. (07/19/84)

Leelanau County

Northport, *Grand Traverse (Cat's Head Point) Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Leenanau Peninsula (07/19/84)
South Manitou Island, *South Manitou Island Lighthouse Complex and Life-Saving Station Historical District*, Sandy Point (10/28/83)

Marquette County

Marquette, *Marquette Harbor Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Marquette Harbor (07/19/84)

Monroe County

Monroe vicinity, *Loranger, Edward, House*, 7211 S. Stony Creek Rd. (05/31/84)

Oakland County

Novi, *Yerkes, Joseph D., House*, 42580 Eight Mile Rd. (01/26/84)
Pontiac, *Central School*, 101 E. Pike St. (02/16/84)
Pontiac, *Eagle Theater*, 11–15 S. Saginaw St. (02/16/84)
Pontiac, *Grinnell Brothers Music House*, 27 S. Saginaw St. (04/19/84)
Ponitac, *Pontiac Commercial Historic District*, 1–29 N. Saginaw St., 5–29 W. Lawrence St., and 10–18 W. Pike St. (02/16/84)

Oceana County

Golden Township, *Little Sable Point (Petite Point au Sable) Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Little Sable Point (07/19/84)

Ottawa County

Holland, *Cappon, Issac, House*, 228 W. 9th St. (01/26/84)

Presque Isle County

Alpena vicinity, *Forty Mile Point Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Presque Isle County Park (07/19/84)

Sanilac County

Port Sanilac, *Port Sanilac Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Lake St. (07/19/84)

Schoolcraft County

Manistique vicinity, *Seul Choix Pointe Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, County Rd. 431 (07/19/84)

Shiawassee County

Byron, *Byron Historic Commercial District*, Roughly Saginaw St. from Maple to Water Sts. (09/13/84)

Wayne County

Detroit, *Belcrest Hotel*, 5440 Cass Ave. (05/31/84)
Detroit, *Cary Building*, 229 Gratiot Ave. (11/25/83)
Detroit, *Croul-Palms House*, 1394 E. Jefferson Ave. (12/20/83)
Detroit, *Cultural Center Historic District*, 5200–5201 Woodward Ave. and 100 Farnsworth Ave. (11/21/83)
Detroit, *Fort Shelby Hotel*, 525 W. Lafayette St. (11/25/83)
Detroit, *Garfield, James A., School*, 840 Waterman St. (01/26/84)
Detroit, *Merchants Building*, 206 E. Grand River Blvd. (11/25/83)
Detroit, *Michigan Soldiers' and Sailors' Monument*, Woodward Ave. at Campus Martius (05/31/84)
Grosse Pointe Park, *Stratton, William B. and Mary Chase, House*, 938 Three Mile Dr. (05/24/84)
Hamtramck, St. *Florian Historic District*, Roughly bounded by Joseph Campau Ave., Holbrook Ave., Dequindre, Norwalk, Lumkin and Yemans Sts. (09/13/84)
Wyandotte, *MacNichol, George P., House*, 2010 Biddle Ave. (05/24/84)

MINNESOTA

Carlton County

Cloquet vicinity, *Sts. Joseph and Mary Church*, Mission Rd. (03/29/84)

Fillmore County

Wykoff, *Bartlett, Francis H., House*, Gold and Pearl Sts. (05/24/84)

Freeborn County

Albert Lea, *Albert Lea City Hall*, 212 N. Broadway Ave. (05/17/84)

Hennepin County

Minneapolis, *Architects and Engineers Building*, 1200 2nd Ave. S. (02/23/84)
Minneapolis, *Augsburg Old Main*, 731 — 21st Ave. S. (10/06/83)
Minneapolis, *Bardwell-Ferrant House*, 2500 Portland Ave. S. (08/09/84)
Minneapolis, *Chadwick, L.L., Cottages*, 2617 W. 40th St. (02/08/84)
Minneapolis, *Coe, Amos B., House*, 1700 S. 3rd Ave. (01/13/84)
Minneapolis, *Farmers and Mechanics Savings Bank*, 115 S. 4th St. (01/12/84)
Minneapolis, *Fisk, Woodbury, House*, 424 SE 5th St. (10/06/83)
Minneapolis, *Gethsemane Episcopal Church*, 901–905 — 4th Ave. S (03/08/84)
Minneapolis, *Hinkle-Murphy House*, 619 — 10th St. S (09/20/84)
Minneapolis, *Lakewood Memorial Chapel*, 3600 Hennepin Ave. (10/20/83)
Minneapolis, *Owre, Dr. Oscar, House*, 2625 Newton Ave. S (03/08/84)
Minneapolis, *University of Minnesota Old Campus Historic District*, University Ave. and 15th Ave. (08/23/84)
Minneapolis, *Washburn Park Water Tower*, 401 Prospect Ave. (10/06/83)
Minneapolis, *Wesley United Methodist Church*, 101 E. Grant St. (02/09/84)
Minneapolis, *Willey, Malcolm, House*, 255 Bedford St., SE (02/23/84)

Hubbard County

Park Rapids, *Hubbard County Courthouse*, Court St. (03/08/84)

Kittson County

Caribou vicinity, *St. Nicholas Orthodox Church*, W of Caribou (03/08/84)

Lake County

Two Harbors, *Two Harbors Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Agate and Burlington Bays (07/19/84)

Mahnomen County

Mahnomen, *Mahnomen County Courthouse*, Main St. at Washington Ave. (02/16/84)

McLeod County

Glencoe, *American House Hotel*, 12th and Ford Sts. (08/23/84)
Glencoe, *McLeod County Courthouse*, 830 — 11th St. E (08/23/84)

Meeker County

Litchfield vicinity, *Ames, Henry, House*, MN 24 (06/09/84)

Nobles County

Worthington, *Hotel Thompson*, 300–310 — 10th St. (02/16/84)

Otter Tail County

Elizabeth, *Elizabeth City Hall and Jail*, Broadway Ave. (02/16/84)
Fergus Falls, *Fergus Falls City Hall*, 112 W. Washington Ave. (05/10/84)
Fergus Falls, *Otter Tail County Courthouse*, Court St. at Junius Ave. (05/10/84)

Pelican Rapids, *Blyberg, O.A.E., House*, 22 — 5th Ave. SW (02/16/84)
Phelps, *Phelps Mill District*, SR 45 (05/10/84)

Pennington County

Thief River Falls, *Thief River Falls Public Library*, 102 N. Main Ave. (10/06/83)

Polk County

Crookston, *Crookston Carnegie Public Library*, N. Ash St. at 2nd Ave. (05/10/84)
Crookston, *Davis, E.C., House*, 406 Grant St. (05/10/84)
East Grand Forks, *Hamm Brewing Company Beer Depot*, 401 DeMers Ave. (09/20/84)

Pope County

Villard, *Northern Pacific Depot*, Off Washington Ave. (10/06/83)

Ramsey County

St. Paul, *Arlington Hills Library (Carnegie Libraries of St. Paul TR)*, 1105 Greenbrier St. (02/10/84)
St. Paul, *Davern, William and Catherine, Farm House*, 1173 S. Davern St. (10/06/83)
St. Paul, *Lee, Olaf, House*, 955 N. Jessie St. (02/16/84)
St. Paul, *Riverview Branch Library (Carnegie Libraries of St. Paul TR)*, 1 E. George St. (02/10/84)
St. Paul, *Schneider, Charles W., House*, 1750 E. Ames Pl. (02/16/84)
St. Paul, *Schornstein Grocery and Saloon*, 707 E. Wilson Ave. and 223 N. Bates Ave. (08/21/84)
St. Paul, *St. Anthony Park Branch Library (Carnegie Libraries of St. Paul TR)*, 2245 W. Como Ave. (02/10/84)
St. Paul, *Vienna and Earl Apartment Buildings*, 682–688 Holly Ave. (04/10/84)

Redwood County

Delhi, *Delhi Coronet Band Hall*, 3rd St. (05/17/84)

St. Louis County

Duluth, *Fitger Brewing Company*, 600 E. Superior St. (02/09/84)

Stearns County

St. Cloud, *Pan Motor Company Office and Sheet Metal Works*, 435–437 — 33rd Ave. N. (01/31/84)

Stevens County

Morris, *Morris Industrial School for Indians Dormitory*, University of Minnesota campus (05/10/84)

Wabasha County

Lake City, *Williamson-Russell-Rahilly House*, 304 Oak St. (03/08/84)

Washington County

St. Croix River Access Site (08/23/84)

Watonwan County

Madelia, *Flanders' Block*, 30 W. Main St. (03/08/84)

Winona County

Rollingstone, *Holy Trinity Catholic Church*, Rollingstone Rd. and MN 25 (08/09/84)
St. Charles, *St. Charles City Bakery*, 501 Whitewater Ave. (08/09/84)
St. Charles, *Trinity Episcopal Church*, 805 St. Charles Ave. (08/09/84)
St. Charles, *Whitewater Avenue Commercial Historic District*, 900–1012 Whitewater Ave. (08/09/84)
Stockton, *Trinity Protestant Episcopal Church*, E. Main St. and Broadway (08/09/84)
Utica, *Ellsworth, Benjamin, House*, US 14 (08/09/84)
Winona, *Winona and St. Peter Engine House*, 75 Gould St. (01/12/84)
Winona, *Winona and St. Peter Railroad Freight House*, Front and Center Sts. (01/26/84)

MISSISSIPPI

Adams County

Traveller's Rest, (05/03/84)
Natchez, *Upriver Residential District*, Roughly bounded by Pine, Monroe, Elm/Bishop, and Ridge/Maple Sts. (12/01/83)
Natchez, *White Cottage (Twin Oaks)*, 71 Homochitto St. (10/13/83)

Amite County

Gloster vicinity, *Talbert-Cassels House*, Off MS 574 (03/01/84)
Liberty vicinity, *Butler, Decatur N., House*, Off MS 567 (05/01/84)
Liberty vicinity, *McGehee House*, SE of Zion Hill (11/25/83)
Liberty vicinity, *Pinewood*, S of Liberty off Greensburg Rd. (07/05/84)
Liberty vicinity, *Webb, George, House*, E of Old Zion Hill Rd. (11/17/83)
Magnolia vicinity, *Felder-Richmond House*, Off I–55 (07/12/84)
Magnolia vicinity, *Lea, Hampton, House*, Lea Rd. (07/12/84)

Attala County

Kosciusko, *Jackson-Niles House*, 121 N. Wells St. (09/27/84)

Coahoma County

Barner Site (22Co542), (03/08/84)
Salomon (Salmon) Site, (03/08/84)

Copiah County

Crystal Springs, *Parsons, C.H., House*, 208 W. Georgetown St. (09/07/84)
Hazlehurst, *Cook House*, 222 Extension St. (12/08/83)
Hazlehurst, *Covington, Robert L., House*, 240 S. Extension St. (03/01/84)

Harrison County

Biloxi, *Bailey House (Biloxi MRA)*, 1333 E. Beach Blvd. (05/18/84)
Biloxi, *Barq, E., Pop Factory (Biloxi MRA)*, 224 Keller Ave. (05/18/84)
Biloxi, *Biloxi's Tivoli Hotel (Biloxi MRA)*, 863 E. Beach Dr. (05/18/84)
Biloxi, *Bond House (Biloxi MRA)*, 925 W. Howard Ave. (05/18/84)
Biloxi, *Brielmaier House (Biloxi MRA)*, 436 Main St. (05/18/84)
Biloxi, *Brunet-Fourchy House (Biloxi MRA)*, 138 Magnolia St. Mall (05/18/84)
Biloxi, *Church of the Redeemer (Biloxi MRA)*, Bellman St. (05/18/84)
Biloxi, *Clemens House (Biloxi MRA)*, 120 W. Water St. (05/18/84)
Biloxi, *Fisherman's Cottage (Biloxi MRA)*, 262 E. Bayview Ave. (05/18/84)
Biloxi, *Gulf Coast Center for the Arts (Biloxi MRA)*, 138 Lameuse St. (05/18/84)
Biloxi, *Hermann House (Biloxi MRA)*, 523 E. Beach Blvd. (05/18/84)
Biloxi, *House at 121 W. Water Street (Biloxi MRA)*, 121 W. Water St. (05/18/84)
Biloxi, *Nativity BVM Cathedral (Biloxi MRA)*, W. Howard Ave. and Fayard St. (05/18/84)
Biloxi, *Peoples Bank of Biloxi (Biloxi MRA)*, 318 Lameuse St. (05/18/84)
Biloxi, *Redding House (Biloxi MRA)*, 126 W. Jackson St. (05/18/84)
Biloxi, *Soenger Theater (Biloxi MRA)*, 416 Reynoir St. (05/18/84)
Biloxi, *Scherer House (Biloxi MRA)*, 206 W. Water St. (05/18/84)
Biloxi, *Seashore Campground School (Biloxi MRA)*, Leggett Dr. and Chalmers St. (05/18/84)
Biloxi, *Suter House (Biloxi MRA)*, 165 Suter Pl. (05/18/84)
Biloxi, *Swetman, Glenn, House (Biloxi MRA)*, 2770 Wilkes Ave. (05/18/84)
Biloxi, *West Beach Historic District (Biloxi MRA)*, Roughly US 90 between Rosell and Chalmers Ave. (05/18/84)
Biloxi, *West Central Historic District (Biloxi MRA)*, Roughly bounded by US 90, Hopkins Blvd., Howard and Benachi Aves. (05/18/84)
Gulfport, *US Post Office and Customhouse*, 2421 — 13th St. (03/19/84)

Hinds County

Jackson, *Armour Company Smokehouse and Distribution Plant*, 320 W. Pearl St. (11/25/83)
Jackson, *Belhaven Heights Historic District*, Roughly bounded by Bellevue Place, N. Jefferson, Madison, and Morningside Sts. (11/25/83)
Jackson, *Virden-Patton House*, 512 N. State St. (12/16/83)
Raymond vicinity, *Magnolia Vale*, Off MS 18 (11/17/83)
Terry, *Jones, Dudley, House*, 115 Railroad Ave. (08/02/84)

Jackson County

Pascagoula, *Front Street Historic District*, 2810, 2816, 2905, 2914, 2916 Front St. (05/17/84)

Jefferson County

Church Hill vicinity, *Richland*, Off MS 553 (07/05/84)

Jones County

Ellisville, *Deason, Amos, House*, 410 N. Deason St. (07/05/84)
Laurel, *Pinehurst Hotel*, 318 — 5th Ave. (03/01/84)

Lauderdale County

Meridian, *US Post Office and Courthouse*, 2100 — 9th St. (05/17/84)

Lee County

Saltillo, *Burrow, Barlow, House*, 157 N. 2nd St. (03/01/84)

Leflore County

Greenwood, *Whittington, W.M., House*, 401 E. Market St. (07/19/84)

Lincoln County

Brookhaven, *US Post Office*, 201 W. Cherokee St. (10/28/83)

Madison County

Pucksbunubbee-Haley Site (05/09/84)
Tilda Bouge (12/09/83)
Madison, *Montgomery House*, Main St. (09/07/84)
Byhalia, *Byhalia United Methodist Church (Johnson, Andrew, Architecture in North Mississippi TR)*, College Ave. (04/09/84)

Monroe County

Aberdeen, *Mobile and Ohio Railroad Depot*, 612 W. Commerce St. (12/08/83)

Oktibbeha County

Starkville, *Magruder-Newsom House*, 306 S. Jackson St. (08/30/84)

Panola County

Batesville, *Lee House (Johnson, Andrew, Architecture in North Mississippi TR)*, 201 Booth St. (04/09/84)
Como, *Craig-Seay House (Johnson, Andrew, Architecture in North Mississippi TR)*, Craig St. (04/09/84)
Como, *Popular Price Store (Johnson, Andrew, Architecture in North Mississippi TR)*, Railroad St. (04/09/84)
Como, *Tait-Taylor House (Johnson, Andrew, Architecture in North Mississippi TR)*, Oak Ave. (04/09/84)
Como, *Taylor-Falls House (Johnson, Andrew, Architecture in North Mississippi TR)*, Pointer Ave. (04/09/84)
Como, *Taylor-Mansker House (Johnson, Andrew, Architecture in North Mississippi TR)*, Railroad St. (04/09/84)
Como, *Wardlaw-Swango House (Johnson, Andrew, Architecture in North Mississippi TR)*, Railroad St. (04/09/84)
Crenshaw, *Crenshaw House (Johnson, Andrew, Architecture in North Mississippi TR)*, MS 310 (04/09/84)
Sardis, *Ballentine-Bryant House (Johnson, Andrew, Architecture in North Mississippi TR)*, 506 Butler St. (04/09/84)
Sardis, *Ballentine-Seay House (Johnson, Andrew, Architecture in North Mississippi TR)*, Pocahontas St. (04/09/84)
Sardis, *Hall-Henderson House (Johnson, Andrew, Architecture in North Mississippi TR)*, Sycamore St. (04/09/84)
Sardis, *Hall-Roberson House (Johnson, Andrew, Architecture in North Mississippi TR)*, 510 S. Main St. (04/09/84)
Sardis, *Hufft House (Johnson, Andrew, Architecture in North Mississippi TR)*, 117 Pocahontas St. (04/09/84)
Sardis, *Johnson-Tate Cottage (Johnson, Andrew, Architecture in North Mississippi TR)*, Stonewall St. (04/09/84)
Sardis, *Kyle-Spencer House (Johnson, Andrew, Architecture in North Mississippi TR)*, 16 McLaurin St. (04/09/84)
Sardis, *Taylor-Wall-Yancy House (Johnson, Andrew, Architecture in North Mississippi TR)*, 114 Sycamore St. (04/09/84)
Sardis, *Walton-Howry House (Johnson, Andrew, Architecture in North Mississippi TR)*, 308 S. Main St. (04/09/84)

Scott County

Lake, *Lake Railroad Station*, Brook St. (07/19/84)

Walthall County

Tylertown vicinity, *China Grove Methodist Church*, MS 585 (07/05/84)

Warren County

Redbone vicinity, *Hullum-Mallett-Brewer House*, Redbone Rd. (07/05/84)
Vicksburg vicinity, *Fonsylvania*, Fisher Ferry Rd., S of Vicksburg (09/07/84)
Vicksburg vicinity, *Yokena Presbyterian Church*, S of Vicksburg on US 61 (09/07/84)
Vicksburg, *1300 Grove Street House*, 1300 Grove St. (11/29/83)
Vicksburg, *Craig-Flowers House*, 2011 Cherry St. (08/02/84)
Vicksburg, *Magruder-Morrissey House*, 1117 Cherry St. (05/24/84)
Vicksburg, *McDermott House*, 1100 South St. (07/12/84)
Vicksburg, *Shlenker House*, 2212 Cherry St. (11/17/83)

Washington County

Greenville, *Griffin-Spragins House*, SW of Greenville off US 82 (04/05/84)
Greenville, *Washington Avenue-Main Street Historic District*, Roughly bounded by RR tracks, Yerger, Arnold Ave., and Cherry St. (05/03/84)

Webster County

Mathiston, *Wood Home for Boys*, Horton St. (04/05/84)

MISSOURI

Adair County

Kirksville vicinity, *Bear Creek Baptist Church*, N of Kirksville off US 63 (03/29/84)

Atchison County

Rock Port, *Dopf, John Dickinson, Mansion*, 407 Cass St. (02/08/84)

Cape Girardeau County

Cape Girardeau, *Reynolds, James, House*, 623 N. Main St. (10/13/83)

Crawford County

Sullivan, *Harney, Maj. Gen. William S., Summer Home*, 332 S. Mansion Ave. (04/19/84)

Franklin County

Labadie, *North, James, House*, MO T (04/05/84)
Pacific vicinity, *Grauer, Gustav, Farm*, N of Pacific (09/06/84)
Washington, *Schwegmann, John F., House*, 438 W. Front St. (03/22/84)
Washington, *Thias, Henry C., House*, 304 Elm St. (09/20/84)

Greene County

Springfield, *Keet-McElhany House*, 435 E. Walnut St. (03/22/84)

Grundy County

Trenton, *Norris, Jewett, Library*, 1331 Main St. (09/07/84)

Harrison County

Bethany vicinity, *Slatten House*, MO 4 (07/09/84)

Jackson County

Independence, *Minor, Charles, House*, 314 N. Spring St. (03/22/84)
Kansas City, *Bonfils Building*, 1200 Grand Ave. (03/22/84)
Kansas City, *Kansas City Live Stock Exchange*, 1600 Genessee St. (04/05/84)
Kansas City, *Simpson-Yeomans Country Side Historic District*, Roughly bounded by 51st Terr., Wornall Rd., Wyandotte, and 54th Sts. (09/06/84)

Laclede County

Lebanon, *Wallace House*, 230 Harwood Ave. (03/22/84)

Marion County

Hannibal vicinity, *Barkley, Levi, House*, W. of Hannibal (03/02/84)
Hannibal vicinity, *Hendren Farm*, Off US 61 (08/22/84)
Hannibal Vicinity, *Masterson, Robert, House*, NW of Hannibal (04/05/84)
Hanniball, *Hannibal Lime Company Office*, 623 Collier St. (09/06/84)
Palmyra, *Walker-Woodward-Schaffer House*, 1425 S. Main St. (02/16/84)

Moniteau County

California, *Gray-Wood Buildings*, 401–407 N. High St. (01/19/84)

Newton County

Pierce City vicinity, *Jolly Mill*, SW of Pierce City (10/13/83)

Pike County

Clarksville, *Clifford-Wyrick House*, 105 S. 2nd St. (07/09/84)

Ralls County

Hannibal, *Brown, James B., House*, 2400 Carrs Lane (01/26/84)

Saline County

Marshall, *Buckner House*, 125 N. Brunswick Ave. (04/19/84)

Scott County

Sikeston, *Marshall Hotel*, 103 E. Malone Ave. (03/22/84)

St. Francois County

Bonne Terre, *Bonne Terre Depot*, Oak St. (04/05/84)
Bonne Terre, *St. Joe Lead Company Administration Building*, Elm St. (04/05/84)

St. Louis (Independent City)

Beaumont Medical Building, 3714–26 Washington Ave. (01/19/84)
Blind Girls' Home, 5235 Page Blvd. (08/23/84)
Buildings at 2327–31 and 2333–35 Rutgers Street, 2327–31 and 2333–35 Rutger St. (01/19/84)
Clemens House-Columbia Brewery District, Roughly bounded by Maiden Lane, Cass Ave., 21st, Helen, and Howard Sts. (07/19/84)
Dolman Row, 1424–1434 Dolman St. (01/19/84)
Forest Park Hotel, 4910 W. Pine Blvd. (03/22/84)
Lennox Hotel, 823–827 Washington Ave. (09/06/84)
Liggett and Myers (Rice-Stix) Building, 1000 Washington Ave. (02/16/84)
Louise Apartments, 3900 Lindell Blvd. and Vandeventer Ave. (08/23/84)

McKinley Fox District, Roughly bounded by 18th St., I-44, Jefferson and Gravois Aves. (09/07/84)
Majestic Hotel, 1017-23 Pine St. and 200-10 N. 11th St. (01/26/84)
Murphy-Blair District, Roughly bounded by I-70, Florissant Ave., Chambers and Branch Sts. (01/26/84)
Peters Shoe Company Building, 1232-36 Washington Ave. (01/26/84)
Robert, Johnson and Rand-International Shoe Company Complex, Mississippi and Hickory Sts. (08/23/84)
Schollmeyer Building, 1976-1982 Arsenal St. (09/28/84)
Seventh District Police Station, 2800 S. Grand Ave. (03/22/84)
St. Louis Post-Dispatch Printing Building, 1111 Olive St. (08/29/84)
Sugar Loaf Mound, 4414 and 4420 Ohio Ave. (02/17/84)
Union Market, Broadway and Lucas Ave. (01/16/84)
YWCA, Phyllis Wheatley Branch, 2709 Locust St. (07/24/84)

St. Louis County

Ferguson, *Church Street Commercial District*, 2-100 Church St. (08/23/84)
Ferguson, *Ferguson School-Central School*, 201 Wesley Ave. (09/07/84)
Kirkwood, *Mudd's Grove*, 302 W. Argonne Dr. (04/05/84)
Ladue, *Plant, Samuel, House*, 800 Cella Rd. (04/19/84)
Pine Lawn, *Pine Lawn Cariage House*, 6292-94 Stillwell Dr. (02/16/84)
St. Louis vicinity, *Jarville*, 1723 Mason Rd., (02/16/84)
University City, *B'nai Amoona Synogogue*, 524 Trinity Ave. (04/22/84)
University City, *Donaldson Court Apartments*, 601-615 Westgate Ave. (10/13/84)
University City/St. Louis (Independent City), *Delmar Loop-Parkview Gardens Historic District*, Roughly bounded by Kingsland Ave., North Dr., Delmar Blvd., and Eastgate (02/16/84)
Webster Groves, *Ferguson, Charles W., House*, 15-17 W. Lockwood Ave. (09/18/84)
Webster Groves, Tuxedo Park Station, 643 Glen Rd. (03/22/84)

Stoddard County

Bloomfield, *Stoddard County Courthouse*, Prairie and Court Sts. (09/18/84)

Taney County

Walnut Shade vicinity, *Bonniebrook Homestead*, US 65 (04/20/84)

MONTANA

Beaverhead County

Dillon, *Hotel Metlen*, 5 S. Railroad Ave. (12/13/83)
Wisdom vicinity, *Big Hole National Battlefield*, W. of Wisdom on MT 43 (08/03/84)

Carbon County

Red Lodge, *Red Lodge Commercial Historic District (Boundary Increase)*, Roughly Broadway from 8th to 13th Sts. (05/31/84)

Cascade County

Cascade vicinity, *St. Peter's Mission Church and Cemetery*, W of Cascade (08/03/84)
Great Falls, *Margaret Block*, 413-415 Central Ave. (08/02/84

Deer Lodge County

Anaconda, *Durston Block and Annex*, 201-205½ Main St. (01/18/84)

Flathead County

Apgar, *Bull Head Lodge and Studio*, off Going-to-the-Sun-Rd. (02/06/84)

Gallatin County

Bozeman, *Hotel Baxter*, 105 W. Main St. (04/19/84)
Bozeman, *Spieth and Krug Brewery (Maxey Block)*, 238-246 E. Main St. (04/16/84)

Lake County

Linderman, Frank Bird, House, (02/22/84)
Bigfork vicinity, *Kottenai Lodge Historic District*, Sunburst Dr. (01/17/84)
Swan Lake vicinity, *Swan Lake Rock House Historic District*, Off MT 83 (08/01/84)

Lewis & Clark County

Marysville, *Methodist-Episcopal Church of Marysville*, 3rd St. (01/05/84)
Gilman, *Gilman State Bank*, Main St. (12/01/83)
Helena, *Murphy, John T., House*, 418 N. Benton Ave. (08/01/84)

Madison County

Twin Bridges, *Madison County Fairgrounds*, MT 41 (08/03/84)

Missoula County

Missoula, *Johnston, John S., House*, 412 W. Alder St. (08/02/84)

Stillwater County

Absarokee, *Hovda, Oliver H., House*, N. Woodward St. (08/16/84)

NEBRASKA

Antelope County

Neligh, *Neligh Mill Elevators (Boundary Increase)*, 111 W. Second (12/15/83)

Cherry County

Valentine, *Valentine Public School*, 3rd and Macomb Sts. (06/14/84)

Clay County

Sutton, *Clark, Isaac Newton, House*, 468 Cedar St. (12/15/83)

Dixon County

Indian Hill Archeological District, (07/06/84)

Douglas County

Omaha, *Malcolm X House Site*, 3448 Pinkney St. (03/01/84)
Omaha, *Monmouth Park School*, 4508 N. 33rd St. (12/15/83)
Omaha, *Redick Tower*, 1504 Harney St. (06/21/84)

Fillmore County

Fairmont, *Fairmont Creamery Company Building*, SE of 6th Ave. and F St. (12/15/83)

Greeley County

O'Connor, *Church of the Visitation of the Blessed Virgin Mary*, off NE 56 (02/23/84)
Spalding, *St. Michael's Catholic Church Complex*, NE of Greeley Ctr. (12/15/83)

Hamilton County

Aurora, *Hearn, Kathleen, Building*, 10th and O Sts. (08/01/84)

Lancaster County

Lincoln, *Bell, Jasper Newton, House*, 2212 Sheldon St. (06/21/84)
Lincoln, *College View Public Library*, 3800 S. 48th St. (06/28/84)
Lincoln, *Harris House (proposed move)*, 17th and K Sts. (03/23/84)
Lincoln, *Hotel Capital*, 139 N. 11th St. (12/05/83)
Lincoln, *Lincoln YWCA Building*, 1432 N St. (06/21/84)

Merrick County

Chapman, *Cahow Barber Shop*, SW. Main St. (01/12/84)

Nemaha County

Brownville vicinity, *Bennett, John W., House*, Off NE 67 (09/16/83)

Valley County

Ord, *People's Unitarian Church*, 1640 N St. (06/14/84)

York County

Bradshaw, *Bradshaw Town Hall*, Off US 34 (05/31/84)

NEVADA

Carson City (Independent City)

Wabuska Railroad Station, S. Carson St. (08/30/84)

Churchill County

Lovelock Cave, (05/24/84)

Lincoln County

Pioche, *Brown's Hall-Thompson's Opera House*, N. Main St. (08/16/84)

Lyon County

Yerington, *Yerington Grammar School*, 112 N. California St. (08/16/84)

Nye County

Round Mountain, *Berg, William H., House*, Mariposa and Davis Sts. (01/11/84)

Washoe County

Reno, *Burke, Charles H., House*, 36 Stewart St. (05/31/84)
Reno, *El Cortez Hotel*, 239 W. 2nd St. (06/13/84)
Reno, *Giraud, Joseph, House*, 442 Flint St. (04/05/84)
Reno, *Mapes Hotel and Casino*, 10 N. Virginia St. (05/04/84)
Reno, *McCarthy-Platt House*, 1000 Plumas St. (05/31/84)

White Pine County

East Ely, *East Ely Depot*, 11th St. (04/12/84)

NEW HAMPSHIRE

Belknap County

Alton, *Monument Square Historic District*, Main, Factory, Church, and Depot Sts. (03/15/84)
Sanbornton, *Bay Meeting House and Vestry*, Upper Bay and Steele Rds. (06/07/84)

Carroll County

Ossipee, *First Free Will Baptist Church*, Granite Rd. (03/15/84)
Ossipee, *Whittier Bridge*, NH 25 (03/15/84)
Sandwich, *Center Sandwich Historic District*, Roughly bounded by Skinner, Grove, Church, Maple, and Main Sts., and Creamery Brook and Quimby Field Rds. (12/22/83)
Wakefield, *St. John's Church, Rectory, and Parish Hall*, High St. (06/07/84)
Wakefield, *Wakefield Village Historic District*, off NH 153 (03/15/84)
Wolfeboro Centre, *Wolfeboro Centre Community Church*, NH 109 (03/15/84)

Cheshire County

Chesterfield, *Asbury United Methodist Church*, NH 63 (12/21/83)
Dublin, *Allison, Capt. Samuel, House (Dublin MRA)*, Keene Rd. (12/18/83)
Dublin, *Amory House (Dublin MRA)*, Off Old Troy Rd. (12/15/83)
Dublin, *Appleton Farm (Dublin MRA)*, Hancock Rd. (12/18/83)
Dublin, *Appleton-Hannaford House (Dublin MRA)*, Hancock Rd. (12/15/83)
Dublin, *Ballou-Newbegin House (Dublin MRA)*, Old Marlborough Rd. (12/18/83)
Dublin, *Beech Hill (Dublin MRA)*, Off New Harrisville Rd. (12/15/83)
Dublin, *Brackett House (Dublin MRA)*, High Ridge Rd. (12/18/83)
Dublin, *Burpee Farm (Dublin MRA)*, Burpee Rd. (12/18/83)
Dublin, *Cabot, Louis, House (Dublin MRA)*, Windmill Hill Rd. (12/18/83)
Dublin, *Cabot, T.H., Cottage (Dublin MRA)*, Snow Hill Rd. (12/15/83)
Dublin, *Corey Farm (Dublin MRA)*, Parsons Rd. (12/15/83)
Dublin, *Dublin Lake Historic District (Dublin MRA)*, Lake, E. Lake, W. Lake, and Old Harrisville Rds. (12/18/83)
Dublin, *Dublin Village Historic District (Dublin MRA)*, Old Common and Harrisville Rds., and Main and Church Sts. (12/15/83)
Dublin, *Eveleth Farm (Dublin MRA)*, Burpee Rd. (12/18/83)
Dublin, *Far Horizons (Dublin MRA)*, Learned Rd. (12/15/83)
Dublin, *Fisk Barn (Dublin MRA)*, Gerry Rd. (12/18/83)
Dublin, *Foothill Farm (Dublin MRA)*, Old Troy Rd. (12/15/83)
Dublin, *Frost Farm (Dublin MRA)*, Old Marlborough Rd. (12/15/83)
Dublin, *Frost Farm (Dublin MRA)*, Korpi Rd. (12/18/83)
Dublin, *Gowing, James, Farm (Dublin MRA)*, Page Rd. (12/18/83)
Dublin, *Gowing, Joseph, Farm (Dublin MRA)*, Page Rd. (12/15/83)
Dublin, *Greenwood, Isaac, House (Dublin MRA)*, Peterborough Rd. (12/18/83)
Dublin, *Greenwood, Moses, House (Dublin Inn) (Dublin MRA)*, Pierce and Old County Rds. (12/15/83)
Dublin, *Ivanov-Rinov House (Dublin MRA)*, Pierce Rd. (12/18/83)
Dublin, *Knollwood (Dublin MRA)*, Windmill Hill Rd. (12/18/83)
Dublin, *Lattice Cottage (Dublin MRA)*, Off Old Troy Rd. (12/15/83)
Dublin, *Learned Homestead (Dublin MRA)*, Upper Jaffrey Rd. (12/15/83)
Dublin, *Learned, Amos, Farm (Dublin MRA)*, NH 137 (12/15/83)
Dublin, *Learned, Benjamin, House (Dublin MRA)*, Upper Jaffrey Rd. (12/18/83)
Dublin, *Markham House (Dublin MRA)*, Snow Hill Rd. (12/18/83)
Dublin, *Marshall, Benjamin, House (Dublin MRA)*, Peterborough Rd. (12/15/83)
Dublin, *Martin, Micajah, Farm (Dublin MRA)*, Old Peterborough Rd. (12/18/83)
Dublin, *Mason House (Dublin MRA)*, Snow Hill Rd. (12/15/83)
Dublin, *McKenna Cottage (Dublin MRA)*, Windmill Hill Rd. (12/18/83)
Dublin, *Moore Farm and Twitchell Mill Site (Dublin MRA)*, Off Page Rd. (12/18/83)
Dublin, *Morse, Asa, Farm (Dublin MRA)*, NH 101 (12/15/83)
Dublin, *Morse, Capt. Thomas, Farm (Dublin MRA)*, Old Marlborough Rd. (12/15/83)
Dublin, *Morse, Eli, Sawmill Foundations (Dublin MRA)*, Off Old Marlborough Rd. (12/18/83)
Dublin, *Mountain View Farm (Dublin MRA)*, Upper Jaffrey Rd. (12/18/83)
Dublin, *Parsons Studio and Casino (Dublin MRA)*, Parsons Rd. (12/18/83)
Dublin, *Perry, Ivory, Homestead (Dublin MRA)*, Corner Valley and Dooe Rds. (12/15/83)
Dublin, *Perry, John, Homestead (Dublin MRA)*, Dooe Rd. (12/18/83)
Dublin, *Piper, Rufus, Homestead (Dublin MRA)*, Pierce Rd. (12/15/83)
Dublin, *Piper, Solomon, Farm (Dublin MRA)*, Valley Rd. (12/18/83)
Dublin, *Pumpelly Studio (Dublin MRA)*, Snow Hill Rd. (12/15/83)
Dublin, *Richardson, Abijah Sr., Homestead (Dublin MRA)*, Hancock Rd. (12/18/83)
Dublin, *Richardson, Deacon Abijah, House (Dublin MRA),)* Hancock Rd. (12/15/83)
Dublin, *Richardson, John, Homestead* (Dublin MRA), (12/18/83)
Dublin, *Richardson, Luke, House (Dublin MRA)*, Hancock Rd. (12/15/83)
Dublin, *Robbe, James Jr., House (Dublin MRA)*, Old Peterborough Rd. (12/18/83)
Dublin, *Spur House (Dublin MRA)*, Off Old Common Rd. (12/15/83)
Dublin, *Stone Farm (Dublin MRA)*, Old Marlborough Rd. (12/18/83)
Dublin, *Stone-Darracott House (Dublin MRA)*, Old Marlborough Rd. (12/15/83)
Dublin, *Stonehenge (Dublin MRA)*, Windmill Hill Rd. (12/18/83)
Dublin, *Strong, Capt. Richard, House (Dublin MRA)*, Peterborough Rd. (12/18/83)
Dublin, *Strong, Richard, Cottage (Dublin MRA)*, Qff Peterborough Rd. (12/15/83)
Dublin, *Strongman, Henry, House (Dublin MRA)*, Peterborough Rd. (12/15/83)
Dublin, *Strongman, William, House (Dublin MRA)*, Old County Rd. (12/18/83)
Dublin, *Townsend Farm (Dublin MRA)*, E. Harrisville Rd. (12/15/83)
Dublin, *Wales, Mary Anne, House (Dublin MRA)*, Snow Hill Rd. (12/18/83)
Dublin, *Weldwood (Dublin MRA)*, Old Troy Rd. (12/15/83)
Dublin, *Windmill Hill (Dublin MRA)*, Windmill Hill Rd. (12/18/83)
Dublin, *Wood House (Dublin MRA)*, NH 101 and 137 (12/15/83)
Marlow, *Jones Hall*, Church St. (06/07/84)

Coos County

Shelburne, *Philbrook Farm Inn*, North Rd. (03/15/84)
Stark, *Stark Union Church*, NH 110 (12/08/83)

Grafton County

Kent, Moses, House, (06/07/84)
Bath vicinity, *Hutchins, Jeremiah, Tavern*, NE of Bath on US 302 (09/07/84)
Bethlehem vicinity, *Rocks Estate*, W of Bethlehem on US 302 (09/07/84)
Plymouth vicinity, *Trinity Church*, E of Plymouth on NH 175 (09/07/84)

Hillsborough County

Goffstown, *Kennedy Hill Farm*, Kennedy Hill Rd. (06/07/84)
Greenfield, *Greenfield Meeting House*, Forest Rd. (12/08/83)
Hudson, *Hills Memorial Library*, 16 Library St. (06/07/84)
Lyndeborough Center, *Lyndeborough Center Historic District*, Center Rd. (06/07/84)

Merrimack County

Boscawen, *Morrill-Lassonde House*, E of King St. (03/15/84)
Concord, *Concord Civic District*, 107 N. Main St., 25 Capitol St., 39–45 Green St., 20–30 Park St., and 33 N. State St. (12/22/83)
Concord, *Crippen, Henry J., House*, 189–191 N. Main St. (12/22/83)
Concord, *Pleasant View Home*, 227 Pleasant St. (09/19/84)
Concord, *Rollins, Gov. Frank West, House*, 135 N. State St. (03/15/84)
Northfield, *Northfield Union Church*, Sondogardy Pond Rd. (03/15/84)

Rockingham County

Kingston, *Sanborn Seminary*, 178 Main St. (03/15/84)
Portsmouth, *Franklin Block*, 75 Congress St. (06/07/84)

Strafford County

Dover, *Back River Farm*, Bay View Rd. (06/22/84)
Dover, *St. Thomas Episcopal Church*, 5 Hale St. (06/07/84)

Sullivan County

Acworth, *Acworth Silsby Library*, Intersection of Cold Pond and Lynn Hill Rds. (12/08/83)
Charlestown, *Charlestown Town Hall*, N of Summer St., off Main St. (03/15/84)
Newport, *Richards Free Library*, 58 N. Main St. (09/07/84)

NEW JERSEY

Alantic County

Atlantic City, *Segal Building*, 1200 Atlantic Ave. (02/09/84)

Somers Point vicinity, *Jeffries, Capt. John, Burial Marker*, Palestine Bible Church Cemetery, NJ 559 (06/14/84)

Bergen County

Alpine, *Blackledge-Kearney (Stone Houses of Bergen County TR)*, Alpine Landing (07/24/84)
Cresskill, *Demarest-Atwood House (Stone Houses of Bergen County TR)*, 84 Jefferson Ave. (07/24/84)
Demarest, *Demarest, Samuel R., House (Stone Houses of Bergen County TR)*, 212 County Rd. (07/24/84)
Englewood, *Van Horn-Newcomb House (Stone Houses of Bergen County TR)*, 303 Tenafly Rd. (07/24/84)
Fairlawn, *Radburn-Fair Lawn Station (Operating Passenger Railroad Stations TR)*, Pollitt Dr. (06/22/84)
Franklin Lakes, *Storms House (Stone Houses of Bergen County TR)*, 1069 Franklin Lake Rd. (07/24/84)
Franklin Lakes, *Van Blarcom House (Stone Houses of Bergen County TR)*, 834 Franklin Lake Rd. (07/24/84)
Franklin Lakes, *Van Koert-Winters House (Stone Houses of Bergen County TR)* 615 Franklin Ave. (07/24/84)
Franklin Lakes, *Van Winkle House (Stone Houses of Bergen County TR)*, 798 Franklin Lake Rd. (07/24/84)
Franklin Lakes, *Winters, Aaron, House (Stone Houses of Bergen County TR)*, 358 Woodside Ave. (07/24/84)
Hackensack, *Doremus House (Stone Houses of Bergen County TR)*, 73 Main St. (07/24/84)
Hakensack, *Anderson Street Station (Operating Passenger Railroad Stations TR)*, Anderson St. (06/22/84)
Hillsdale, *Hillsdale Station (Operating Passenger Railroad Stations TR)*, Broadway and Hillsdale Ave. (06/22/84)
Hillsdale, *Vanderbeek House (Stone Houses of Bergen County TR)*, 126 Weirimus Rd. (07/24/84)
Montvale, *Forshee-Van Orden House (Stone Houses of Bergen County TR)*, 109 Summit Ave. (07/24/84)
Oradell, *Oradell Station (Operating Passenger Railroad Stations TR)*, 400 Maple Ave. (06/22/84)
Paramus, *Zabriskie Tenant House (Stone Houses of Bergen County TR)*, 273 Dunkerhook Rd. (07/24/84)
Park Ridge, *Park Ridge Station (Operating Passenger Railroad Stations TR)*, Hawthorne and Park Ave. (06/22/84)
Ridgewood, *Archibald-Vroom House (Stone Houses of Bergen County TR)*, 160 E. Ridgewood Ave. (07/24/84)
Ridgewood, *Ridgewood Station (Operating Passenger Railroad Stations TR)*, Garber Sq. (06/22/84)
Rutherford, *Rutherford Station (Operating Passenger Railroad Stations TR)*, Station Sq. (06/22/84)
Saddle River, *Hopper House (Stone Houses of Bergen County TR)*, 45 W. Saddle River Rd. (07/24/84)
Tenafly, *Brinkerhoff House (Stone Houses of Bergen County TR)*, 1 Tenafly Rd. (07/24/84)
Woodcliff Lake, *Cadmus House (Stone Houses of Bergen County TR)*, 264 Glen Rd. (07/24/84)
Wyckoff, *Van Voorhis-Quackenbush House (Stone Houses of Bergen County TR)*, 625 Wyckoff Ave. (07/24/84)

Camden County

Cherry Hill, *Bonnie's Bridge*, 350 Wayland Rd. (09/13/84)
Merchantville, *Collins and Pancoast Hall*, 4–8 S. Centre St. (02/16/84)

Cape May County

Dennisville, *Townsend, William S., House*, 96 Delsea Dr. (04/05/84)
Ocean City, *Ocean City 34th Street Station (Operating Passenger Railroad Stations TR)*, 34th St. (06/22/84)
Ocean City, *Ocean City Tenth Street Station (Operating Passenger Railroad Stations TR)*, Between 9th and 10th Sts. (06/22/84)
Tuckahoe, *Tuckahoe Station (Operating Passenger Railroad Stations TR)*, Railroad Ave. (06/22/84)

Essex County

Bloomfield, *Bloomfield Station (Operating Passenger Railroad Stations TR)*, Washington St. and Glenwood Ave. (06/22/84)
East Orange, *Ampere Station (Operating Passenger Railroad Stations TR)*, Ampere Plaza and Whitney Pl. (06/22/84)
East Orange, *Brick Church Station (Operating Passenger Railroad Stations TR)*, Brick Church Plaza (06/22/84)
East Orange, *East Orange Station (Operating Passenger Railroad Stations TR)*, 65 City Hall Plaza (06/22/84)
Montclair, *Watchung Avenue Station (Operating Passenger Railroad Stations TR)*, Park St. (06/22/84)
Newark, *Griffith Building*, 605–607 Broad St. (05/24/84)
Newark, *Lincoln Park Historic District*, Lincoln Park, Clinton Ave., and Spruce and Broad Sts. (10/05/84)
Newark, *Mutual Benefit Life Insurance Company*, 300 Broadway and 2nd St. (11/17/83)
Newark, *Newark Broad Street Station (Operating Passenger Railroad Stations TR)*, Broad and University Sts. (06/22/84)
Orange, *Orange Station (Operating Passenger Railroad Stations TR)*, 73 Lincoln Ave. (06/22/84)
South Orange, *Mountain Station (Operating Passenger Railroad Stations TR)*, 449 Vose Ave. (09/29/84)
South Orange, *South Orange Station (Operating Passenger Railroad Stations TR)*, 19 Sloan St. (06/22/84)
Upper Montclair, *Mountain Avenue Station (Operating Passenger Railroad Stations TR)*, 451 Upper Mountain Ave. (06/22/84)
Upper Montclair, *Upper Montclair Station (Operating Passenger Railroad Stations TR)*, 275 Bellvue Ave. (06/22/84)

Hudson County

Hoboken, *Assembly of Exempt Fireman Building (Hoboken Firehouses and Firemen's Monument TR)*, 213 Bloomfield St. (03/30/84)
Hoboken, *Engine Company No. 2 (Hoboken Firehouses and Firemen's Monument TR)*, 1313 Washington St. (03/30/84)
Hoboken, *Engine Company No. 3 (Hoboken Firehouses and Firemen's Monument TR)*, 201 Jefferson St. (03/30/84)
Hoboken, *Engine Company No. 4 (Hoboken Firehouses and Firemen's Monument TR)*, 212 Park Ave. (03/30/84)
Hoboken, *Engine Company No. 5 (Hoboken Firehouses and Firemen's Monument TR)*, 412 Grand St. (03/30/84)
Hoboken, *Engine Company No. 6 (Hoboken Firehouses and Firemen's Monument TR)*, 801 Clinton St. (03/30/84)
Hoboken, *Engine House No. 3, Truck No. 2 (Hoboken Firehouses and Firemen's Monument TR)*, 501 Observer Hwy. (03/30/84)
Jersey City, *Ficken's Warehouse*, 750–766 Grand St. (06/14/84)
Jersey City, *Labor Bank Building*, 26 Journal Sq. (06/14/84)
Jersey City, *Lembeck and Betz Eagle Brewing Company District*, Bounded by 9th, 10th, Grove, and Henderson Sts. (06/21/84)

Hunterdon County

Oldwick vicinity, *Kline Farmhouse (Cold Spring Cottage)*, NJ 517 (07/11/84)
Pittstown vic., *Rockhill Agricultural Historic District*, N of Pittstown on SR 513 (04/05/84)
White House, *White House Station (Operating Passenger Railroad Stations TR)*, Main St. (06/22/84)

Mercer County

Ewing, *Trenton Jewish Community Center Bath House and Day Camp*, 999 Lower Ferry Rd. (02/23/84)
Hopewell, *Hopewell Station (Operating Passenger Railroad Stations TR)*, Railroad Pl. (06/22/84)
West Trenton, *West Trenton Station (Operating Passenger Railroad Stations TR)*, Sullivan Way (06/22/84)

Middlesex County

Raritan Landing Archeological District (Boundary Increase), (02/10/84)
Kingstown, *Withington Estate*, Spruce Lane (09/27/84)
New Brunswick, *Main Post Office*, 86 Bayard St. (07/18/84)
New Brunswick, *New Brunswick Station (Operating Passenger Railroad Stations TR)*, Eaton Ave. and Albany St. (06/22/84)
Perth Amboy, *Perth Amboy Station (Operating Passenger Railroad Stations TR)*, Between Smith and Market Sts. (06/22/84)

Monmouth County

Asbury Park vincinity, *Allgor-Barkalow Homestead*, New Bedford Rd. (06/21/84)
Bradley Beach, *Bradley Beach Station (Operating Passenger Railroad Stations TR)*, Between LaReine and Brimley Aves. (06/22/84)
Little Silver, *Little Silver Station (Operating Passenger Railroad Stations TR)*, Sycamore and Branch Aves. (06/22/84)
Matawan, *Matawan Station (Operating Passenger Railroad Stations TR)*, Between Main and Atlantic Aves. (06/22/84)
Roosevelt, *Jersey Homesteads Historic District*, All that area within the corporate

boundaries of the Borough of Roosevelt (12/05/83)

Morris County

Florham Park, *Hancock, Rev. John, House, Cider Mill and Cemetery*, 45 Ridgedale Ave. (08/30/84)
Madison, *Madison Station (Operating Passenger Railroad Stations TR)*, Kings Rd. (06/22/84)
Millington, *Millington Station (Operating Passenger Railroad Stations TR)*, Long Hill Rd. (06/22/84)
Morris Plains, *Morris Plains Station (Operating Passenger Railroad Stations TR)*, Speedwell Ave. (06/22/84)

Passaic County

Paterson, *Danforth Memorial Library*, 250 Broadway (03/01/84)

Somerset County

Bernardsville, *Bernardsville Station (Operating Passenger Railroad Stations TR)*, US 202 (06/22/84)
Bound Brook, *Bound Brook Station (Operating Passenger Railroad Stations TR)*, E. Main St. (06/22/84)
Far Hills, *Far Hills Station (Operating Passenger Railroad Stations TR)*, US 202 (06/22/84)
Gladstone, *Gladstone Station (Operating Passenger Railroad Stations TR)*, Main St. (06/22/84)
Griggstown, *Griggstown Historic District*, Roughly Canal Rd. from Old Georgetown Rd. to Ten Mile Run (08/02/84)
Lamington, *Lamington Historic District*, Lamington, Black River, Rattlesnake Bridge, and Cowperthwaite Rds. (06/21/84)
Lyons, *Lyons Station (Operating Passenger Railroad Stations TR)*, Lyons Rd. (06/22/84)
Raritan, *Raritan Station (Operating Passenger Railroad Stations TR)*, Anderson and Thompson Sts. (06/22/84)

Sussex County

Millville, *Millville Historic and Archaeological District*, River and Millville Rds. (01/30/84)

Union County

Elizabeth, *Elizabeth Station (Operating Passenger Railroad Stations TR)*, Morris Ave., and Broad St. (09/29/84)
Murray Hill, *Murray Hill Station (Operating Passenger Railroad Stations TR)*, The Circle (06/22/84)
Plainfield, *Netherwood Station (Operating Passenger Railroad Stations TR)*, Between North and South Aves. (06/22/84)
Plainfield, *North Avenue Commercial Historic District*, Park, North, and Watchung Aves. (03/29/84)
Plainfield, *Plainfield Station (Operating Passenger Railroad Stations TR)*, North Ave. (06/22/84)

NEW MEXICO

Bernalillo County

Albuquerque, *Anaya, Gavino, House (Albuquerque North Valley MRA)*, 2939 Duranes Rd., NW (02/09/84)
Albuquerque, *Barela, Adrian, House (Albuquerque North Valley MRA)*, 7618 Guadalupe Trail, NW (02/09/84)
Albuquerque, *Candelarias Chapel-San Antonio Chapel*, 1934 Candelaria Rd., NW (02/09/84)
Albuquerque, *Chavez, Juan de Dios, House (Albuquerque North Valley MRA)*, 205 Griegos Rd., NW (02/09/84)
Albuquerque, *Chavez, Juan, House (Albuquerque North Valley MRA)*, 7809 4th St., NW (02/09/84)
Albuquerque, *Dietz, Robert, Farmhouse (Albuquerque North Valley MRA)*, 4117 Rio Grande Blvd., NW (02/09/84)
Albuquerque, *Duranes Chapel (Albuquerque North Valley MRA)*, 2601 Indian School Rd. NW (02/09/84)
Albuquerque, *Eller Apartments*, 113–127 — 8th St. SW (01/12/84)
Albuquerque, *Foraker, C.M., Farmhouse (Albuquerque North Valley MRA)*, 905 Menaul Blvd. NW (02/09/84)
Albuquerque, *Gomez, Refugio, House (Albuquerque North Valley MRA)*, 7604 Guadalupe Trail, NW (02/09/84)
Albuquerque, *Grande, Charles, House (Albuquerque North Valley MRA)*, 4317 Grande St. NW (02/09/84)
Albuquerque, *Hilton Hotel*, 125 — 2nd St. NW (03/02/84)
Albuquerque, *Kress, S.H. Building*, 414–416 Central Ave. SW (04/19/84)
Albuquerque, *Los Griegos Historic District (Albuquerque North Valley MRA)*, Griegos Rd. and Rio Grande Blvd. (02/09/84)
Albuquerque, *Los Tomases Chapel (Albuquerque North Valley MRA)* 3101 Los Tomases NW. (02/09/84)
Albuquerque, *Lucero y Montoya, Franscisco, House (Albuquerque North Valley MRA)*, 9742 — 4th St. NW (02/09/84)
Albuquerque, *Nordhaus, Robert, House (Albuquerque North Valley MRA)*, 6900 Rio Grande Blvd. NW (02/09/84)
Albuquerque, *Our Lady of Mt. Carmel Church (Albuquerque North Valley MRA)*, 7813 Edith Blvd. NE (02/09/84)
Albuquerque, *Romero, Felipe, House (Albuquerque North Valley MRA)*, 7522 Edith Blvd. NE (02/09/84)
Albuquerque, *Shalit, Samuel, House (Albuquerque North Valley MRA)*, 5209 — 4th St. NW (02/09/84)
Albuquerque, *Zeiger, Charles, House (Albuquerque North Valley MRA)*, 3200 Edith Blvd. NE (04/27/84)

Eddy County

Artesia, *Acord, John, House (Artificial Stone Houses of Artesia TR)*, 801 W. Main St. (03/02/84)
Artesia, *Atkeson, Willie D. House (Artificial Stone Houses of Artesia TR)*, 303 W. Grand Ave. (03/02/84)
Artesia, *Baskin, William, House (Artificial Stone Houses of Artesia TR)*, 811 W. Quay Ave. (03/02/84)
Artesia, *Gesler, Edward R., House (Artificial Stone Houses of Artesia TR)*, 411 W. Missouri Ave. (03/02/84)
Artesia, *Hodges-Runyan-Brainard House (Artificial Stone Houses of Artesia TR)*, 504 W. Quay Ave. (03/02/84)
Artesia, *Hodges-Sipple House (Artificial Stone Houses of Artesia TR)*, 804 W. Missouri Ave. (03/02/84)
Artesia, *Lukins, F.L., House (Artificial Stone Houses of Artesia TR)*, 801 W. Richardson Ave. (03/02/84)
Artesia, *Mauldin-Hall House (Artificial Stone Houses of Artesia TR)*, 501 S. Roselawn Ave. (03/02/84)
Artesia, *Moore-Ward Cobblestone House*, 505 W. Richardson Ave. (02/16/84)
Artesia, *Robert, Sallie Chisum, House (Artificial Stone Houses of Artesia TR)*, 801 W. Texas St. (03/02/84)
Artesia, *Ross, Dr. Robert M., House (Artificial Stone Houses of Artesia TR)*, 1002 S. Roselawn Ave. (03/02/84)

Grant County

Pinos Altos, *Pinos Altos Historic District*, Roughly bounded by Gold Ave., Cherry, Main, Church, and Silver Sts. (05/21/84)
Silver City, *Chihuahua Hill Historic District*, Bounded by Cooper, Spring, Bullard, and Chihuahua Sts. (01/23/84)
Silver City, *Silver City Water Works Building*, Little Walnut Rd. (01/26/84)

Quay County

Nara Visa, *Nara Visa School*, US 54 (10/31/83)

Rio Arriba County

Leaf Water Pueblo (LA 300) (12/01/83)
Tsama Pueblo, (11/17/83)
Dulce, *Jicarilla Apache Historic District*, Main St. NM 17, Apache, Keliiaa, and Sand Hill Drs. (03/01/84)
Los Luceros vicinity, *Los Luceros Hacieda*, Off NM 389 (10/20/83)

San Miguel County

Pecos, *Valencia Ranch Historic Archaeological District*, Off NM 63 (02/09/84)
San Geronimo, *San Geronimo Historic District*, Off NM 283 (11/15/83)
Las Vegas, *Las Vegas Amory*, 917 Douglas Ave. (10/28/83)
Las Vegas, *Old Town Residential Historic District*, roughly bounded by Perey St. to Mills Ave. and from New Mexico to Gonzales Sts. (10/28/83)

Sandoval County

Amoxiumqua Site (FS–530, LA481) (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–18, LA–5920 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–199, LA–135 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–3 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–535, LA–385 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–554, LA–386 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–574 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–575 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–580, LA–137 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–647, LA–128 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–688 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–689, LA–403 (Jemez Springs Pueblo Sites TR), (05/21/84)
Archeological Site FS–8 (Jemez Springs Pueblo Sites TR), (05/21/84)

Astialakwa Archeological District (FS-360, LA-1825) (Jemez Springs Pueblo Sites TR). (05/21/84)
Boletsakwa Site (FS-2, LA-136) (Jemez Springs Pueblo Sites TR). (05/21/84)
Espinaso Ridge Pueblo, (01/27/84)
Guacamayo Site (FS-572, LA-189) (Jemez Springs Pueblo Sites TR). (05/21/84)
Hanakwa Site (FS-578) (Jemez Springs Pueblo Sites TR). (05/21/84)
Hot Springs Pueblo (FS-505, BJ-73) (Jemez Springs Pueblo Sites TR). (05/21/84)
Kiashita Site (FS-1, LA-484) (Jemez Springs Pueblo Sites TR). (05/21/84)
Kiatsukwa Site (FS-31 and 504, LA-132 and 133)(Jemez Springs Pueblo Sites TR). (05/21/84)
Kwastiyukwa Site (FS-11, LA-482) (Jemez Springs Pueblo Sites TR). (05/21/84)
Nanishagi Site (FS-320, LA-541) (Jemez Springs Pueblo Sites TR). (05/21/84)
Patokwa Site (FS-5, LA-96) (Jemez Springs Pueblo Sites TR). (05/21/84)
Pejunkwa Site (FS-571, LA-130) (Jemez Springs Pueblo Sites TR). (05/21/84)
Pueblo Tuerto, (01/19/84)
Tonque Pueblo, (01/12/84)
Totaskwinu Site (FS-579, LA-479) (Jemez Springs Pueblo Sites TR). (05/21/84)
Tovakwa Site (FS-576, LA-483) (Jemez Springs Pueblo Sites TR). (05/21/84)
Tovakwa Site (FS-7, LA-483) (Jemez Springs Pueblo Sites TR). (05/21/84)
Unshagi Site (FS-337, LA-123) (Jemez Springs Pueblo Sites TR). (05/21/84)
Wabakwa Site (FS-400, LA-478) (Jemez Springs Pueblo Sites TR). (05/21/84)
Wahajhamka (FS-573) (Jemez Springs Pueblo Sites TR). (05/21/84)

Santa Fe County

La Bajada Mesa Agricultural Site, (12/15/83)
Santa Fe, *Alarid, Ricardo, House,* 534 Alarid St. (08/30/84)

Socorro County

Socorro vicinity, *Teypama Piro Site,* (10/21/83)

Taos County

Los Cordovas, *San Ysidro Oratorio,* NM 240 (01/05/84)
Red River vicinity, *Mallette, Orin, Cabin (Red River MRA),* W of Red River (02/23/84)
Red River vicinity, *Mallette, Sylvester M., Cabin (Red River MRA),* River St. and Copper King (02/23/84)
Red River vicinity, *Melson-Oldham Cabin (Red River MRA),* SE of Red River (02/23/84)
Red River vicinity, *Pierce-Fuller House (Red River MRA),* High St. (02/23/84)
Red River vicinity, *Red River Schoolhouse (Red River MRA),* High St. (02/23/84)
Red River vicinity, *Young, Brigham J., House (Red River MRA),* Main St. (02/23/84)

Valencia County

Belen, *Harvey, Belen, House,* 104 N. 1st St. (10/28/83)

NEW YORK

Albany County

Albany, *South End-Groesbeckville Historic District,* Roughly bounded by Elizabeth, 2nd, and Morton Aves., Pearl and Franklin Sts. (09/13/84)
Albany, *Ten Broeck Historic District (Boundary Increase),* Roughly Ten Broeck Pl., 1st, 2nd, and Swan Sts. (09/29/84)
Cohoes, *Downtown Cohoes Historic District,* Roughly bounded by Oneida, Van Rensselaer, Columbia, Main, and Olmstead Sts. (09/13/84)

Bronx County

Bronx, *High Pumping Station,* Jerome Ave. (11/10/83)
New York, *Public School 17,* 190 Fordham St. (09/27/84)

Broome County

Binghamton, *Court Street Historic District,* Roughly bounded by the Chenango River, Carroll, Henry, and Hawley Sts. (09/07/84)

Chautauqua County

Dunkirk, *Dunkirk Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR),* Dunkirk Harbor (07/19/84
Westfield, *Atwater-Stone House (Westfield Village MRA),* 29 Water St. (12/16/83)
Westfield, *East Main Street Historic District (Westfield Village MRA),* E. Main St. (12/16/83)
Westfield, *French Portage Road Historic District (Westfield Village MRA),* E. Main and Portage Sts. (12/16/83)
Westfield, *Lake Shore & Michigan Southern Railroad Station (Westfield Village MRA),* English St. (12/16/83)

Chemung County

Elmira, *Elmira College Old Campus,* Roughly bounded by College and W. Washington Aves. N. Main St., and Park Pl. (08/23/84)
Elmira, *Howell, F.M., and Company,* 79-105 Pennsylvania Ave., 50 Pennsylvania Ave. (08/27/84)
Elmira, *Near Westside Historic District,* Roughly bounded by Chemung River, College Ave., 2nd and Hoffman Sts. (12/22/83)
Horseheads, *Teal Park (Zim TR),* Steuben, Pine, and W. Main Sts. (10/07/83)
Horseheads, *Zimmerman House (Zim TR),* 601 Pine St. (10/07/83)

Chenango County

Greene vicinity, *Bates Round Barn (Central Plan Dairy Barns of New York TR),* NY 12 (09/29/84)
Greene vicinity, *Young Round Barn (Central Plan Dairy Barns of New York TR),* NY 12 (09/29/84)

Columbia County

Clermont, *Bouwerie (Clermont MRA),* Buckwheat Bridge Rd. (10/07/83)
Clermont, *Brodhead, Thomas, House (Clermont MRA),* US 9 (10/07/83)
Clermont, *Clarkson Chapel (Clermont MRA),* NY 9G (10/07/83)
Clermont, *Clermont Academy (Clermont MRA),* US 9 (10/07/83)
Clermont, *Coons House (Clermont MRA),* NY 9G (10/07/83)
Clermont, *Hickory Hill (Clermont MRA),* Buckwheat Bridge Rd. (10/07/83)
Clermont, *Old Parsonage (Clermont MRA),* Buckwheat Bridge Rd. (10/07/83)
Clermont, *St. Luke's Church (Clermont MRA),* US 9 (10/07/83)
New Lebanon Center, *Gilbert, Elisha, House,* US 20 (09/07/84)

Cortland County

Cincinatus, *Cincinnatus Historic District,* Main St. and Taylor Ave. (09/07/84)

Delaware County

Andes, *Andes Historic District,* Delaware Ave., Main and High Sts., and Tremperskill Rd. (06/28/84)
Bloomville vicinity, *McArthur-Martin Hexadecagon Barn (Central Plan Dairy Barns of New York TR),* McArthur Hill Rd. (09/29/84)
Franklin, *Franklin Village Historic District,* Wakeman and Institute Aves., Main, Center, Maple, Water, 2nd, 3rd, and West Sts. (09/07/84)
Halcottsville vicinity, *Kelly Round Barn (Central Plan Dairy Barns of New York TR),* NY 30 (09/29/84)
Walton, *Gardiner Place Historic District,* Gardiner Pl. (05/24/84)

Dutchess County

Staatsburg, *Hendricks, John, House and Dutch Barn,* Old Post Rd. (09/07/84)
Wappingers Falls, *Bain Commercial Building (Wappingers Falls MRA),* 59-61 W. Main St. (09/29/84)
Wappingers Falls, *Duchess Company Superintendent's House (Wappingers Falls MRA),* 120 Market St. (09/29/84)
Wappingers Falls, *Mulhern House (Wappingers Falls MRA),* 14-16 Market St. (09/29/84)
Wappingers Falls, *Wappingers Falls Historic District (Wappingers Falls MRA),* Roughly bounded by South Ave., Elm, Main, Park, Walker, Market, and McKinley Sts. (09/29/84)

Erie County

Buffalo, *Buffalo Main Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR),* Buffalo River (07/19/84)
Buffalo, *New York Central Terminal,* 495 Paderewski Dr. (09/07/84)
North Collins vicinity, *Gamel Hexadecagon Barn (Central Plan Dairy Barns of New York TR),* Shirley Rd. (09/29/84)

Essex County

Willsboro, *Willsboro Congregational Church,* NY 22, (05/31/84)

Genesee County

Corfu, *Mount Pleasnant,* 2032 Indian Falls Rd. (08/09/84)

Greene County

Coxsackie vicinity, *Branck Farm 13-sided Barn (Central Plan Dairy Barns of New York TR),* Old Kings Rd. (09/29/84)

Herkimer County

Ilion, *Richardson, Thomas, House,* 317 W. Main St. (09/07/84)
Jordanville, *Jordanville Public Library,* Main St. (05/24/84)
Newville vicinity, *Zoller-Frasier Round Barn (Central Plan Dairy Barns of New York TR),* Fords Bush Rd. (09/29/84)

Jefferson County

Cape Vincent, *Tibbetts Point Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Tibbetts Point (07/19/84)
Oxbow, *Benton, Dr. Abner, House*, Main St. (08/23/84)
Watertown, *Public Square Historic District*, Roughly Court, Arsenal, Washington, Franklin and State Sts. (09/07/84)

Kings County

New York City, *Weir Greenhouse*, 750–751 — 5th Ave. (05/10/84)
New York, *Buildings at 375–379 Flatbush Avenue and 185–187 Sterling Place*, 375–379 Flatbush Ave. and 185–187 Sterling Pl. (09/07/84)
New York, *Fort Greene Historic District (Boundary Increase)*, Roughly bounded by Ashland Pl., DeKalb Ave., Hanson Pl., and Oxford St., Adelphi, Vanderbilt and Myrtle Aves. (09/07/84)
New York, *Public School 7*, 131–143 York St. (11/03/83)
New York, *Rockwood Chocolate Factory Historic District*, 54–88 Washington, 13–53 Waverly, and 255–275 Park Aves. (10/06/83)

Madison County

Hamilton, *Hamilton Village Historic District*, Roughly Kendrick Ave., Broad, Payne, Hamilton, Madison, Pleasant, and Lebanon Sts. (09/13/84)
Peterboro, *Peterboro Land Office*, Peterboro Rd. (09/07/84)

Monroe County

Gates, *Hinchey, Franklin, House*, 634 Hinchey Rd. (11/10/83)
Pittsford, *Pittsford Village Historic District*, Roughly bounded by the Canal, Jefferson Ave., Sutherland, and South Sts. (09/07/84)
Rochester, *Nazareth House*, 94 Averill Ave. (04/12/84)
Rochester, *Shingleside*, 476 Beach Ave. (09/13/84)
Rochester, *Vanderbeck House*, 1295 Lake Ave. (04/09/84)

Nassau County

Long Beach, *Granada Towers*, 310 Riverside Blvd. (05/31/84)

New York County

New York City, *Riverside Drive-West 80th-81st Streets Historic District*, Riverside Dr., W. 80th and W. 81st Sts. (05/10/84)
New York City, *St. Cecilia's Church and Convent*, 112–120 E. 160th St. (02/02/84)
New York, *Ambrose (lightship)*, Pier 16, East River, Manhattan (09/07/84)
New York, *Apollo Theater*, 253 W. 125th St. (11/17/83)
New York, *College of the City of New York*, Bounded by Amsterdam Ave., St. Nicholas Terr., W. 138th, and W. 140th Sts. (09/07/84)
New York, *Film Center Building*, 630 — 9th Ave. (09/07/84)
New York, *John A. Lynch (ferry boat)*, Pier 15, East River, Manhattan (09/07/84)
New York, *Lettie G. Howard-Mystic C (schooner)*, Pier 16, East River, Manhattan (09/07/84)
New York, *Level Club*, 253 W. 73rd St. (04/09/84)
New York, *Lever House*, 390 Park Ave. (10/02/83)
New York, *Mecca Temple*, 131 W. 55th St. (09/07/84)
New York, *Rowhouses at 322–344 East 69th Street*, 322–344 E. 69th St. (09/07/84)
New York, *Sofia Warehouse*, 43 W. 61st St. (09/27/84)
New York, *St. Vincent Ferrer Church and Priory*, 869 and 871 Lexington Ave. (06/14/84)
New York, *Upper East Side Historic District*, Roughly bounded by 3rd and 5th Aves., 59th and 79th Sts. (09/07/84)
New York, *Webster Hotel*, 40 W. 45th St. (09/07/84)

Niagara County

Somerset, *Thirty Mile Point Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Niagara River (07/19/84)
Youngstown, *Fort Niagara Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Niagara River (07/19/84)

Onondaga County

Skaneateles, *Skaneateles Historic District*, Jordan, Fennell, E. and W. Genesee Sts. (05/10/84)
Syracuse, *Armory Square Historic District*, S. Clinton, S. Franklin, Walton, W. Fayette, and W. Jefferson Sts. (09/07/84)
Syracuse, *Stickley, Gustav, House*, 438 Columbus Ave. (08/23/84)

Ontario County

Canandaigua, *Adelaide Avenue School (Canandaigua MRA)*, 108–116 Adelaide Ave. (04/26/84)
Canandaigua, *Benham House (Canandaigua MRA)*, 280–282 S. Main St. (04/26/84)
Canandaigua, *Brigham Hall (Grove Home) (Canandaigua MRA)*, 229 Bristol St. (09/29/84)
Canandaigua, *Building at 426 South Main Street (Canandaigua MRA)*, 426 S. Main St. (04/26/84)
Canandaigua, *Canandaigua Historic District (Canandaigua MRA)*, Roughly Main St. from Chapel to Saltonstall Sts.; Howell, Gibson, Gorham, Bristol, Bemis, and Center Sts. (04/26/84)
Canandaigua, *Chapin, Thaddeus, House (Canandaigua MRA)*, 128 Thad Chapin St. (04/26/84)
Canandaigua, *Cobblestone Manor (Canandaigua MRA)*, 495 N. Main St. (04/26/84)
Canandaigua, *Granger Cottage (Canandaigua MRA)*, 60 Granger St. (04/26/84)
Canandaigua, *Granger, Francis, House (Canandaigua MRA)*, 426 N. Main St. (04/26/84)
Canandaigua, *Marshall House (Canandaigua MRA)*, 274 Bristol St. (04/26/84)
Canandaigua, *Saltonstall Street School (Canandaigua MRA)*, 47 Saltonsall St. (04/26/84)
Geneva vicinity, *Nester House*, 1001 Lochland Rd. (04/09/84)

Orange County

Balmville, *Maple Lawn*, 24 Downing Ave. (06/28/84)
Middletown, *Oliver Avenue Bridge*, Oliver Ave. (07/19/84)
Warwick, *Warwick Village Historic District*, Roughly bounded by NY 17A, High, and South Sts., Oakland, Maple, and Colonial Aves. (09/07/84)

Otsego County

Garrattsville vicinity, *Lunn-Musser Octagon Barn (Central Plan Dairy Barns of New York TR)*, S of Garrattsville (09/29/84)
Oneonta, *Ford Block*, 188–202 Main St. (09/07/84)
Oneonta, *Bresee Hall*, Hartwick Dr. (04/12/84)
Richfield Springs vicinity, *Baker Octagon Barn (Central Plan Dairy Barns of New York TR)*, NY 28 (09/29/84)

Queens County

Douglaston, *Van Wyck, Cornelius, House*, 126 West Dr. (10/06/83)
New York City, *Lent Homestead and Cemetery*, 78–03 19th Rd. (02/02/84)
New York, *Fort Tilden Historic District*, Rockaway Beach Blvd. (04/20/84)
New York, *Sunnyside Gardens Historic District*, Roughly bounded by Queens Blvd., 43rd and 52nd Sts., Barnett and Skillman Aves. (09/07/84)

Richmond County

New York, *Poillon-Seguine-Britton House*, 360 Great Kills Rd. (02/02/84)
New York, *Staten Island Borough Hall and Richmond County Courthouse*, Richmond Terr. (10/06/83)

Rockland County

Haverstraw, *Homestead*, 143 Hudson Ave. (11/10/83)
West Haverstraw vicinity, *Commander*, Haverstraw Marina (09/27/84)
West New Hempstead, *Brick Church Complex*, Brick Church Rd. and NY 306 (09/07/84)

Schenectady County

Schenectady, *Barney, H.S., Building*, 217–229 State St. (07/19/84)
Schenectady, *Stockade Historic District (Boundary Increase)*, 16, 18, and 20 S. Church St. (09/07/84)

Schoharie County

Jefferson vicinity, *Parker 13-sided Barn (Central Plan Dairy Barns of New York TR)*, NY 10 (09/29/84)

Schuyler County

Catherine vicinity, *Lattin-Crandall Octagon Barn (Central Plan Dairy Barns of New York TR)*, E of Catherine (09/29/84)

St. Lawrence County

Raymondville, *Raymondville Parabolic Bridge*, Grant Rd. over Raquette River (09/07/84)

Suffolk County

Amagansett, *Pleasants House*, NY 27 (02/02/84)

Greenport, *Greenport Village Historic District*, Roughly bounded by Stirling Basin, Main, Monsell, 2nd, and Fronts Sts. (09/13/84)
Montauk, *Montauk Manor*, Fairmont Ave. (08/23/84)
Northville, *Hallock Homestead*, 163 Sound Ave. (06/07/84)
Orient, *Terry-Mulford House*, NY 25 (02/07/84)
Patchogue, *United Methodist Church*, S. Ocean Ave. and Church St. (04/19/84)
Water Mill, *Water Mill*, Old Mill Rd. (10/13/83)

Sullivan County

Glen Wild, *Glen Wild Methodist Church*, Old Glen Wild Rd. (05/10/84)
Narrowsburg, *Kirk House*, Kirk's Rd. (05/10/84)
Rockland, *Rockland Mill Complex*, Palen Pl. (08/23/84)

Tioga County

Berkshire, *Akins, Lyman P., House (Berkshire MRA)*, W. Creek Rd. (07/02/84)
Berkshire, *Akins, Robert, House (Berkshire MRA)*, Main St. (07/02/84)
Berkshire, *Ball, J., House (Berkshire MRA)*, NY 38 (07/02/84)
Berkshire, *Ball, Levi, House (Berkshire MRA)*, NY 38 (07/02/84)
Berkshire, *Ball, Stephen, House (Berskshire MRA)*, Main St. (07/02/84)
Berkshire, *Belcher Family Homestead and Farm (Berkshire MRA)*, NY 38 (07/02/84)
Berkshire, *Berkshire Village Historic District (Berkshire MRA)*, Main St. and Leonard Ave. (07/02/84)
Berkshire, *Buffington, Calvin A., House (Berkshire MRA)*, Depot St. and Railroad Ave. (07/02/84)
Berkshire, *Collins, Nothaniel Bishop, House (Berkshire MRA)*, NY 38 (07/02/84)
Berkshire, *East Berkshire United Methodist Church (Berkshire MRA)*, E. Berkshire Rd. (07/02/84)
Berkshire, *First Congregational Church (Berkshire MRA)*, Main St. (07/02/84)
Berkshire, *Ford, Lebbeus, House (Berkshire MRA)*, Jewett Hill Rd. (07/02/84)
Berkshire, *Royce, Deodatus, House (Berkshire MRA)*, NY 38 (07/02/84)
Berkshire, *Royce, J.B., House and Farm Complex (Berkshire MRA)*, NY 38 (07/02/84)

Tompkins County

Dryden, *Clarke, Luther, House (Dryden Village MRA)*, 39 W. Main St. (06/08/84)
Dryden, *Dryden Historic District (Dryden Village MRA)*, Roughly bounded by E. Main, James, South, and Lake Sts. (06/15/84)
Dryden, *Jennings-Marvin House (Dryden Village MRA)*, 9 Library St. (06/08/84)
Dryden, *Lacy-Van Vleet House (Dryden Village MRA)*, 45 W. Main St. (06/08/84)
Dryden, *Methodist Episcopal Church (Dryden Village MRA)*, 2 North St. (06/08/84)
Dryden, *Rockwell House (Dryden Village MRA)*, 52 W. Main St. (06/08/84)
Dryden, *Southworth House (Dryden Village MRA)*, 14 North St. (06/08/84)
Dryden, *Southworth Library (Dryden Village MRA)*, 24 W. Main St. (06/08/84)
Ithaca, *Bailey Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Caldwell Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Comstock Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *East Robert Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Fernow Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Rice Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Roberts Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Stone Hall (New York State College of Agriculture TR)*, Cornell University campus (09/24/84)
Ithaca, *Wing Hall (New York State College of Agricultue TR)*, Cornell University campus (09/24/84)

Ulster County

Napanoch, *Hoornbeek Store Complex*, Main St. between Clinton & Church Sts. (02/09/84)
Saugerties vicinity, *Wynkoop House*, NY 32 (09/07/84)
Saugerties, *Loerzel Beer Hall*, 213 Partition St. (09/07/84)

Warren County

Glens Falls, *18th Separate Company Armory (Glens Falls MRA)*, 147 Warren St. (09/29/84)
Glens Falls, *Argent Apartments (Glens Falls MRA)*, 17–18 Sherman Ave. (09/29/84)
Glens Falls, *Bemis Eye Sanitarium Complex (Glens Falls MRA)*, Glen St. (09/29/84)
Glens Falls, *Birdsall, Stephen T., House (Glenn Falls MRA)*, 188–192 Ridge St. (09/29/84)
Glens Falls, *Burnham, Thomas, House (Potter, Ephraim, B., Buildings TR) (Glens Falls MRA)*, 195 Ridge St. (09/29/84)
Glens Falls, *Colvin, Addison B., House (Glens Falls MRA)*, 453–455 Glen St. (09/29/84)
Glens Falls, *Cowles, W.T., House (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 43–47 William St. (09/29/84)
Glens Falls, *Cunningham House (Bigelow, Henry Forbes, Buildings TR) (Glens Falls MRA)*, 169 Warren St. (09/29/84)
Glens Falls, *Delong, Zopher, House (Glens Falls MRA)*, 348 Glen St. (09/29/84)
Glens Falls, *Dix, James L., House (Glens Falls MRA)*, 191 Ridge St. (09/29/84)
Glens Falls, *Ferguson, Dr. James, Office (Glens Falls MRA)*, 5 Culvert St. (09/29/84)
Glens Falls, *First Presbyterian Church (Glens Falls MRA)*, 402–410 Glen St. (09/29/84)
Glens Falls, *Foster, Dr. Charles A., House (Glens Falls MRA)*, 162–164 Warren St. (09/29/84)
Glens Falls, *Fredella Avenue Historic District (Fredella Concrete Block Structures TR) (Glenn Falls MRA)*, 15–21R Fredella Ave. (09/29/84)
Glens Falls, *Fredella, Joseph J., House and Garage (Fredella Concrete Block Structures TR) (Glens Falls MRA)*, 15–17 Mohican St. (09/29/84)
Glens Falls, *Glens Falls High School (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 421–433 Glen St. (09/29/84)
Glens Falls, *Glens Falls Home for Aged Women (Glens Falls MRA)*, 178–186 Warren St. (09/29/84)
Glens Falls, *Goodman, Stephen L., House (Glens Falls MRA)*, 65–67 Park St. (09/29/84)
Glens Falls, *Hoopes House (Bigelow, Henry Forbes, Buildings TR) (Glens Falls MRA)*, 153 Warren St. (09/29/84)
Glens Falls, *House at 216 Warren Street (Glens Falls MRA)*, 216 Warren St. (09/29/84)
Glens Falls, *Hyde House (Bigelow, Henry Forbes, Buildings TR) (Glens Falls MRA)*, 161 Warren St. (09/29/84)
Glens Falls, *Joubert and White Building (Glens Falls MRA)*, 79 Warren St. (09/29/84)
Glens Falls, *Krum, Hiram, House (Glens Falls MRA)*, 133 Warren St. (09/29/84)
Glens Falls, *Little, Russell M., House (Glens Falls MRA)*, 17 Center St. (09/29/84)
Glens Falls, *McEchron, William, House (Glens Falls MRA)*, 65 Ridge St. (09/29/84)
Glens Falls, *Ordway, Jones, House (Glens Falls MRA)*, 142 Warren St. (09/29/84)
Glens Falls, *Parks, George H., House (Glens Falls MRA)*, 444 Glen St. (09/29/84)
Glens Falls, *Parry, John E., House (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 146 Warren St. (09/29/84)
Glens Falls, *Peyser and Morrison Shirt Company Building (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 211–217 Warren St. (09/29/84)
Glens Falls, *Potter, Ephraim B., House (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 15 Sherman Ave. (09/29/84)
Glens Falls, *Rosekrans, Enoch, House (Glens Falls MRA)* 62 Warren St. (09/29/84)
Glens Falls, *Rugge, A.S., House (Glens Falls MRA)*, 428 Glen St. (09/29/84)
Glens Falls, *Smith Flats (Glens Falls MRA)*, 53–61 Bay St. (09/29/84)
Glens Falls, *Society of Friends Hall (Glens Falls MRA)*, 172–174 Ridge St. (09/29/84)
Glens Falls, *St. Mary's Academy (Glens Falls MRA)*, 10–12 Church St. (09/29/84)
Glens Falls, *Stilwell, Thomas, House (Glens Falls MRA)*, 134 Maple St. (09/29/84)
Glens Falls, *Three Squares Historic District (Glens Falls MRA)*, Roughly South, Glen, Maple, and Ridge Sts. (09/29/84)
Glens Falls, *Wait, F.W., House (Glens Falls MRA)*, 173–175 Ridge St. (09/29/84)
Glens Falls, *Wilmarth, Martin L.C., House (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 528 Glen St. (09/29/84)
Glens Falls, *Wing, Helen, House (Potter, Ephraim B., Buildings TR) (Glens Falls MRA)*, 126 Warren St. (09/29/84)
Lake George, *Peabody, Royal C., Estate*, Lake Shore Dr. (06/21/84)

Westchester County

East Irvington, *East Irvington School*, Taxter Rd. (10/06/83)
Mount Kisco vicinity, *Merestead (Sloane Estate)*, Byram Lake Rd. (09/27/84)

New Rochelle, *Pioneer Building*, 14 Lawton St. (12/29/83)
Ossining, *Scarborough Historic District*, US 9 (09/07/84)
Port Chester, *Capitol Theater*, 147–151 Westchester Ave. (06/07/84)
Tarrytown, *Washington Irving High School*, 18 N. Broadway (04/26/84)
Yonkers, *Sherwood House*, 340 Tuckahoe Rd. (05/10/84)

NORTH CAROLINA

Alamance County

Burlington, *Alamance Hotel (Burlington MRA)* Maple Ave. and S. Main St. (05/31/84)
Burlington, *Atlantic Bank and Trust Company Building (Burlinton MRA)*, 358 S. Main St. (05/31/84)
Burlington, *Efird Building (Burlington MRA)*, 133 E. Davis St. (05/31/84)
Burlington, *First Baptist Church (Burlington MRA)*, 400 S. Broad St. (05/31/84)
Burlington, *First Christian Church of Burlington (Burlington MRA)*, 415 S. Church St. (05/31/84)
Burlington, *Holt-Frost House (Burlington MRA)*, 130 Union Ave. (05/31/84)
Burlington, *Horner Houses (Burlington MRA)*, 304 and 308 N. Fisher St. (05/31/84)
Burlington, *Lakeside Mills District (Burlington MRA)*, 404–418 Lakeside Ave., Kent Ave., and 428–437 Hatch St. (05/31/84)
Burlington, *Moore-Holt-White House (Burlington MRA)*, 520 Maple Ave. (05/31/84)
Burlington, *Stagg House (Burlington MRA)*, 317 N. Park Ave. (05/31/84)
Burlington, *Windsor Cotton Mills Office (Burlington MRA)*, Market and Gilmer Sts. (05/31/84)
Mebane vicinity, *Cross Roads Presbyterian Church and Cemetery and Sainback Store*, N of Mebane at SR 1910 and SR 1912 (05/22/84)

Buncombe County

Alexander Inn, (05/31/84)
Asheville, *Reynolds House*, 100 Reynolds Hgts. (09/13/84)
Asheville, *Richmond Hill House*, 45 Richmond Hill Rd. (proposed move) (03/15/84)

Burke County

Morganton, *Avery, Alphonso Calhoun, House*, 408 N. Green St. (07/12/84)

Cabarrus County

Concord, *Stonewall Jackson Training School Historic District*, SR 1157 (03/15/84)

Camden County

Camden, *Camden County Jail*, NC 343 (05/03/84)
Camden, *Widow's Son Masonic Lodge No. 75*, NC 343 (05/03/84)

Chatham County

Newkirk State (Site 31 CH 366), (11/14/83)
Goldston, *Paschal-Womble House*, 421 Main St. (04/26/84)

Cherokee County

Murphy, *Harshaw Chapel and Cemetery*, Church and Central Sts. (04/05/84)

Cumberland County

Falcon, *Falcon Tabernacle*, West St. (10/11/83)
Grays Creek vicinity, *Cape Fear Baptist Church*, SR 2233 (10/13/83)

Davidson County

Arcadia vicinity, *Hampton House (Davidson County MRA)*, SR 1485 (07/10/84)
Arnold, *Everhart, Riley, Farm and General Store (Davidson County MRA)*, SR 1468 (07/10/84)
Denton vicinity, *Adderton-Badgett House (Davidson County MRA)*, SR 2529 (07/10/84)
Denton, *Mount Ebal Methodist Protestant Church (Davidson County MRA)*, SR 2518 (07/10/84)
High Point vicinity, *Moore, Eli, House (Davidson County MRA)*, SR 1741 (07/10/84)
High Point vincinity, *Spring Hill Methodist Protestant Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1755 (07/10/84)
Lexington vicinity, *Junior Order United American Mechanics National Orphans Home (Davidson County MRA)*, NC 8 (07/10/84)
Lexington vicinity, *Pilgrim Reformed Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1843 (07/10/84)
Lexington vicinity, *Shoaf, Henry, Farm (Davidson County MRA)*, NC 64 (07/13/84)
Lexington, *Welborn, John Henry, House (Davidson County MRA)*, 511 S. Main St. (07/10/84)
Linwood vicinity, *Beallmont (Davidson County MRA)*, SR 1133 (07/10/84)
Linwood vicinity, *Jersey Settlement Meeting House (Davidson County MRA)*, SR 1272 (07/10/84)
Linwood, *Jersey Baptist Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1272 (07/10/84)
Midway vicinity, *Bethany Reformed and Lutheran Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1716 (07/10/84)
Midway vicinity, *Everhart, Hamilton, Farm (Davidson County MRA)*, US 52 (07/10/84)
Reedy Creek vicinity, *Grimes-Crotts Mill (Davidson County MRA)*, SR 1445 (07/10/84)
Silver Hill vicinity, *Beck's Reformed Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 2250 (07/10/84)
South Thomasville, *Fair Grove Methodist Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, NC 109, SR 2072 and 2070 (07/10/84)
Thomasville vicinity, *Abbott's Creek Primitive Baptist Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1743 (07/10/84)
Thomasville vicinity, *Emanuel United Church of Christ Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 2060 (07/10/84)
Thomasville vicinity, *Lambeth, Shadrach, House (Davidson County MRA)*, SR 2062 (07/10/84)
Tyro vicinity, *Haden Place (Davidson County MRA)*, SR 1156 (07/10/84)
Tyro vicinity, *Koonts, Capt. John Jr., Farm (Davidson County MRA)*, SR 1186 (07/10/84)
Tyro vicinity, *St. Luke's Lutheran Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1183 (07/10/84)
Tyro, *Tyro Tavern (Davidson County MRA)*, NC 150 (08/16/84)
Wallburg, *Wall, George W., House (Davidson County MRA)*, NC 109 and SR 1723 (07/10/84)
Welcome vicinity, *Beulah Church of Christ Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1457 (07/10/84)
Welcome vicinity, *Good Hope Methodist Church Cemetery (Anglo-German Cemeteries TR) (Davidson County MRA)*, NC 150 and SR 1445 (07/10/84)
Welcome vicinity, *Waggoner Graveyard (Anglo-German Cemeteries TR) (Davidson County MRA)*, SR 1814 (07/10/84)

Durham County

Durham, *Watts and Yuille Warehouses*, 905 W. Main St. (04/05/84)

Edgecombe County

Battleboro vicinity, *Old Town Plantation*, Off NC 97 (12/01/83)

Forsyth County

Richmond Courthouse Site, (01/05/84)
Winston-Salem, *Bland, Joseph Franklin, House*, 1809 Virginia Rd. (08/21/84)
Winston-Salem, *O'Hanlon Building*, 103 W. 4th St. (07/12/84)
Winston-Salem, *Sosnik-Morris-Early Commercial Block*, 500 W. 4th St. (04/05/84)
Winston-Salem, *Spruce Street YMCA*, 315 N. Spruce St. (07/12/84)
Winston-Salem, *Washovia Bank and Trust Company Building*, 8 W. 3rd St. (05/31/84)

Gates County

Gatesville vicinity, *Roberts-Carter House*, Off NC 37 (03/01/84)

Graham County

Topton vicinity, *George, Charles Noden, House*, Off US 129 (04/05/84)

Guilford County

Gibsonville, *Smith, Francis Marion, House*, 204 Railroad Ave. (07/12/84)
Greensboro vicinity, *Scott, Thomas, House* SR 1001 (07/12/84)
Greensboro, *Revolution Cotton Mills*, Roughly bounded by Southern RR, N. Buffalo Creek, Yanceyville and 9th Sts. (03/01/84)
Greensboro, *Weir, Dr. David P., House*, 223 N. Edgeworth St. (07/12/84)

Harnett County

Dunn, *Lee, Gen. William C., House*, 209 W. Divine St. (11/25/83)

Hayood County

Cruso vicinity, *Gwyn, James M., House*, NC 276 (07/12/84)

Jackson County

Dillsboro, *Mount Beulah Hotel (Jarrett Springs Hotel)*, US 23 and 44 (03/01/84)

Madison County

Mars Hill vicinity, *California Creek Missionary Baptist Church*, US 23 (07/12/84)

Mecklenburg County

Charlotte, *Carey, Philip, Building*, 301 E. 7th St. (03/01/84)
Charlotte, *Charlotte Supply Company Building*, 500 S. Mint St. (03/01/84)
Charlotte, *Merchants and Farmers National Bank Building*, 123 E. Trade St. (03/01/84)
Charlotte, *Morrocroft*, 2525 Richardson Dr. (11/28/83)
Charlotte, *VanLandingham Estate*, 2010 The Plaza (10/13/83)
Huntersville vicinity, *St. Mark's Episcopal Church*, SR 2004 (03/01/84)

Person County

Roxboro, *Roxboro Commercial Historic District*, Roughly bounded by Courthouse Sq., Court, Abbitt, Reams, Depot, N. and S. Main Sts. (03/01/84)

Richmond County

Rockingham, *Rockingham Historic District (Rockingham MRA)*, Roughly bounded by LeGrand and Brookwood Aves., Leak and Ann Sts. (11/21/83)

Robeson County

Orrum vicinity, *Williams-Powell House*, SR 2256 (04/09/84)

Rockingham County

Cross Rock Rapid Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Dead Timber Ford Sluices (Dan River Navigation System in North Carolina TR), (06/29/84)
Eagle Falls Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Gravel Shoals Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Jacob's Creek Landing (Dan River Navigation System in North Carolina TR), (03/19/84)
Mayo River Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Roberson's Fish Trap Shoal Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Site 31RK1, (05/24/84)
Slink Shoal Sluice and Wing Dams (Dan River Navigation System in North Carolina TR), (03/19/84)
Tanyard Shoal Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Three Ledges Shoal Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Wide Mouth Shoal Sluice (Dan River Navigation System in North Carolina TR), (03/19/84)
Reidsville, *Penn House*, 324 Maple Ave. (11/25/83)

Rowan County

China Grove, *China Grove Roller Mill*, 308 N. Main St. (12/29/83)
Mill Bridge, *Thyatira Presbyterian Church, Cemetery, and Manse*, Off NC 150 (02/17/84)
Mt. Ulla vicinity, *Back Creek Presbyterian Church and Cemetery*, SR 1763 (12/29/83)
Salisbury, *Grimes Mill*, 600 N. Church St. (02/06/84)

Sampson County

Newton Grove vicinity, *Williams, Issac, House*, NC 55 (03/01/84)

Scotland County

Wagram vicinity, *Shaw Family Farms*, SR 1405 (10/13/83)

Stanly County

Hardaway Site (31ST4), (03/01/84)
Badin, *Badin Historic District (Badin MRA)*, Roughly bounded by NC 740, Pine St., and County Club property line (10/12/83
Badin, *Narrows Dam and Power Plant Complex (Badin MRA)*, Yadkin River and SR 1704 (10/12/83)
Badin, *West Badin Historic District (Badin MRA)*, Roughly bounded by Sims, Lincoln, Marion, and Lee Sts. (10/12/83)

Vance County

Stone, Daniel, Plank House, (07/12/84)

Wake County

Cary vicinity, *Jones, Nancy, House*, NC 54 (03/01/84)
Raleigh, *Masonic Temple Building*, 427 S. Blount St (05/03/84)
Raleigh, *Spring Hill*, 705 Barbour Dr. (12/29/83)

Warren County

Oakville vicinity, *Hebron Methodist Church*, SR 1306 (04/19/84)

Wayne County

Goldsboro, *Lee, Harry Fitzhugh, House*, 310 W. Walnut St. (03/01/84)
Goldsboro, *Weil, Solomon, House*, 205 W. Chestnut St. (Proposed Move) (11/19/83)

Wilson County

Wilson vicinity, *Williams, Olzie Whitehead, House*, SR 1332 (12/19/83)

NORTH DAKOTA

Burleigh County

Bismarck, *Van Horn Hotel (Prince Hotel)*, 114 N. 3rd St. (05/10/84)
Bismarck, *Webb Brothers Block*, 317 E. Main Ave. (10/13/83)

Cass County

Fargo, *Cass County Court House, Jail, and Sheriff's House*, S. 9th St. between S. 2nd and 3rd Aves. (12/22/83)
Fargo, *Downtown Fargo District*, Roughly Roberts St., from S. 1st Ave. to 5th Ave. N., and Main Ave. (10/13/83)

Emmons County

Hague, *St. Mary's Church Non-Contiguous Historic District*, Off ND 11 (10/13/83)

Richland County

Wahpeton, *Red River Valley University (Old Main)*, N. 6th St. (04/26/84)

Ward County

Minot, *Carr, Andrew Sr., House*, 510 — 4th Ave., NW (04/26/84)
Minot, *Tufveson House*, 426 — 4th Ave. NW (04/12/84)

NORTHERN MARIANA ISLANDS

Saipan, *Unai Lagua Japanese Defense Pillbox*, Unai Lagua (06/01/84)

OHIO

Belmont County

Barnesville, *Barnesville Historic District*, Roughly bounded by Arch, Main, Gardner, Chestnut, Bond, and Cherry Sts. (07/19/84)

Butler County

Trenton vicinity, *Augspurger, Frederick, Farm (Augspurger Amish/Mennonite Settlement TR)*, 1856 Wayne-Madison Rd. (08/03/84)
Trenton vicinity, *Augspurger, John, Farm No. 1 (Augspurger Amish/Mennonite Settlement TR)*, 2731 Woodsdale Rd. (08/03/84)
Trenton vicinity, *Deuscher, Henry P., House*, 2385 Woodsdale Rd. (02/09/84)
Trenton vicinity, *Ehresman, Christian, Farm (Augspurger Amish/Mennonite Settlement TR)*, 900 Woodsdale Rd. (08/03/84)
Trenton vicinity, *Jutzi, Christian Farm (Augspurger Amish/Mennonite Settlement TR)*, 2180 Woodsdale Rd. (08/03/84)
Trenton vicinity, *Kennel, John Jr., Farm (Augspurger Amish/Mennonite Settlement TR)*, 2251 Wayne-Madison Rd. (08/03/84)
Trenton vicinity, *Kennel, John Sr., Farm (Augspurger Amish/Mennonite Settlement TR)*, 5506 Kennel Rd. (08/03/84)

Champaign County

Urbana, *Scioto Street Historic District*, Scioto St. from Locust to E. Lawn Ave. (02/09/84)
Urbana, *Urbana Monument Square Historic District*, Roughly bounded by Market, Walnut, Church, and Locust Sts. (03/01/84)

Clark County

Springfield, *South Fountain Avenue Historic District*, Roughly Fountain Ave. and Limestone St. from Perrin to Monroe Sts. (12/29/83)

Cuyahoga County

Bolton, Chester and Frances, House, (03/29/84)
Cleveland Heights, *Temple on the Heights*, 3130 Mayfield Rd. (03/29/84)
Cleveland, *Beehive School*, 4345 Lee Rd. (04/05/84)
Cleveland, *Brooklyn Bank Building*, 3764 W. 25th St. (07/19/84)
Cleveland, *Dall, Andrew Jr. and James, Houses*, 2225 and 2229 E. 46th St. (07/19/84)
Cleveland, *Doan School*, 1350 E. 105th St. (08/23/84)
Cleveland, *Erie Railroad Cleveland Powerhouse*, 1246 River Rd. (07/19/84)
Cleveland, *Jennings Apartments*, 2711 W. 14th St. (03/29/84)
Cleveland, *Miller Block*, 3202–3214 Lorain Ave. (07/19/84)
Cleveland, *Shaker Square*, Shaker and Moreland Blvd. (12/09/83)

Rocky River, *Westlake Hotel*, 19000 Lake Rd. (10/20/83)
Shaker Heights, *Shaker Village Historic District*, Roughly bounded by Fairmount and Lomond Blvds., Green, Warrensville Center, Becket, and Coventry Rds. (05/31/84)
South Euclid, *Notre Dame College of Ohio*, 4545 College Rd. (12/08/83)

Darke County

Greenville, *Greenville South Broadway Commercial District*, Roughly S. Broadway from Main to Washington and Martin Sts. (03/01/84)

Delaware County

Delaware, *Van Deman, Henry, House*, 6 Darlington Rd. (05/31/84)

Erie County

Sandusky, *Cedar Point Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Cedar Point (07/19/84)

Franklin County

Bexley, *Ducan, Robert P., House*, 333 N. Parkview Ave. (08/23/84)
Columbus, *Columbus Near East Side Historic District—Parsons Avenue (Boundary Increase)*, 43–125 Parsons Ave. including 684 Oak St. and 690 Franklin Ave. (12/09/83)
Columbus, *Felton School*, Leonard Ave. and N. Monroe St. (05/31/84)
Columbus, *Orton Memorial Laboratory*, 1445 Summit St. (11/25/83)
Columbus, *Pythian Temple and James Pythian Theater*, 861–887 Mt. Vernon Ave. (11/25/83)
Columbus, *Seneca Hotel*, 361 E. Broad St. (12/29/83)
Columbus, *South High Street Commercial Grouping*, Bounded by Pearl, Mound, Main, and High Sts. (12/29/83)
Columbus, *York Lodge No. 563*, 1276 N. High St. (07/19/84)
Marble Cliff, *Miller, J.F., House*, 1600 Roxbury Rd. (05/31/84)

Gallia County

Vinton vicinity, *Evans House*, Coal Valley Rd. (07/19/84)

Geauga County

Lost Lane Farm, (08/30/84)
Novelty, *Tambling, Lucius T., House*, 14025 Chillicothe Rd. (03/15/84)

Greene County

Cedarville, *Cedarville Opera House*, 78 N. Main St. (02/09/84)

Hamilton County

Cincinnati, *Betts-Longworth Historic District*, Roughly bounded by Ezzard Dr., Central Ave., and Mound and Old Court Sts. (11/29/83)
Cincinnati, *Gilbert-Sinton Historic District*, Roughly bounded by Morris, Gilbert and Sinton Aves. (10/06/83)
Cincinnati, *Goodall Building*, 324 W. 9th St. (02/09/84)
Cincinnati, *St. Francis Hospital*, 1860 Queen City Ave. (04/19/84)
Cincinnati, *Times-Star Building*, 800 Broadway (11/25/83)
Finneytown, *Smith-Jessop House*, 1038 W. North Bend Rd. (08/23/84)
Newtown, *Martin, Joseph, House*, 3727 Church St. (01/15/84)

Hardin County

Kenton, *Kenton Courthouse Square Historic District*, Roughly Main, Detroit, Market, Columbus and Franklin Sts. (08/23/84)
Kenton, *Kenton Public Library*, 121 N. Detroit St. (12/29/83)

Highland County

Hillsboro, *Hillsboro Historic Business District*, Roughly bounded by Beech, Walnut, East, and West Sts. (04/19/84)
Hillsboro, *Morrow-Overman-Fairley House*, 404 N. High St. (05/31/84)

Holmes County

Millersburg, *Adams, G., House (Millersburg MRA)*, 103 N. Clay St. (07/17/84)
Millersburg, *Cary, G.W., House (Millersburg MRA)*, 200 N. Washington St. (07/17/84)
Millersburg, *Cary, Hiram W., House (Millersburg MRA)*, 101 N. Clay St. (07/17/84)
Millersburg, *Disciple/Christian Church (Millersburg MRA)*, 100 N. Clay St. (07/17/84)
Millersburg, *Koch, John E., Jr., House (Millersburg MRA)*, 107 N. Washington St. (07/17/84)
Millersburg, *Millersburg Historic District (Millersburg MRA)*, Jackson, Clay, and Washington Sts. (07/17/84)
Millersburg, *United Methodist Church (Millersburg MRA)*, N. Washington St. (07/17/84)

Huron County

New London, *Gregory House*, 1 E. Main St. (02/24/84)

Jackson County

Petersburg vicinity, *Johnson Road Covered Bridge*, SW of Petersburg (08/23/84)

Lake County

Grantham, Norman, Site (33-La-139), (05/31/84)
Kirtland, *Whitney, Newel K., Store*, 8881 Chilicothe Rd. (08/30/84)

Licking County

Pataskala, *Elliot House (Pataskala MRA)*, 301 S. Main St. (11/14/83)
Pataskala, *Pataskala Presbyterian Church (Pataskala MRA)*, Atkinson and Main Sts. (11/14/83)

Lorain County

Wellington vicinity, *Avery, Carlos, House*, OH 58 (05/31/84)

Lucas County

Maumee, *Maumee Uptown Historic District*, Conant, Wayne and Dudley Sts. (02/01/84)
Toledo, *Birckhead Place District*, Birckhead Pl. (10/13/83)
Toledo, *Old West End Historic District (Boundary Increase/Decrease)*, Roughly bounded by Glenwood, Glover, Ashland, Collingwood, and Central Aves. (03/30/84)
Toledo, *Trinity Episcopal Church*, 316 Adams St. (12/29/83)

Mahoning County

Poland Village, *White Bridge*, Off OH 616 crossing Yellow Creek (12/11/83)
Poland, *Poland Center School*, US 224 and Struthers Rd. (05/31/84)
Struthers vicinity, *Lake Hamilton Dam*, Off OH 616 (05/07/84)
Youngstown, *Liberty Theatre*, 142 Federal Plaza W. (02/09/84)
Youngstown, *Stambaugh, Henry H., Memorial Auditorium*, 1000 5th Ave. (02/09/84)

Miami County

Casstown, *Casstown Lutheran Stone Church*, 11 S. Main St. (05/31/84)

Montgomery County

Centerville vicinity, *Normandy Farms*, 450 W. Alex-Bell Rd. (11/25/83)
Dayton, *Dayton Motor Car Company Historic District*, 15, 101, 123–5; 101 Bainbridge; 9–111 and 122–124 McDonough (05/31/84)
Dayton, *Dayton Terra-Cotta Historic District*, S. Ludlow and W. 5th Sts. (05/31/84)
Dayton, *Dayton View Historic District*, Roughly bounded by Broadway, Harvard Blvd., Superior and Salem Aves. (07/19/84)
Dayton, *Joyce, Jacob O., House*, 6 Josie St. (11/25/83)
Dayton, *South Park Historic District*, Roughly bounded by Park, Morton, Hickory, and Wayne Ave. (08/23/84)

Muskingum County

Zanesville, *Baltimore and Ohio Depot (Zanesville Historic Railroad Depots TR)*, Market St. (03/24/83)

Pickaway County

Circleville vicinity, *Lawndale Farm Complex*, 26476 Gay Dreisbach Rd. (04/19/84)
Circleville vicinity, *Peters, Stevenson, House*, OH 188 (02/09/84)

Richland County

Mansfield, *Building at 252–254 Park Avenue West (Park Avenue West MRA)*, 252–254 Park Ave. W. (02/02/84)
Mansfield, *Building at 309 Park Avenue West (Park Avenue West MRA)*, 309 Park Ave. W. (02/02/84)
Mansfield, *Building at 415 Park Avenue West (Park Avenue West MRA)*, 415 Park Ave. W. (02/02/84)
Mansfield, *Gilbert, F.A., House (Park Avenue West MRA)*, 343 Park Ave. W. (02/02/84)

Scioto County

Portsmouth, *Second Street Historic District*, 2nd St. (11/30/83)

Shelby County

Sidney, *Sidney Walnut Avenue Historic District*, Walnut Ave. from Poplar to Michigan Sts., and 228, 228½, and 238 W. North St. (12/29/83)

Summit County

Akron, *Corkhuff, Stacy G., House*, 1225 W. Market St. (08/30/84)
Akron, *Grace Reformed Church*, 172 W. Bowery St. (07/19/84)
Akron, *Westmont Building*, 22 Rhodes Ave. (05/31/84)

Trumbell County

Niles, *Ward-Thomas House*, 503 Brown St. (02/09/84)

Tuscarawas County

Johnson Site II, (02/09/84)

Warren County

Franklin vicinity, *Deardoff, Daniel L., House*, 4374 Union Rd. (05/31/84)

Wayne County

Wooster, *Overholt House*, 1473 Beall Ave. (12/06/83)
Wooster, *Walnut Street School*, 237 S. Walnut St. (03/01/84)

Williams County

Bryan, *Bryan Downtown Historic District*, Roughly bounded by Walnut, Beech, Maple, and Bryan Sts. (12/29/83)

Wood County

Wayne, *Graham, William, House*, 7056 Jerry City Rd. (03/01/84)

OKLAHOMA

Adair County

Stilwell, *Adair County Courthouse (County Courthouses of Oklahoma TR)*, Division St. (08/23/84)
Westville, *Buffington Hotel*, Main St. (02/23/84)
Westville, *Opera Block*, Main St. (02/23/84)

Alfalfa County

Aline, *Aline IOOF Lodge No. 263 (IOOF Buildings in Alfalfa County TR)*, Off Main and Broadway (03/08/84)
Carmen vicinity, *Carmen, IOOF Home (IOOF Buildings in Alfalfa County TR)*, N of Carmen (03/08/84)
Carmen, *Carmen IOOF Lodge No. 84 (IOOF Buildings in Alfalfa County TR)*, Main and 4th St. (03/08/84)
Cherokee, *Alfalfa County Courthouse (County Courthouses of Oklahoma TR)*, Grand Ave. (08/23/84)
Cherokee, *Cherokee IOOF Lodge No. 219 (IOOF Buildings in Alfalfa County TR)*, Grand Ave. and 2nd St. (03/08/84)
Cherokee, *Farmers' Federation Elevator (Clay Tile Grain Elevators in Northwestern Oklahoma TR)*, Ohio Ave. and 4th St. (10/07/83)
Goltry, *Farmers' Exchange Elevator (Clay Tile Grain Elevators in Northwestern Oklahoma TR)*, OK 45 (10/07/83)
Ingersoll, *Ingersoll Tile Elevator (Clay Tile Grain Elevators in Northwestern Oklahoma TR)*, Off US 64 (10/07/83)

Beaver County

Beaver, *Beaver County Courthouse (County Courthouses of Oklahoma TR)*, Off US 270 (08/23/84)
Floris, *Floris Grain Elevator (Woodframe Grain Elevators of Oklahoma Panhandle TR)*, Off US 64 (10/07/83)

Beckham County

Elk City, *Storm House*, 721 W. Broadway (10/06/83)
Sayre, *Beckham County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Square (08/23/84)

Blaine County

Watonga, *Blaine County Courthouse (County Courthouses of Oklahoma TR)*, N. Weigle St. (08/23/84)

Bryan County

Durant, *Bryan County Courthouse (County Courthouses of Oklahoma TR)*, 4th Ave. and Evergreen St. (08/23/84)

Canadian County

Union City, *Richardson Building*, NE of Main and Division (10/06/83)
Yukon, *Yukon Public Library*, 512 Elm St. (02/02/84)

Carter County

Ardmore, *Black Theater of Ardmore*, 536 E. Main St. (06/22/84)
Ardmore, *Douglass High School Auditorium*, 800 M NE. St. (07/11/84)
Ardmore, *Dunbar School*, 13 6th St. SE (06/22/84)

Cimarron County

Boise City, *Cimarron County Courthouse (County Courthouses of Oklahoma TR)*, Cimarron Ave. (08/23/84)

Cotton County

Walters, *Cotton County Courthouse (County Courthouses of Oklahoma TR)*, 301 N. Broadway (08/23/84)

Craig County

Vinita, *Craig County Courthouse (County Courthouses of Oklahoma TR)*, 214 W. Canadian Ave. (08/23/84)

Custer County

Clinton, *Crawford House*, 600 N. 13th St. (03/18/84)
Weatherford, *Science Building (Old)*, State St. (02/23/84)

Dewey County

Seiling, *Seiling Milling Company*, 4th and Orange St. (12/08/83)

Ellis County

Fargo, *Stock Exchange Bank (Banking Facilities in Ellis County TR)*, Main St. (10/07/83)
Gage, *Bank of Gage (Banking Facilities in Ellis County TR)*, 18 Main St. (10/07/83)
Shattuck, *First State Bank (Banking Facilities in Ellis County TR)*, 239 S. Main St. (10/07/83)
Shattuck, *Shattuck National Bank Building (Banking Facilities in Ellis County TR)*, 100 S. Main St. (10/07/83)

Garfield County

Covington vicinity, *Kimmell Barn*, NE of Covington (01/23/84)
Enid, *Garfield County Courthouse (County Courthouses of Oklahoma TR)*, W. Broadway (08/23/84)
Hunter, *Bank of Hunter*, Cherokee and Main Sts. (06/22/84)

Grant County

Deer Creek, *Deer Creek General Merchandise Store*, S. Main St. (03/08/84)
Medford, *Grant County Courthouse (County Courthouses of Oklahoma TR)*, W. Guthrie St. (08/23/84)

Harmon County

Hollis, *Harmon County Courthouse (County Courthouses of Oklahoma TR)*, W. Hollis St. (08/23/84)

Harper County

Buffalo, *Farmers' Co-op Elevator (Clay Tile Grain Elevators in Northwestern Oklahoma TR)*, Off US 64 (10/07/83)
Buffalo, *Feuquay Elevator (Clay Tile Grain Elevators in Northwestern Oklahoma TR)*, Off US 64 (10/07/83)
Buffalo *Harper County Courthouse (County Courthouses of Oklahoma TR)*, Elm, Maple, 1st, and 2nd Sts. SE (08/23/84)
Laverne, *Clover Hotel (Laverne's Early Commercial Development MRA)*, Main St. and Oklahoma Ave. (03/08/84)
Laverne, *Laverne's North Main Street District (Laverne's Early Commercial Development MRA)*, Main St. and Broadway (03/08/84)
Laverne, *M.K. and T. Depot in Laverne (Laverne's Early Commercial Development MRA)*, Main St. (03/08/84)
Laverne, *Sharp Lumberyard (Laverne's Early Commercial MRA)*, 124 N. Broadway (03/08/84)

Haskell County

Stigler, *Haskell County Courthouse (County Courthouses of Oklahoma TR)*, 202 E. Main St. (08/23/84)

Jackson County

Altus, *Jackson County Courthouse (County Courthouses of Oklahoma TR)*, Main St. and Broadway (08/23/84)

Jefferson County

Waurika, *Jefferson County Courthouse (County Courthouses of Oklahoma TR)*, N. Main St. (08/23/84)

Johnston County

Tishomingo, *Murray, Gov. William H., House*, Off OK 78 (08/02/84)

Kay County

Newkirk, *Kay County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)
Newkirk, *Newkirk Central Business District*, Main and 7th Sts. (02/23/84)
Ponca City vicinity, *Big V Ranch House (Ranching Properties in Northwestern Oklahoma TR)*, Off OK 156 (08/23/84)
Tonkawa, *Mahoney House and Garage*, 302 N. Main Ave. (07/03/84)

Kingfisher County

Hennessey, *Farmers and Merchants National Bank*, 197 S. Main St. (02/23/84)

Kiowa County

Hobart, *Kiowa County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

LeFlore County

Poteau, *LeFlore County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

Lincoln County

Chandler, *Boston Store (Territorial Commercial Buildings of Chandler TR)*, 917 Manvel Ave. (04/05/84)
Chandler, *Chandler Bookstore (Territorial Commercial Buildings of Chandler TR)*, 713 Manvel Ave. (04/05/84)
Chandler, *Clapp-Cunningham Building (Territorial Commercial Buildings of Chandler TR)*, 1021 Manvel Ave. (04/05/84)
Chandler, *Conklin House (Territorial Homes of Chandler TR)*, 206 W. 8th St. (09/28/84)
Chandler, *First Presbyterian Church of Chandler (Territorial Era Carpenter Gothic Churches TR)*, 8th and Blaine Sts. (09/28/84)
Chandler, *Johnson House (Territorial Homes of Chandler TR)*, 503 Manvel Ave. (09/28/84)
Chandler, *Murphy Building (Territorial Commercial Buildings of Chandler TR)*, 717–719 Manvel Ave. (04/05/84)
Chandler, *Oleson-Crane Building (Territorial Commercial Buildings of Chandler TR)*, 721 Manvel Ave. (04/05/84)
Chandler, *St. Cloud Hotel (Territorial Commercial Buildings of Chandler TR)*, 1216 Manvel Ave. (04/05/84)
Chandler, *Wolcott Building (Territorial Commercial Buildings of Chandler TR)*, 725 Manvel Ave. (04/05/84)
Prague, *ZCBJ Lodge No. 46*, S. Barta Ave. (03/08/84)
Stroud, *Stroud, James W., House*, 110 E. 2nd St. (03/08/84)

Logan County

Guthrie, *Logan County Courthouse (County Courthouses of Oklahoma TR)*, 301 E. Harrison St. (08/23/84)
Marshall, *Methodist Church of Marshall (Territorial Era Carpenter Gothic Churches TR)*, Off OK 74 (09/28/84)
Mulhall, *Mulhall United Methodist Church*, Bryant and Craig Sts. (06/22/84)
Mulhall, *Oklahoma State Bank Building*, Baty and Main Sts. (06/22/84)

Love County

Marietta, *Love County Courthouse (County Courthouses of Oklahoma TR)*, 100 S. 4th St. (08/23/84)

Major County

Fairview, *Major County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

Marshall County

Madill, *Marshall County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

McClain County

Purcell, *McClain County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

McIntosh County

Vernon, *Rock Front*, Broadway (06/22/84)

Murray County

Sulphur, *Murray County Courthouse (County Courthouses of Oklahoma TR)*, Wyandotte Ave. (08/23/84)

Muskogee County

Muskogee, *Central Baptist Church (Black Protestant Churches of Muskogee TR)*, 515 N. 4th St. (09/25/84)
Muskogee, *Coss, V.R., House (Territorial Homes of Muskogee TR)*, 1315 W. Okmulgee St. (05/02/84)
Muskogee, *First Baptist Church (Black Protestant Churches of Muskogee TR)*, 6th and Denison Sts. (09/25/84)
Muskogee, *Fite, F.B., House and Servant's Quarters*, 443 N. 16th St. (10/06/84)
Muskogee, *Manual Training High School for Negroes*, 704 Altamont St. (06/22/84)
Muskogee, *Murphy, George A., House (Territorial Homes of Muskogee TR)*, 1321 W. Okmulgee St. (05/02/84)
Muskogee, *Muskogee County Courthouse (County Courthouses of Oklahoma TR)*, 216 State St. (08/23/84)
Muskogee, *Patterson, A.W., House (Territorial Homes of Muskogee TR)*, 1320 W. Okmulgee St. (05/02/84)
Muskogee, *Pre-Statehood Commercial District*, Main, Broadway, Okmulgee, and Second Sts. (10/06/83)
Muskogee, *Trumbo, A.C., House (Territorial Homes of Muskogee TR)*, 1321 W. Broadway St. (05/02/84)
Muskogee, *Ward Chapel AME Church (Black Protestant Churches of Muskogee TR)*, 319 N. 9th St. (09/25/84)
Muskogee, *Welch, J.C., House (Territorial Homes of Muskogee TR)*, 1403 W. Okmulgee St. (05/02/84)
Summit, *DuBois, W.E.B., School (Educational Resources of All-Black Towns in Oklahoma TR)*, Off US 69 (09/28/84)
Taft, *Taft City Hall (Historic Government Buildings in Oklahoma's All-Black Towns TR)*, Elm and Seminole Sts. (09/28/84)

Noble County

Billings, *Renfrow Building (Renfrow, T.F., Historic Properties TR)*, 127 W. Main St. (09/28/84)
Billings, *Renfrow House (Renfrow, T.F., Historic Properties TR)*, Graves St. and Broadway (09/28/84)
Morrison, *Morrison Baptist Church (Territorial Era Carpenter Gothic Churches TR)*, 202 3rd St. (09/28/84)
Perry, *Noble County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (08/23/84)

Nowata County

Nowata, *Nowata County Courthouse (County Courthouses of Oklakoma TR)*, 229 N. Maple St. (08/23/84)

Okfuskee County

Okemah, *Okfuskee County Courthouse (County Courthouses of Oklahoma TR)*, 3rd and W. Atlanta (08/23/84)

Oklahoma County

Oklahoma City, *First Christian Church*, 1104 N. Robinson Ave. (03/08/84)
Oklahoma City, *Pilgrim Congregational Church*, 1433 Classen Dr. (02/23/84)

Okmulgee County

Okmulgee, *Okmulgee Black Hospital*, 320 N. Wood Dr. (06/22/84)
Okmulgee, *Okmulgee County Courthouse (County Courthouses of Oklahoma TR)*, 300 W. 7th St. (08/23/84)

Osage County

Fairfax, *First National Bank and Masonic Lodge*, 301 N. Main St. (06/22/84)
Pawhuska, *Osage County Courthouse (County Courthouses of Oklahoma TR)*, 6th and Grandview Sts. (06/23/84)

Pawnee County

Blackburn, *Blackburn Methodist Church (Territorial Era Carpenter Gothic Churches TR)*, D St. and 4th Ave. (09/28/84)
Cleveland, *Mullendore Mansion*, 910 N. Phillips St. (06/22/84)
Pawnee, *Pawnee County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq (08/23/84)

Payne County

Stillwater, *Payne County Courthouse (County Courthouses of Oklahoma TR)*, 606 S. Husband St. (08/23/84)

Pittsburg County

McAlester, *Pittsburg County Courthouse (County Courthouses of Oklahoma TR)*, Washington Ave. (08/23/84)

Pontotoc County

Ada, *Pontotoc County Courthouse (County Courthouses of Oklahoma TR)*, 12th and Broadway (08/24/84)

Pottawatomie County

Shawnee, *Pottawatomie County Courthouse (County Courthouses of Oklahoma TR)*, 300 N. Broadway (08/24/84)

Seminole County

Lima, *Rosewald Hall (Educational Resources of All-Black Towns in Oklahoma TR)*, College St. (09/28/84)
Wewoka, *Seminole County Courthouse (County Courthouses of Oklahoma TR)*, S. Wewoka St. (08/24/84)

Sequoyah County

Sallisaw, *Hines Round Barn*, 401 S. Adams St. (03/08/84)

Texas County

Guymon, *Texas County Courthouse (County Courthouses of Oklahoma TR)*, 319 N. Main St. (08/24/84)
Mouser, *Mouser Grain Elevator (Woodframe Grain Elevators of Oklahoma Panhandle TR)*, Off SR 136 (10/07/83)
Texhoma vicinity, *CCC Ranch Headquarters*, W of Texhoma (12/01/83)
Texhoma, *Penick House*, 218 N. East St. (09/28/84)

Tillman County

Frederick, *Tillman County Courthouse (County Courthouses of Oklahoma TR)*, Gladstone and Main Sts. (08/24/84)
Frederick vicinity, *Laney, J.D., House*, SW of Frederick (02/03/84)

Tulsa County

Tulsa, *Oklahoma Natural Gas Company Building (Zig-Zag Art Deco Style Public Utility Buildings TR)*, 624 S. Boston Ave. (04/10/84)

Tulsa, *Public Service of Oklahoma Building (Zig-Zag Art Deco Style Public Utility Buildings TR)*, 600 S. Main St. (04/10/84)
Tulsa, *Southwestern Bell Main Dial Building (Zig-Zag Art Deco Style Public Utility Buildings TR)*, 424 S. Detroit Ave. (06/22/84)

Wagoner County

Red Bird, *Miller-Washington School (Educational Resources of All-Black Towns in Oklahoma TR)*, Market St. (09/28/84)
Red Bird, *Red Bird City Hall (Historic Government Buildings in Oklahoma's All-Black Towns TR)*, Boston St. (09/28/84)

Washita County

Cordell, *Washita County Courthouse (County Courthouses of Oklahoma TR)*, Courthouse Sq. (06/24/84)

Woods County

Alva, *Branson Building (Territorial Buildings in Downtown Alva TR)*, 531 Barnes St. (01/05/84)
Alva, *Building at 405–407 College Avenue (Territorial Buildings in Downtown Alva TR)*, 405 College Ave. (01/05/84)
Alva, *Building at 409 College Avenue (Territorial Buildings in Downtown Alva TR)*, 409 College Ave. (01/05/84)
Alva, *Building at 500 Flynn Street (Territorial Buildings in Downtown Alva TR)*, 500 Flynn St. (01/05/84)
Alva, *Central National Bank (Territorial Buildings in Downtown Alva TR)*, 401 College Ave. (01/05/84)
Alva, *IOOF Hall (Territorial Buildings in Downtown Alva TR)*, 527 Barnes St. (01/05/84)
Alva, *Kavanaugh and Shea Building (Territorial Buildings in Downtown Alva TR)*, 403 College Ave. (01/05/84)

Woodward County

Woodward, *Stein, L.L., House (Woodward MRA)*, 1001 10th St. (10/07/83)

OREGON

Benton County

Corvallis, *Burnop-Rickard House*, 518 SW 3rd St. (08/01/84)
Corvallis, *Julian Hotel*, 105 SW 2nd St. (03/22/84)

Clackamas County

West Linn, *Walden, Nicholas O., House*, 1847 SE 5th Ave. (09/07/84)

Clatsop County

Astoria, *Astor Building*, 1203 Commercial St. (09/07/84)
Astoria, *Astoria City Hall*, 1618 Exchange St. (09/07/84)
Astoria, *Astoria Fire House No. 2*, 2968 Marine Dr. (09/07/84)
Astoria, *Astoria Wharf and Warehouse Company*, Water St. (06/14/84)
Astoria, *Cherry, Peter L., House*, 836 15th St. (09/07/84)
Astoria, *Clatsop County Courthouse*, 749 Commercial St. (04/05/84)
Astoria, *Ferguson, Albert W., House*, 1661 Grand Ave. (09/07/84)
Astoria, *Grace Episcopal Church and Rectory*, 1545 Frankin Ave. (09/07/84)
Astoria, *Gray, Capt. J.H.D., House*, 1687 Grand Ave. (09/07/84)
Gearhart, *Latourette, Charles David, House*, 683 D St. (03/22/84)
Knappa vicinity, *Hliluqahih Site (35CLT37)*, N of Knappa (04/26/84)
Svensen vicinity, *Indian Point Site (35CLT34)*, E of Svensen (05/09/84)

Coos County

Bandon, *Coquille River Life Boat Station*, 390 SW 1st St. (06/03/84)
Coos Bay, *Chandler Hotel and Annex*, 187 W. Central Ave. (06/14/84)
Coos Bay, *Marshfield Hotel*, 275 Broadway (03/22/84)
Coos Bay, *Tower-Flanagan House*, 476 Newmark Ave. (02/16/84)

Deschutes County

Bend, *Bend Amateur Atheletic Club Gymnasium*, NE of Wall and Idaho Sts. (11/25/83)
Bend, *Smith, N. P., Pioneer Hardware Store*, 935–937 NW Wall St. (04/05/84)

Douglas County

Canyonville vicinity, *Weaver-Worthington Farmstead*, E of Canyonville (08/01/84)
Canyonville, *Canyonville Methodist Church*, 2nd and Pine Sts. (04/05/84)
Roseburg vicinity, *Curry, Nathaniel, House*, 1458 Quail Lane (11/25/83)
Sutherlin, *Sutherlin Bank Building*, 101 W. Central Ave. (08/01/84)

Grant County

Dayville vicinity, *Cant, James, Ranch Historic District*, OR 19 (06/21/84)

Hood River/Multnomah/Wasco Counties

Troutdale, Cascade Locks, Hood River, and Mosier, *Columbia River Highway Historic District*, Roughly follows the Columbia River from Troutdale to Chenoweth Creek (12/12/83)

Jackson County

Ashland, *Trinity Episcopal Church*, 44 N. Second St. (04/05/84)
Medford vicinty, *Hanley, Michael, Farmstead*, 1053 Hanley Rd. (11/25/83)
Medford, *Barnum Hotel*, 204 N. Front St. (03/22/84)
Medford, *Hillcrest Orchard Historic District*, 3285 Hillcrest Rd. (02/16/84)

Josephine County

Grants Pass, *Grants Pass City Hall and Fire Station*, 4th and H Sts. (09/07/84)
Grants Pass, *McLean, Robert and Lucy, House*, 724 NW 4th St. (04/05/84)

Lane County

Coburg, *Mathews, Nelson and Margret, House*, 231 E. Pearl St. (06/14/84)
Eugene, *Lane County Clerk's Building*, 740 W. 13th Ave. (11/25/84)
Eugene, *Shelton-McMurphy House and Grounds*, 303 Willamette St. (06/14/84)

Linn County

Albany, *First Evangelical Church of Albany*, 1120 SW 12th Ave. (08/01/84)

Malheur County

Vale, *Vale Hotel and Grand Opera House*, 123 S. Main St. (08/01/84)

Marion County

Gervais vicinity, *Beers, Oliver, House (Methodist Mission Site)*, 10602 Wheatland Rd. (08/01/84)
Gervais vicinity, *Willamette Station Site, Methodist Mission in Oregon*, Willamette Mission State Park (08/01/84)
St. Paul vicinity, *Champoeg State Park Historic Archeological District*, NE of St. Paul (08/01/84)

Multnomah County

Portland, *Calumet Hotel*, 620 SW Park St. (09/21/84)
Portland, *Commodore Hotel*, 1609 SW Morrison St. (06/27/84)
Portland, *Harmon-Neils House*, 2642 NW Lovejoy St. (02/16/84)
Portland, *Jewish Shelter Home*, 4133 SW Corbett Ave. (06/14/84)
Portland, *New Heathman Hotel*, 712 SW Salmon St. (02/16/84)
Portland, *Taylor, Peter, House and Hoehlen, Gotlieb, House*, 2806 and 2816 SW 1st Ave. (08/01/84)
Portland, *Vista Avenue Viaduct*, SW Vista Ave. (04/26/84)
Portland, *West, Nathaniel, Buildings*, 711–727 SE Grand Ave. (04/26/84)
Portland, *Williams, George H., Townhouses*, 133 NW 18th Ave. (03/22/84)
Troutdale, *Harlow, Fred, House*, 726 E. Columbia St. (02/16/84)

Washington County

Beavertown, *Fanno, Augustus, Farmhouse*, 8385 SW Hall Boulevard (04/05/84)
Forest Grove vicinity, *Beeks, Silas Jacob N., House*, NE of Forest Grove (06/14/84)
Hillsboro, *Linklater, Zula, House*, 230 NW 2nd Ave. (08/01/84)

PENNSYLVANIA

Allegheny County

Oakmont Country Club Historic District, (08/17/84)
Pittsburgh, *Deustschtown Historic District*, Roughly bounded by Cedar Ave., Knoll, East, and Pressley Sts. (11/25/83)
Pittsburgh, *East Carson Street Historic District*, Roughly E. Carson St. from 9th to 24th Sts. (11/17/83)
Pittsburgh, *Houses at 2501–2531 Charles Street*, 2501–2531 Charles St. (03/15/84)
Pittsburgh, *Houses at 838–862 Brightridge Street*, 838–862 Brightridge St. (03/01/84)
Pittsburgh, *Longfellow School (Deniston School)*, Monroe St. and McClure Ave. (06/28/84)

Bedford County

Site 36BD90, (06/04/84)
Bedford, *Bedford Historic District*, Roughly bounded by East, West, and Watson, Sts., and the Raystown Branch of Juniata River (12/22/83)

Berks County

Gibraltar vicinity, *Allegheny Aqueduct*, PA 724 and Allegheny Creek (02/23/84)
Maxatawney vicinity, *Siegfried's Dale Farm*, Siegfried's Rd. (05/10/84)
Reading, *Foos, Charles S., Elementary School*, Douglass and Weiser Sts. (11/10/83)

Reading, *Metropolitan Edison Building*, 412 Washington St. (10/28/83)

Bucks County

Paxson, Isaiah, Farm, (08/23/84)
Croyden, *White Hall of Bristol College*, 701–721 Shadyside Ave. (01/12/84)
Hartsville vicinity, *Bridge Valley Bridge (Bettit's Bridge)*, Span Neshaminy Creek N of Hartsville (05/10/84)
Langhorne, *Tomlinson-Huddleston House*, 109 W. Maple Ave. (11/10/83)
Lumberville, *Lumberville Historic District*, Fleecy Dale, Carversville, River, and Green Hill Rds. (08/09/84)
Taylorsville vicinity, *Burroughs, John, Homestead*, Wrightstown-Taylorsville Rd. (03/05/84)

Cambria County

Ebensburg, *Noon, Philip, House*, 114 E. High St. (08/23/84)

Chester County

Rothrock, Joseph, House, (09/06/84)
Coatesville, *Caln Meeting House*, 901 Caln Meeting House Rd. (05/03/84)
Exton, *Colebrook Manor (West Whiteland Township MRA)*, 637 W. Lincoln Hwy. (09/06/84)
Exton, *Exton Hotel (West Whiteland Township MRA)*, 423 E. Lincoln Hwy. (11/10/83)
Exton, *Lewis, Evan, House (West Whiteland Township MRA)*, 117 N. Ship Rd. (08/02/84)
Exton, *Ship Inn (West Whiteland Township MRA)*, 100 N. Ship Rd. (08/02/84)
Exton, *St. Paul's Church (West Whiteland Township MRA)*, 901 E. Lincoln Hwy. (09/06/84)
Exton, *West Whiteland Inn (West Whiteland Township MRA)*, 609 W. Lincoln Hwy. (08/02/84)
Kirkland, *Rush, Benjamin, House (Chesteridge) (West Whiteland Township MRA)*, Boot Rd. (08/02/84)
Malvern vicinity, *Sugartown Historic District*, Sugartown, Boot, Spring, Dutton Mill, and Providence Rds. (09/07/84)
Phoenixville vicinity, *Coates, Moses Jr., Farm*, 1416 State Rd. (05/03/84)
Phoenixville, *Gay Street School*, Gay and Morgan Sts. (11/10/84)
Strafford, *Strafford Railroad Station*, Old Eagle School Rd. (07/26/84)
Wagontown vicinity, *Hatfield-Hibernia Historic District*, N of Wagontown (06/20/84)
West Chester, *Buckwalter Building*, 11–13 S. High St. (02/22/84)
West Chester, *Sharples Separator Works*, N. Franklin and Evans Sts. (06/28/84)
West Whiteland Township, *Grove Historic District (West Whiteland Township MRA)*, S. Whitford Rd. (08/02/84)
West Whiteland, *Autun (West Whiteland Township MRA)*, 371 E. Boot Rd. (09/06/84)
West Whiteland, *Bell, John, Farm (West Whiteland Township MRA)*, 463 N. Ship Rd. (09/06/84)
West Whiteland, *Boyer, Riter, House (West Whiteland Township MRA)*, 350 W. Boot Rd. (11/10/83)
West Whiteland, *Cox, Hewson, House (West Whiteland Township MRA)*, Church Farm Rd. (08/02/84)
West Whiteland, *Everhart, William, House (West Whiteland Township MRA)*, S. Ship and Boot Rds. (08/02/84)
West Whiteland, *Fox Chase Inn (West Whiteland Township MRA)*, 613 Swedesford Rd. (09/06/84)
West Whiteland, *Greenwood School (West Whiteland Township MRA)*, 700 King Rd. (11/10/83)
West Whiteland, *Hoffman, George, House (West Whiteland Township MRA)*, 1311 Grove Rd. (08/02/84)
West Whiteland, *Jacobs, Benjamin, House (West Whiteland Township MRA)*, 325 N. Ship Rd. (08/02/84)
West Whiteland, *Kennedy, Francis W., House (West Whiteland Township MRA)*, 1417 Highland Ave. (08/02/84)
West Whiteland, *Kinbawn (West Whiteland Township MRA)*, 405 Highland Ave. (09/06/84)
West Whiteland, *Kirkland Station (West Whiteland Township MRA)*, 1370 Kirkland Ave. (11/10/83)
West Whiteland, *Lochiel Farm (West Whiteland Township MRA)*, 111A N. Ship Rd. (09/06/84)
West Whiteland, *Meredith, Daniel, House (West Whiteland Township MRA)*, 1358 Glen Echo Rd. (08/02/84)
West Whiteland, *Newlin Miller's House (West Whiteland Township MRA)*, 1240 Samuel Rd. (09/06/84)
West Whiteland, *Oaklands (West Whiteland Township MRA)*, 349 W. Lincoln Hwy. (09/06/84)
West Whiteland, *Pennypacker, Benjamin, House (West Whiteland Township MRA)*, 800 E. Swedesford Rd. (08/02/84)
West Whiteland, *Price, Joseph, House (West Whiteland Township MRA)*, 401 Clover Mill Rd. (09/06/84)
West Whiteland, *Sleepy Hollow Hall (West Whiteland Township MRA)*, 109 E. Lincoln Hwy. (08/02/84)
West Whiteland, *Solitude Farm (West Whiteland Township MRA)*, Church Farm Rd. (08/02/84)
West Whiteland, *Thomas Marble Quarry Houses (West Whiteland Township MRA)*, Quarry Lane (08/02/84)
West Whiteland, *Thomas Mill and Miller's House (West Whiteland Township MRA)*, 130 W. Lincoln Hwy. (09/06/84)
West Whiteland, *Thomas, Charles, House (West Whiteland Township MRA)*, 225 N. Whitford Rd. (09/06/84)
West Whiteland, *Wee Grimmet (West Whiteland Township MRA)*, 624 W. Lincoln Hwy. (08/02/84)
West Whiteland, *White, Hannah, Log House (West Whiteland Township MRA)*, 545 W. Boot Rd. (08/02/84)
West Whiteland, *Whitford Garne (West Whiteland Township MRA)*, 201 W. Boot Rd. (09/06/84)
West Whiteland, *Whitford Hall (West Whiteland Township MRA)*, 145 W. Lincoln Hwy. (09/06/84)
West Whiteland, *Whitford Station House (West Whiteland Township MRA)*, 405 S. Whitford Rd. (08/02/84)
West Whiteland, *Woodland Station (West Whiteland Township MRA)*, 408 King Rd. (09/06/84)
West Whiteland, *Zook House (Boundary Increase) (West Whiteland Township MRA)*, 300 Exton Sq. (08/02/84)

Crawford County

Meadville, *Shippen, Judge Henry, House*, 403 Chestnut St. (06/06/84)

Cumberland County

Shippensburg, *Shippensburg Historic District*, Roughly bounded by Lutz Ave., Kenneth, Spring, and Fort Sts. (06/07/84)

Dauphin County

Harrisburg, *Old Downtown Harrisburg Commercial Historic District (Boundary Increase)*, Roughly Market St. from 3rd to 4th and 3rd St. from Walnut to Chestnut Sts. (03/22/84)

Delaware County

Chanticleer, (07/24/84)
Newtown Square, *Square Tavern*, Newtown Street Rd. and Goshen Rd. (09/07/84)

Erie County

Erie, *Federal Row*, 146–162 E. 5th St.; 424–430 Holland St. (05/17/84)

Fayette County

Deffenbaugh Site (36FA57), (05/14/84)
Francis Farm Petroglyphs Site (36FA35), (05/10/84)
Dawson, *Cochran, Philip G., Memorial United Methodist Church*, Howell and Griscom Sts. (06/04/84)

Franklin County

Mercersburg, *Mercersburg Academy*, PA 16 (06/21/84)

Greene County

Garards Fort vicinity, *Corbly, John, Farm*, N of Garards Fort (05/03/84)
Holbrook vicinity, *Foley, Richard T., Site (36GR52)*, W of Holbrook (05/10/84)
Waynesburg Borough, *Waynesburg Historic District*, Roughly bounded by 2nd Alley, Cherry Ave., East and Bowlby Sts. (03/01/84)

Huntingdon County

Shirleysburg, *Leas, Benjamin B., House*, US 522 (02/23/84)

Jefferson County

Brookville, *Brookville Historic District*, Roughly bonded by RR tracks, Franklin Ave., Church and Main Sts. (06/07/84)

Lackawanna County

Scranton, *Florence Apartments*, 643 Adams Ave. (01/05/84)
Scranton, *Grand Army of the Republic Building*, 303 Linden St. (05/17/84)
Scranton, *Lackawanna Avenue Commercial Historic District*, Roughly bounded by Adams, Franklin, Bogart Pl., and Spruce Sts. (11/10/83)

Lancaster County

Duncan Island (36LA60,61), (05/10/84)
Blainsport vicinity, *Walter, Henry, House*, Greenville Rd. (07/26/84)
East Earl, *Spring Grove Forge Mansion*, Spring Grove Rd. (07/11/84)

Lancaster, *Hamilton Apartments*, 247–249 N. Duke St. and 104–118 E. Walnut St. (06/28/84)
Lancaster, *Lancaster Historic District (Boundary Increase)*, E. King St. (06/21/84)
Lancaster, *Lancaster Historic District (Boundary Increase)*, Bounded by E. Vine, S. Christian, Washington, S. Duke, and Church Sts. (11/10/83)
Lancaster, *Lancaster Trust Company*, 37–41 N. Market St. (11/03/83)
Lancaster, *Reilly Brothers and Raub Building*, 44–46 N. Queen St. and 45 N. Market St. (11/03/83)
Lancaster, *Wogner's, Charlie, Cafe*, 30 E. Grant St. (12/29/83)
Lancaster, *West Lawn*, 407 W. Chestnut St. (05/03/84)
Lititz, *Werner, William, House*, 66 E. Main St. (05/10/84)
Marietta, *Marietta Historic District (Boundary Increase)*, Bounded by Waterford Ave., Clay, Propect, and Front Sts. (05/17/84)

Lehigh County

Allentown, *Americus Hotel*, 541 Hamilton St. (08/23/84)
Allentown, *Hotel Sterling*, 343–345 Hamilton St. (05/03/84)
Catasauqua, *Biery's Port Historic District*, Roughly bounded by Pineapple, Front, Race, and Mulberry Sts. (08/09/84)
Catasauqua, *Catasauqua Residential Historic District*, Roughly bounded by Howertown Rd., Railroad Ave., Oak and Bridge Sts. (05/10/84)
Macungie, *Weaver, Valentine, House*, 146 S. Church St. (06/28/84)

Luzerne County

Hazelton, *Pardee, Israel Platt, Mansion*, 235 N. Laurel St. and 28 Aspen St. (01/12/84)

Lycoming County

Williamsport, *Hart Building*, 28–30 W. 3rd St. (09/07/84)

McKean County

Kane, *New Thomson House (Penn-Kane Hotel)*, 2 Greeves St. (05/03/84)

Mifflin County

Lewistown, *Montgomery Ward Building*, 3–7 W. Market St. (09/07/84)
Lewistown, *Wollner Building*, 16 W. Market St. (08/23/84)

Monroe County

Stroudsburg, *Kitson Woolen Mill*, 411 Main St. (01/12/84)

Montgomery County

Bryn Mawr, *Idlewild Farm Complex*, 617 Williamson Rd. (01/20/84)
Conshohocken, *Lee Tire and Rubber Company*, 1100 Hector St. (08/23/84)
Haverford, *Whitehall Apartments* 410 W. Lancaster Ave. (12/28/83)
Pottstown, *Reading Railroad Pottstown Station*, High St. between Hanover and York Sts. (01/12/84)

Northampton County

Bethlehem, *Lehigh Valley Railroad Headquarters Building*, 425 Brighton St. (05/24/84)

Northumberland County

Sunbury, *Sunbury Historic District*, Roughly bounded by Arch, Chestnut, Front, and 5th Sts. (11/03/83)

Philadelphia County

Philadelphia, *1616 Building*, 1616 Walnut St. (10/17/83)
Philadelphia, *26th District Police and Patrol Station*, 2136–2142 E. Dauphin St. (07/12/84)
Philadelphia, *Baird, Matthew, Mansion*, 814 N. Broad St. (12/29/83)
Philadelphia, *Broad Street Historic District*, Roughly bounded by Juniper, Cherry, 15th, and Pine Sts. (04/06/84)
Philadelphia, *East Center City Commercial Historic District*, Roughly bounded by 6th, Juniper, Market, and Locust Sts. (07/05/84)
Philadelphia, *Elk's Lodge BPOE No. 2*, 306–320 N. Broad St. (08/23/84)
Philadelphia, *Estey Hall*, 1701 Walnut St. (10/28/83)
Philadelphia, *Garden Court Historic District*, Roughly bounded by Larchwood Ave., 46th, 50th, and Pine Sts. (07/05/84)
Philadelphia, *Heywood Chair Factory*, 1010–1014 Race St. (08/23/84)
Philadelphia, *Holman, A.J., and Company*, 1222–26 Arch St. (05/17/84)
Philadelphia, *Parkside Historic District*, Bounded by Penn-Central RR track, 38th St., Girard, Parkside, and Belmont Aves. (11/17/83)
Philadelphia, *Ridge Avenue Farmers' Market*, 1810 Ridge Ave. (03/05/84)
Philadelphia, *Washington Avenue Historic District*, Roughly bounded by Carpenter, Washington, 10th, and Broad Sts. (09/07/84)
Philadelphia, *Washington Square West Historic District*, Roughly bounded by 8th, Locust, Broad, and Lombard Sts. (09/20/84)
Philadelphia, *Wesley Building*, 1701–1709 Arch St. (05/10/84)
Philadelphia, *Wills Hospital*, 1601 Spring Garden St. (07/12/84)
Philadelphia, *Wissahickon*, Schuyler & Queen Sts. (11/25/83)
Philadelphia, *Sharpless, William C., House*, 5446 Wayne Ave. (12/29/83)

Venango County

Indian God Rock Petroglyphs Site (36VE26), (05/14/84)
Franklin, *Franklin Historic District*, Roughly bounded by Miller Ave., Otter, 8th, Buffalo, and 16th Sts. (01/26/84)

York County

Leibhart, Oscar, Site (36YO9), (05/24/84)
Emigsville, *Emig Mansion*, 3342 N. George St. (09/07/84)
Goldsboro, *Goldsboro Historic District*, Roughly bounded by North, 3rd, Fraser, and Railroad Sts. (06/14/84)
Hanover Junction, *Hanover Junction Railroad Station*, PA 616 (12/29/83)
Railroad, *Railroad Borough Historic District*, Shaub Rd. N., E., and S. Main St. (03/22/84)
Shrewsbury, *Shrewsbury Histric District*, Roughly bounded by Highland, Sunset Drs., Park Ave., Church, and Pine Sts. (03/22/84)
Spring Grove, *Spring Grove Borough Historic District*, Roughly bounded by College Ave., Jackson, Water, East, and Church Sts. (05/25/84)
York, *Stevens School*, 606 W. Philadelphia St. (12/29/83)

PUERTO RICO

Aguadilla County

Aguadilla, *Church San Carlos Borromeo of Aguadilla (Historic Churches of Puerto Rico TR)*, De Diego St., Town Plaza (09/18/84)
Camuy, *Antiguo Casino Camuyano*, Estrella and Munoz Rivera Sts. (01/26/84)
Maricao, *Church San Juan Bautista of Maricao (Historic Churches of Puerto Rico TR)*, Baldorioty St., Town Plaza (09/18/84)
Quebradillas vicinity, *Puente Blanco*, NE of Quebradillas off PR 485 (02/23/84)
San Sebastian, *Church San Sebastian Martir of San Sebastian (Historic Churches of Puerto Rico TR)*, Severo Arana St., Town Plaza (09/18/84)
Isabela, *Hermitage of San Antonio de Padua de la Tuna*, Bo. Coto, Sector Pueblo Viejo (12/02/83)

Arecibo County

Manati, *Church Nuestra Senora de la Candelaria y San Matios of Manati (Historic Churches of Puerto Rico TR)*, Patriota Pozo St., Town Plaza (09/18/84)
Vega Alta, *Church Inmaculada Concepcion of Vega Alta (Historic Churches of Puerto Rico TR)*, Town Plaza (09/18/84)
Vega Baja, *Church Santa Maria del Rosario of Vega Baja (Historic Churches of Puerto Rico TR)*, Town Plaza (09/18/84)
Vega Baja, *Panteon Otero-Martinez*, Old Bega Baja Cemetery, PR 670 (07/30/84)

Guayama County

Barranquitas, *Casa Natal de Luis Munoz Rivera*, Munoz Rivera and Manuel Torres Sts. (09/04/84)
Guayama, *Casa Cautino*, Vicente Pales Ares St. (06/11/84)

Humacao County

Fajardo, *Church Santiago Apostol of Fajardo (Historic Churches of Puerto Rico TR)*, Town Plaza (09/18/84)
Gurabo, *Church San Jose of Gurabo (Historic Churches of Puerto Rico TR)*, Santiago and Eugenio Sanches Lopez Sts. (09/18/84)
Humacao, *Church Dulce Nombre de Jusus of Humocao (Historic Churches of Puerto Rico TR)*, Town Plaza (09/18/84)
San Lorenzo, *Las Mercedes*, Colon St. (12/08/83)

Mayaguez County

Guanica vicinity, *Hacienda Santa Rita*, PR 116 (01/05/84)

Ponce County

Ponce, *Cementerio Antiguo de Ponce*, Torres #1 and Frontispicio St. (01/05/84)
Ponce, *Parque de Bombas de Ponce*, Plaza Las Delicias (07/12/84)
Ponce, *Villaronga House*, 106 Reina St. (08/24/84)

San Juan County

Bayamon, *Casa Natal Dr. Jose Celso Barbosa*, 13 Barbosa St. (08/24/84)
Bayamon, *Church Santa Cruz of Bayamon (Historic Churches of Puerto Rico TR)*, Plaza de Hostos (09/18/84)

Carolina, *Church San Fernando of Carolina (Historic Churches of Puerto Rico TR)*, Munoz Rivera St., Town Plaza (09/18/84)
Carolina, *Edificio Alcaldia*, Calle Ignacio Arzuaga, Esq. De Diego (12/28/83)
Guaynabo, *Caparra*, PR 2 (02/28/84)
Puerta de Tierra, *Biblioteca Carnegie*, Ponce de Leon Ave. (10/20/83)
Rio Piedras, *University of Puerto Rico Tower and Quadrangle*, Ponce de Leon Ave. (05/17/84)
San Juan, *El Falansterio de Puerta de Tierra District*, Bounded by RR Right-of-Way, Fernandez Juncos Ave., Matias Ledesma and San Juan Bautista Sts. (05/03/84)
San Juan, *Fortin de San Geronimo de Boqueron*, Puerta de Tierra (10/11/83)
Santurce, *Administration Building*, (10/26/83)
Santurce, *Miami Building*, 868 Ashford Ave. (08/23/84)
Santurce, *Nuestra Senora de Lourdes Chapel*, Ponce de Leon and Miramar Aves. (09/27/84)
Santurce, *Polvorin de Miraflores*, Antigua Base Naval de Miramar (03/09/84)
Toa Alta, *Church Nuestra Senora de la Concepcion y San Fernando of Toa Alta (Historic Churches of Puerto Rico TR)*, Ponce de Leon St., Town Plaza (09/18/84)

RHODE ISLAND

Kent County

Lambert Farm Site, (11/03/83)
Meadows Archeological District, (11/03/83)
Trafalgar Site, (11/03/83)
Warwick, *Apponaug Historic District (Warwick MRA)*, 3376, 3384, 3387, 3391, 3397–3399, and 3404 Post Rd. (02/23/84)
Warwick, *Buttonwoods Beach Historic District (Warwick MRA)*, Roughly bounded by Brush Neck Cove, Greenwich Bay, Cooper and Promenade Aves. (02/23/84)
Warwick, *Forge Road Historic District (Warwick MRA)*, Forge Rd. from Ives Rd. to the Potowomut River (02/23/84)
Warwick, *Knight Estate (Warwick MRA)*, 486 East Ave. (02/23/84)
West Warwick, *Valley Queen Mill*, 200 Providence St. (01/19/84)

Newport County

Pine Hill Archeological Site, (11/03/83)
Middletown, *Bailey Farm*, 373 Wyatt Rd. (06/04/84)

Providence County

Foster, *Hopkins Mills Historic District*, Old Danielson Pike, US 6, Maple Rock and Rams Tail Rds. (05/10/84)
Harrisville, *Harrisville Historic District*, Roughly bounded by Wood and Sherman Rds., East Ave., Main, Chapel, School, and River Sts. (03/21/84)
Johnston, *Cornell-Randall-Bailey Roadhouse*, 2737 Hartford Ave. (05/10/84)
Lincoln, *Albion Historic District*, Roughly Berkshire Dr., Willow Lane, Ledge Way, Kennedy Blvd., School, and Main Sts. (07/19/84)
Lincoln, *Ballou House (Lincoln MRA)*, Albion Rd. (08/30/84)
Lincoln, *Elliott-Harris-Miner House (Lincoln MRA)*, 1406 Old Louisquisset Pike (08/30/84)
Lincoln, *Jenckes House (Lincoln MRA)*, 81 Jenckes Hill Rd. (08/30/84)
Lincoln, *Lime Kilns (Lincoln MRA)*, Off Louisquisset Pike, Sherman and Dexter Rock Rds. (08/30/84)
Lincoln, *Old Ashton Historic District (Lincoln MRA)*, Lower River Rd. and Blackstone Canal towpath (08/30/84)
Lincoln, *Pullen Corner School (Lincoln MRA)*, Angell and Whipple Rds. (08/30/84)
Lincoln, *Saylesville Historic District (Lincoln MRA)*, Roughly bounded by Memorial Ave., Scotts Pond, Industrial Circle, Smithfield Ave., and Woodland Court (08/30/84)
Lonsdale, *Lonsdale Historic District*, Lonsdale Ave., Blackstone Ct., Front, Main, Cook, Broad, Mill, Cross, and Blackstone Sts. (05/25/84)
Pawtucket, *Adams, John F., House (Pawtucket MRA)*, 11 Allen Ave. (11/18/83)
Pawtucket, *Bridge Mill Power Plant (Pawtucket MRA)*, 25 Roosevelt Ave. (11/18/83)
Pawtucket, *Burnham, E.A., House (Pawtucket MRA)*, 17 Nickerson St. (11/18/83)
Pawtucket, *Childs-Brown House (Pawtucket MRA)*, 172 Pine St. (11/18/83)
Pawtucket, *Collyer Monument (Pawtucket MRA)*, Mineral Spring Park (11/18/83)
Pawtucket, *Conant Thread/Coats & Clark Mill Complex District (Pawtucket MRA)*, Roughly bounded by Lonsdale Ave., Pine, Conant, Carpenter, and Rand Sts. (11/18/83)
Pawtucket, *Division Street Bridge (Pawtucket MRA)*, Division St. at Seekonk River (11/18/83)
Pawtucket, *Fifth Ward Wardroom (Pawtucket MRA)*, 47 Mulberry St. (11/18/83)
Pawtucket, *Fire Station No. 4 (Pawtucket MRA)*, 474 Broadway (11/18/83)
Pawtucket, *First Ward Wardroom (Pawtucket MRA)*, 171 Fountain St. (11/18/83)
Pawtucket, *Foster-Payne House (Pawtucket MRA)*, 25 Belmont St. (11/18/83)
Pawtucket, *Fuller Houses (Pawtucket MRA)*, 339–341 and 343–345 Broadway (11/18/83)
Pawtucket, *Gilbane's Service Center Building (Pawtucket MRA)*, 175–191 Pawtucket Ave. (11/18/83)
Pawtucket, *Kotzow, Louis, House (Pawtucket MRA)*, 641 East Ave. (11/18/83)
Pawtucket, *Main Street Bridge (Pawtucket MRA)*, Main St. at Pawtucket Falls (11/18/83)
Pawtucket, *Mitchell-Arnold House (Pawtucket MRA)*, 41 Waldo St. (11/18/83)
Pawtucket, *Montgomery, Nathaniel, House*, 178 High St. (01/19/84)
Pawtucket, *Pawtucket Armory (Pawtucket MRA)*, 172 Exchange St. (11/18/83)
Pawtucket, *Pawtucket City Hall (Pawtucket MRA)*, 137 Roosevelt Ave. (11/18/83)
Pawtucket, *Pawtucket Elks Lodge Building (Pawtucket MRA)*, 27 Exchange St. (11/18/83)
Pawtucket, *Pawtucket Times Building (Pawtucket MRA)*, 23 Exchange St. (11/18/83)
Pawtucket, *Pawtucket West High School (Pawtucket MRA)* 485 East Ave. (11/18/83)
Pawtucket, *Payne, Charles, House (Pawtucket MRA)*, 25 Brown St. (11/18/83)
Pawtucket, *Potter-Collyer House (Pawtucket MRA)*, 67 Cedar St. (11/18/83)
Pawtucket, *Quality Hill Historic District (Pawtucket MRA)*, Roughly bounded by I-95, Cottage, Lyon, Bend, and Potter Sts. (04/13/84)
Pawtucket, *Riverside Cemetery (Pawtucket MRA)*, 724 Pleasant St. (11/18/83)
Pawtucket, *Scholze-Sayles House (Pawtucket MRA)*, 625 East Ave. (11/18/83)
Pawtucket, *South Street Historic District (Pawtucket MRA)*, Roughly South St. between Meadow and Fruit Sts. (11/18/83)
Pawtucket, *St. John the Baptist Church (Pawtucket MRA)*, 68 Slater St. (11/18/83)
Pawtucket, *St. Mary's Church of the Immaculate Conception Complex (Pawtucket MRA)*, 103 Pine St. (11/18/83)
Pawtucket, *St. Paul's Church (Pawtucket MRA)*, 50 Park Pl. (11/18/83)
Providence, *Andrew Dickhaut Cottages Historic District*, 115–141 Bath St., 6–18 Duke St., and 377 Orms St. (02/23/84)
Providence, *Dowler, Charles, House*, 581 Smith St. (02/23/84)
Providence, *Downtown Providence Historic District*, Roughly bounded by Washington, Westminister, Empire and Weybosset Sts. (02/10/84)
Providence, *Gloria Dei Evangelical Lutheran Church*, 15 Hayes St. (02/23/84)
Providence, *Rhode Island Medical Society Building*, 106 Francis St. (06/04/84)
Providence, *Smith Street Primary School*, 396 Smith St. (02/23/84)
Providence, *Wanskuck Historic District*, Roughly bounded by Branch Ave., Louisquisset Pike, and town boundary (12/01/83)

Washington County

Bull, Jireh, Blockhouse Historic Site, (11/03/83)
Hamilton, *Hamilton Mill Village Historic District*, Boston Neck and Martha Rds., Salisbury and Web Aves. (11/03/83)
Narragansett, *Gladstone Springhouse and Bottling Plant*, 145a Boon St. (05/10/84)
Westerly, *Westerly Downtown Historic District*, Railroad Ave., High, Canal, Broad, Union, and Main Sts. (07/19/84)

SOUTH CAROLINA

Abbeville County

Abbeville, *Abbeville Historic District (Boundary Increase/Decrease)*, Roughly bounded by Livingston, Chestnut, Walnut, and Long Branch Sts. (05/07/84)

Aiken County

North Augusta, *Georgia Avenue—Butler Avenue Historic District*, Georgia, Butler Aves. and Martintown Rd. (04/05/84)

Anderson County

Anderson, *Prevost, Nick, House*, 105 N. Prevost St. (07/10/84)

Charleston County

Charleston, *Charleston Historic District (Boundary Increase)*, King and Calhoun Sts. (08/02/84)

Charleston/Dorchester County

Summerville vicinity, *Ashley River Road*, SC 61 between Church Creek and SC 165 (11/21/83)

Darlington County

Hartsville, *Davidson Hall, Coker College*, College Ave. (11/10/83)
Hartsville, *Hart, John L., House*, Home Ave. (11/10/83)

Dillon County

Floydale vicinity, *Meekins Barn (Flue-Cured Tobacco Production Properties TR)*, Off SC 9 (08/03/84)
Latta, *Latta Historic District No. 1 (Latta MRA)*, Church, Marion, Bethea, Rice, Dew, Mauldin, and Main Sts. (05/17/84)
Latta, *Latta Historic District No. 2 (Latta MRA)*, Richardson St., Bamberg to Oak Sts. (05/17/84)
Latta, *McMillan House (Latta MRA)*, 206 Marion St. (05/17/84)

Edgefield County

Edgefield, *Simkins, Paris, House*, 202 Gary St. (04/05/84)

Florence County

Florence vicinity, *Young Farm*, W of Florence on US 76 (11/10/83)

Georgetown County

Georgetown, *Rainey, Joseph H., House*, 909 Prince St. (04/20/84) NHL
Murrells Inlet vicinity, *Atalaya*, Off US 17 (09/07/84)

Greenwood County

Greenwood, *Lander College Old Main Building*, Stanley Ave. and Lander St. (08/02/84)

Horry County

Conway, *Burroughs School*, 801 Main St. (08/02/84)

Lancaster County

Lancaster, *Lancaster Downtown Historic District*, S. Main, Gay, and Catawba Sts. (08/09/84)

Lexington County

Batesburg vicinity, *Barr, D.D.D., House (Lexington County MRA)*, Off SC 245 (11/22/83)
Cayce, *Still Hopes (Gabriel Alexander Guignard House) (Lexington County MRA)*, Off 7th St. (11/22/83)
Gilbert vicinity, *Griffith, David Jefferson, House (Lexington County MRA)*, (11/22/83)
Gilbert vicinity, *Music Hall Evangelical Lutheran Church (Lexington County MRA)*, (11/22/83)
Irmo vicinity, *Dreher, Jacob Wingard, House (Lexington County MRA)*, Off SC 6 (11/22/83)
Lexington vicinity, *Ballentine-Shealy House (Lexington County MRA)*, SR 1323 (11/22/83)
Lexington vicinity, *Bank of Western Carolina (Lexington County MRA)*, 126 Main St. (11/22/83)
Lexington vicinity, *Berly, W.Q.M., House (Lexington County MRA)*, 122 Berly St. (11/22/83)
Lexington vicinity, *Corley, C.E., House (Lexington County MRA)*, 608 S. Lake Dr. (11/22/83)
Lexington vicinity, *George's Grist and Flour Mill (Lexington County MRA)*, Gibson's Pond Rd. (11/22/83)
Lexington vicinity, *Harman, James, Building (Lexington County MRA)*, Gantt St. (11/22/83)
Lexington vicinity, *Hendrix, John Solomon, House (Lexington County MRA)*, Old Cherokee Rd. (11/22/83)
Lexington vicinity, *Hite, John Jacob, Farm (Lexington County MRA)*, (11/22/83)
Lexington vicinity, *Home National Bank (Lexington County MRA)*, Main St. and North Lake Dr. (11/22/83)
Lexington vicinity, *Lybrand, Henry, Farm (Lexington County MRA)*, (11/22/83)
Lexington vicinity, *Rauch, Charlton, House (Lexington County MRA)*, Main and Cedar Sts. (11/22/83)
Lexington vicinity, *Rawl, David, House (Lexington County MRA)*, 210 W. Main St. (11/22/83)
Lexington vicinity, *Simmons-Harth House (Lexington County MRA)*, 102 Gantt St. (11/22/83)
Lexington vicinity, *Stewart, James, House (Lexington County MRA)*, (11/22/83)
Lexington vicinity, *Timmerman Law Office (Lexington County MRA)*, 207 E. Main St. (11/22/83)
Lexington vicinity, *Wessinger, Vastine, House (Lexington County MRA)*, (11/22/83)

Marion County

Mullins, *Buchan, A.H., Company Building (Flue-Cured Tobacco Production Properties TR)*, Laurel St. (08/03/84)
Mullins, *Imperial Tobacco Company Building (Flue-Cured Tobacco Production Properties TR)*, 416 N. Mullins St. (08/03/84)
Mullins, *Liberty Warehouse (Flue-Cured Tobacco Production Properties TR)*, Park St. (08/03/84)
Mullins, *Neal and Dixon's Warehouse (Flue-Cured Tobacco Production Properties TR)*, S. Main St. (08/03/84)
Mullins, *Old Brick Warehouse (Flue-Cured Tobacco Production Properties TR)*, Main and Wine Sts. (08/03/84)
Zion vicinity, *Dew Barn (Flue-Cured Tobacco Production Properties TR)*, NW of Zion (08/03/84

Marlboro County

Bennettsville, *Robertson-Easterling-McLaurin House*, W of Bennettsville off SC 912 (04/05/84)

Richland County

Columbia, *Fair-Rutherford and Rutherford Houses*, 1326 and 1330 Gregg St. (04/05/84)
Columbia, *Richland Cotton Mill*, 211–221 Main St. (11/10/83)
Columbia, *Wardlaw Junior High School (Columbia MRA)*, 1003 Elmwood Ave. (09/13/84)

York County

Rock Hill, *Stokes-Mayfield House*, 353 Oakland Ave. (05/17/84)

SOUTH DAKOTA

Beadle County

Site 39BE14 (James River Basin Woodland Sites TR), (01/30/84)
Site 39BE15 (James River Basin Woodland Sites TR), (01/30/84)
Site 39BE23 (James River Basin Woodland Sites TR), (01/30/84)
Site 39BE46 (James River Basin Woodland Sites TR), (01/30/84)
Site 39BE48 (James River Basin Woodland Sites TR), (01/31/84)
Site 39BE57 (James River Basin Woodland Sites TR), (01/31/84)
Site 39BE64 (James River Basin Woodland Sites TR), (01/31/84)

Bon Homme County

Scotland, *Koobs House*, 431 — 4th St. (08/01/84)

Brookings County

Brookings, *Trygstad Law and Commerce Building*, 401 Main Ave. (02/23/84)

Brown County

Finnish Apostolic Lutheran Church, (05/31/84)
Aberdeen, *Dakota Farmer Building*, 1216 S. Main St. (08/01/84)
Aberdeen, *Simmons House*, 1408 S. Main St. (08/01/84)

Brule County

Kimball vicinity, *Holy Trinity Church (Church of the Blessed Trinity)*, Off I-90 (11/15/83)

Butte County

Newell, *Kenaston, William G., House*, 301 Dartmouth (02/23/84)
Vale, *Vale School*, Off SD 79 (08/01/84)

Custer County

Custer vicinity, *Wind Cave National Park Historic District*, E of Custer off US 385 (07/11/84)
Hot Springs vicinity, *Beaver Creek Bridge*, SD 87, Wind Cave National Park (08/08/84)

Davison County

Site 39DV24 (James River Basin Woodland Sites TR), (01/31/84)
Site 39DV9 (James River Basin Woodland Sites TR), (01/31/84)

Douglas County

Slettebak Groceries, Hardware and Opera House, (02/23/84)

Edmunds County

Eisenbeis, John, House (German-Russian Folk Architecture TR), (08/13/84)
Roscoe, *Roscoe Community Hall*, 202 Mitchell St. (08/01/84)

Fall River County

Allen Bank Building and Cascade Springs Bath House-Sanitarium, (02/23/84)
Hot Springs, *Wesch, Phillip, House*, 2229 Minnekahta (02/23/84)

Grant County

Stockholm vicinity, *Brown Earth Presbyterian Church*, NE of Stockholm (08/29/84)

Hand County

Archeological Site 39HD22 (Petroforms of South Dakota TR), (02/23/84)

Hanson County

Fort James (39HS48), (03/15/84)
Goehring Site (39HS23), (03/15/84)

Site 39HS3 (James River Basin Woodland Sites TR), (01/31/84)

Hughes County

Archeological Site 39HU189 (Petroforms of South Dakota TR), (02/23/84)
Archeological Site 39HU201 (Petroforms of South Dakota TR), (02/23/84)
Archeological Site 39HU66 (Petroforms of South Dakota TR), (02/23/84)

Hutchinson County

Deckert, Ludwig, House (German-Russian Folk Architecture TR), (08/13/84)
Grosz, Martin and Wilhelmina, House-Barn (German-Russian Folk Architecture TR), (08/13/84)
Hofer, Michael, House (German-Russian Folk Architecture TR), (08/13/84)
Schatz, Jacob, House (German-Russian Folk Architecture TR), (08/13/84)
Site 39HT14 (James River Basin Woodland Sites TR), (01/31/84)
Site 39HT27 (James River Basin Woodland Sites TR), (02/01/84)
Site 39HT29 (James River Basin Woodland Sites TR), (02/01/84)
Site 39HT30 and 39HT202 (James River Basin Woodland Sites TR), (02/01/84)
Vetter, George, House (German-Russian Folk Architecture TR), (08/13/84)
Ziegler, Wilhelm, House-Barn (German-Russian Folk Architecture TR), (08/13/84)

Jerauld County

Archeological Site 39JE10 (Petroforms of South Dakota TR), (02/23/84)
Archeological Site 39JE11 (Petroforms of South Dakota TR), (02/23/84)

Lincoln County

Canton, *Isakson, John, House,* 504 E. 3rd St. (08/01/84)
Lennox, *Harney Hospital,* 305 S. Main St. (08/01/84)

McPherson County

Wittmayer, Peter, House-Barn (German-Russian Folk Architecture TR), (08/13/84)

Meade County

Sturgis, *Erskine School,* Sherman St. (08/16/84)

Minnehaha County

Dell Rapids, *Dell Rapids Water Tower,* 10th and Orleans (02/23/84)
Sioux Falls, *All Saints Historic District,* Roughly Main to 2nd Ave. from 14th to 23rd Sts., and 18th to 21st Sts. to 5th Ave. (02/23/84)
Sioux Falls, *McKennan Park Historic District,* McKennan Park, 2nd and 4th Aves. from 21st to 26th Sts., and 21st St. from Phillips to 7th Aves. (06/06/84)
Sioux Falls, *Queen Bee Mill,* N. Weber Ave., Falls Park (08/01/84)
Sioux Falls, *Security Bank Building,* 101 S. Main Ave. (02/23/84)
Sioux Falls, *South Side Fire Station No. 3,* 1324 S. Minnesota Ave. (02/23/84)

Pennington County

Rapid City, *First Congregational Church,* 715 Kansas (02/23/84)
Rapid City, *Gambrill Storage Building,* 822 Main St. (02/23/84)
Rapid City, *Rapid City Garage,* 827–829 Main St. (08/01/84)

Sanborn County

Site 39SB15 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SB18 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SB31 (James River Basin Woodland Sites TR), (02/01/84)

Spink County

Site 39SP12 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SP19 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SP2 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SP37 (James River Basin Woodland Sites TR), (02/01/84)
Site 39SP46 (James River Basin Woodland Sites TR), (02/01/84)

Turner County

Archeological Site 39TU5 (Petroforms of South Dakota TR), (02/23/84)
Weins, Jacob, House-Barn (German-Russian Folk Architecture TR), (08/13/84)

Walworth County

Ochszner, Jacob Sr., House (German-Russian Folk Architecture TR) (08/13/84)

TENNESSEE

Bedford County

Wartrace, *Walking Horse Hotel,* Spring St. (07/19/84)

Bradley County

Charleston, *Charleston Cumberland Presbyterian Church,* Railroad St. (07/12/84)
Cleveland, *Broad Street United Methodist Church,* 263 Broad St. NW (04/05/84)

Campbell County

Jellico, *US Post Office and Mine Rescue Station,* Main and 2nd Sts. (02/10/84)

Chester County

Jacks Creek vicinity, *Hamlett-Smith House,* Jacks Creek-Mifflin Rd. (12/01/83)

Coffee County

Noah vicinity, *Farrar Distillery,* Noah Fork Rd. (09/27/84)

Davidson County

Nashville, *Belle Meade Apartments,* 715 Belle Meade Blvd. (04/19/84)
Nashville, *Bennie-Dillon Building,* 702 Church St. (08/16/84)
Nashville, *Buchanan, James, House,* 2910 Elm Hill Pike (03/29/84)
Nashville, *Cummins Station,* Demonbreun and 10th Ave. S. (11/17/83)
Nashville, *Elm Street Methodist Church (Nineteenth Century Churches of South Nashville TR),* 616 — 5th Ave. S. (05/15/84)
Nashville, *Fifth Avenue Historic District,* Roughly bounded by Church and Union Sts., 4th, 5th, and 6th Aves. (12/05/83)
Nashville, *Glen Oak,* 2012 25th Ave. S (11/17/83)
Nashville, *Grassmere,* Nolensville Rd. (07/19/84)
Nashville, *Lindsley Avenue Church of Christ (Nineteenth Century Churches of South Nashville TR),* 3 Lindsley Ave. (05/15/84)
Nashville, *Longleat,* 5819 Hillsboro Rd. (02/16/84)
Nashville, *Overbrook,* 4218 Harding Rd. (03/29/84)
Nashville, *Primitive Baptist Church (Nineteenth Century Churches of South Nashville TR),* 627–629 — 3rd Ave. S. (05/15/84)
Nashville, *Southern Methodist Publishing House,* 810 Broadway (09/13/84)
Nashville, *St. Ann's Episcopal Church,* 419 Woodland St. (11/18/83)
Nashville, *St. Patrick's Catholic Church and Rectory (Nineteenth Century Churches of South Nashville TR),* 1219 — 2nd Ave. S. (05/15/84)
Nashville, *Treppard-Baldwin House,* 3338 Whites Creek Pike (10/28/83)
Pasquo, *Smith Farmhouse,* TN 100 (11/17/83)
Whites Creek, *Whites Creek Historic District,* Whites Creek Pike and Old Hickory Blvd. (08/16/84)

Davidson/Williamson Counties

Nashville, *Warner Park Historic District,* Roughly bounded by Little Harpeth River, Belle Meade Blvd., TN 100, and Chickering Rd. (01/20/84)

DeKalb County

Smithville, *Evans Block,* 101 and 103 N. 4th St. (08/30/84)

Fentress County

Jamestown, *Old Fentress County Jail,* N. Smith St. and TN 52 (05/24/84)

Giles County

Pulaski vicinty, *Milky Way Farm,* US 31 (09/27/84)
Riverburg vicinty, *Olivet United Methodist Church, Parsonage and School,* Columbia Pike (07/19/84)

Greene County

Greeneville vicinity, *Wayside,* E of Greeneville off US 411 (03/22/84)

Hamilton County

Hampton Place Archeological Site (40HA146) (Moccasin Bend MRA), (05/22/84)
Mallards Dozen Archeological Site (40HA147) (Maccasin Bend MRA), (05/22/84)
Stringer Ridge Historic District (Moccasin Bend MRA), (05/22/84)
Vulcan Archeological Site (40HA140) (Moccasin Bend MRA), (05/22/84)
Woodland Mound Archeological District (Moccasin Bend MRA), (05/22/84)
Chattanooga, *Crane Building,* 1317 Chestnut St. (11/10/83)
Chattanooga, *King, M.L., Boulevard Historic District,* Roughly M.L. King Blvd. between Browns and Unviersity Sts. (03/20/84)
Chattanooga, *Market Street Warehouse Historic District,* 1118–1148 Market St. (04/05/84)
Chattanooga, *Schwartz, Robert, and Company Building,* 736–738 Cherry St. (07/19/84)

Hickman County

Centerville, *Fairview School*, 113 E. Hackberry St. (12/08/83)

Knox County

Knoxville, *Caswell-Taylor House*, 803 N. 4th St. (11/10/83)
Knoxville, *Cowan, McClung and Company Building*, 500-504 Gay St. (07/12/84)
Knoxville, *Knoxville Post Office*, 501 Main St. (05/31/84)
Knoxville, *Knoxville YMCA Building*, 605 Clinch Ave. (11/17/83)
Knoxville, *McCammon, Samuel, House (James White's House Site)*, 1715 Riverside Dr. (03/01/84)
Knoxville, *Medical Arts Building*, 603 Main Ave. (05/24/84)

Lawrence County

Lawrenceburg, *Garner Mill*, Garner Lane (07/12/84)

Lewis County

Napier vicinity, *Tate, Netherland, House*, Napier Rd. (08/09/84)

Lincoln County

Fayetteville, *McDonald-Bolner House*, 400 S. Elk Ave. (05/31/84)
Fayetteville, *Mulbery-Washington-Lincoln Historic District*, Roughly Bright, Elk, Green, Main, Lincoln, Mulberry, and Washington Sts. (05/31/84)

Loudon County

Loudon vicinity, *Robinson Mill*, TN 72 (04/05/84)

Madison County

Jackson, *St. Luke Episcopal Church*, 309 E. Baltimore St. (05/24/84)

Marshall County

Belfast, *Belfast Railroad Depot*, US 431 (08/09/84)
Berlin, *Berlin Historic District*, US 431 (08/30/84)
Chapel Hill, *Swaim House*, Main St. (07/12/84)
Cornersville vicinity, *Valley Farm*, Cornersville Rd. (04/05/84)
Lewisburg vicinity, *Ewing Farm*, Franklin Rd. (04/05/84)

Maury County

Ashwood vicinity, *Pine Hill*, Old Zion Lane (12/15/83)
Columbia vicinity, *Pillow Place*, Campbellsville Pike (12/08/83)
Columbia, *Columbia Commercial Historic District*, Roughly bounded by 7th, 8th, Woodland, and High Sts. (08/16/84)
Columbia, *First United Methodist Church of Columbia*, 222 W. 7th St. (08/30/84)
Columbia, *Maquire, Patrick, House*, 105 N. Campbell Blvd. (12/15/83)
Columbia, *Rally Hill*, 319 W. 8th St. (08/16/84)
McCains, *Amis, Jonathan, House*, Covey Hollow Rd. (04/26/84)
Mt. Pleasant, *Walnut Grove*, 510 N. Main St. (03/08/84)
Spring Hill, *Spring Hill Presbyterian Church*, S. Main St. (07/19/84)
Spring Hill, *White Hall*, Duplex Rd. (04/05/84)
Williamsport vicinity, *Webster, George, House*, Sawdust Rd. (04/05/84)

McMinn County

Athens, *Lowry, William, House*, 405 E. Madison Ave. (07/19/84)
Athens, *Old College*, College St., Tennessee Wesleyan College campus (12/29/83)

Montgomery County

Clarksville, *Clarksville High School*, Greenwood Ave. (12/08/83)

Obion County

Union City, *Deering Building*, 106 — 1st St. (11/25/83)
Union City, *US Post Office*, 114 W. Washington (05/31/84)

Polk County

Parksville vicinity, *Copeland House*, Cookson Creek Rd. (04/05/84)

Scott County

Robbins, *Barton Chapel*, US 27 (07/12/84)

Sevier County

Gatlinburg, *Mountain View Hotel*, 400 Parkway (09/13/84)

Shelby County

Memphis, *Austin, John Alexander, House*, 290 S. Front St. (07/12/84)
Memphis, *Clancy, Cornelius Lawrence, House*, 911 Kerr Ave. (11/25/83)
Memphis, *Dermon Building*, 46 N. 3rd St. (03/15/84)
Memphis, *Gartly-Ramsay Hospital*, 696 Jackson Ave. (07/12/84)
Memphis, *Greenlaw Addition Historic District*, Roughly bounded by Bethel, Thomas, 7th, Auction, and 2nd Sts. (08/16/84)
Memphis, *Medical Arts Building and Garage*, 248 Madison Ave. and 11 N. 4th St. (08/16/84)
Memphis, *Richards, Newton Copeland, House*, 975 Peabody Ave. (07/12/84)
Memphis, *Lowenstein, Abraham, House*, 217 N. Waldran Blvd. (01/05/84)

Summer County

Hendersonville, *Hazel Path*, 175 E. Main St. (04/05/84)

Tipton County

Covington vicinity, *Mt. Carmel Presbyterian Church*, Mt. Carmel Rd. (07/12/84)
Mason, *Trinity Church*, Main St. (03/15/84)

Warren County

McMinnville, *Black House*, 301 W. Main St. (11/17/83)

Washington County

Johnson City, *Range, Peter, Stone House*, 307 Twin Falls Dr. (12/15/83)
Limestone vicinity, *Copper, Isaac, House*, Glendale Rd. (09/07/84)

Weakley County

Gleason, *Bandy, Dr. Robert W., House*, College St. (08/09/84)

Williamson County

College Grove vicinity, *Cannon, Newton, House*, Taliaferro Rd. (04/19/84)
College Grove vicinity, *Parks Place*, Cox Rd. (09/27/84)
Franklin vicinity, *Cedarmont*, Off TN 96 (07/12/84)
Franklin, *Cool Springs Farm*, Jordan Rd., S of Moore's Lane (11/10/84)

TEXAS

Aransas County

Kent-Crane Shell Midden, (06/21/84)

Armstrong County

Palo Duro Pen (41AM5) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Palo Duro Shelter (41AM6) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)

Austin County

Nelsonville vicinity, *Roesler House*, W of Nelsonville on TX 159 (05/10/84)

Bell County

Salado, *Barbee-Berry Mercantile Building (Salado MRA)*, Main and Royal St. (08/22/84)
Salado, *Salado United Methodist Church (Salado MRA)*, Thomas Arnold Rd. and Church St. (08/22/84)
Temple, *Barclay-Bryan House*, 804 S. 25th St. (05/10/84)

Bexar County

Leon Springs vicinity, *Plehwe Complex*, W of Leon Springs on Boerne Stage Rd. (12/15/83)
San Antonio, *Alamo National Bank Building*, 316 E. Commerce St. (01/05/84)
San Antonio, *Partee, Hiram, House*, 605 Belknap Pl. (09/20/84)
San Antonio, *Stevens Building*, 315 E. Commerce St. (05/10/84)

Calhoun County

Port Lavaca, *Louwien, A.C., Bakery*, 223 Main St. (08/09/84)
Port O'Connor vicinity, *Matagorda Island Lighthouse*, Matagorda Island (09/18/84)

Cameron County

Brownsville, *La Nueva Libertad*, 1301 E. Madison St. (06/14/84)

Cherokee County

Jacksonville, *Aber and Haberle Houses*, 823 and 833 S. Bolton St. (08/21/84)

Cooke County

Gainesville, *Davis, William and Anna, House*, 505 S. Denton St. (05/10/84)
Gainesville, *Santa Fe Passenger Depot*, 505 E. Broadway (10/06/83)

Dallas County

Dallas *Houston Street Vioduct*, Houston St. roughly between Arlington St. and Lancaster Ave. (08/09/84)
Dallas, *Viola Courts Apartments*, 4845 Swiss Ave. (01/19/84)
Dallas, *Winnetka Heights Historic District*, Roughly bounded by Davis and 12th Sts., and Rosemont and Willomet Aves. (11/03/83)

Dimmit County

Carrizo Springs, *Dimmit County Courthouse*, Public Square (08/14/84)

El Paso County

El Paso, *Martin Building*, 215 N. Stanton St. (08/08/84)
El Paso, *Old Bnai Zion Synagogue*, 906 N. El Paso St. (08/16/84)
El Paso, *US Post Office*, 219 Mills Ave. (07/19/84)

Fannin County

Honey Grove, *Trout, Thomas and Katherine, House*, 705 Poplar St. (08/23/84)

Floyd County

Floyd County Stone Corral (New Mexican Pastor Sites in Texas Panhandle TR), (09/27/84)

Galveston County

Galveston, *Building at 1921–1921½ Avenue D (Central Business District MRA)* 1921–1921½ Ave. D (08/14/84)
Galveston, *Building at 1925–1927 Market Street (Central Business District MRA)*, 1925–1927 Market St. (08/14/84)
Galveston, *City Hall (Central Business District MRA)*, 823 25th St. (08/14/84)
Galveston, *City National Bank (Central Business District MRA)*, 2219 Ave. D (08/14/84)
Galveston, *Eiband's (Central Business District MRA)*, 2001 Central Plaza (08/14/84)
Galveston, *First Evangelical Lutheran Church (Central Business District MRA)*, 2401 Ave. G (08/14/84)
Galveston, *House at 2017–2023 Avenue I (Central Business District MRA)*, 2023 Ave. I (08/14/84)
Galveston, *House at 2528 Postoffice St. (Central Business District MRA)*, 2528 Postoffice St. (08/14/84)
Galveston, *IOOF Lodge (Central Business District MRA)*, 505 20th St. (08/14/84)
Galveston, *Jean Lafitte Hotel (Central Business District MRA)*, 2105 Ave. F (08/14/84)
Galveston, *Marschner Building (Central Business District MRA)*, 1914–1916 Mechanic St. (08/14/84)
Galveston, *Model Laundry (Central Business District MRA)*, 513–523 25th St. (08/14/84)
Galveston, *Moser House (Central Business District MRA)*, 509 19th St. (08/14/84)
Galveston, *Pix Building (Central Business District MRA)*, 2128 Postoffice St. (08/14/84)
Galveston, *Reedy Chapel AME Church*, 2013 Broadway (09/14/84)
Galveston, *Robinson Building (Central Business District MRA)*, 2009–2011 Postoffice St. (08/14/84)
Galveston, *Rosenberg Library (Central Business District MRA)*, 2310 Sealy St. (08/14/84)
Galveston, *Scottish Rite Cathedral (Central Business District MRA)*, 2128 Church St. (08/14/84)
Galveston, *Shaw, M.W., Building (Central Business District MRA)*, 2427 Ave. D (08/14/84)
Galveston, *Star Drug Store (Central Business District MRA)*, 510 23rd St. (08/14/84)
Galveston, *Texas Building (Central Business District MRA)*, 2200 Central Plaza (08/14/84)
Galveston, *Texas Heroes Monument (Central Business District MRA)*, 25th and Broadway (08/14/84)
Galveston, *US National Bank (Central Business District MRA)*, 2201 Ave. D (08/14/84)

Gillespie County

Enchanted Rock Archeological District, (also in Llano County) (08/29/84)

Grayson County

Denison, *Denison Commercial Historic District*, Roughly Woodward, Main and Chestnut Sts. (11/10/83)

Guadalupe County

Seguin, *Seguin Commercial Historic District*, Roughly bounded by Camp, Myrtle, Washington, and Crockett Sts. (12/15/83)

Harris County

Barker-Cypress Archeological Site (41HR436), (04/24/84)
Houston, *Barker House (Houston Heights MRA)*, 121 E. 16th St. (05/14/84)
Houston, *Borgstrom House (Houston Heights MRA)*, 1401 Cortlandt St. (05/14/84)
Houston, *Clayton, William L., Summer House*, 3376 Inwood Dr. (02/02/84)
Houston, *Coop, Dr. B.F., House (Houston Heights MRA)*, 1536 Heights Blvd. (05/14/84)
Houston, *DePelchin Faith Home*, 2700 Albany St. (08/09/84)
Houston, *Dexter House (Houston Heights MRA)*, 224 W. 17th St. (05/14/84)
Houston, *Ezzell House (Houston Heights MRA)*, 1236 Rutland St. (05/14/84)
Houston, *Gillette House (Houston Heights MRA)*, 301–303 E. 15th St. (05/14/84)
Houston, *Hawkins House (Houston Heights MRA)*, 1015 Heights Blvd. (05/14/84)
Houston, *Heights Boulevard Esplanade (Houston Heights MRA)*, Heights Boulevard from White Oak Bayou to 20th St. (05/14/84)
Houston, *House at 1111 Heights Boulevard (Houston Heights MRA)*, 1111 Heights Blvd. (05/14/84)
Houston, *House at 112 W. 4th Street (Houston Heights MRA)*, 112 W. 4th St. (05/14/84)
Houston, *House at 1210 Harvard Street (Houston Heights MRA)*, 1210 Harvard St. (05/14/84)
Houston, *House at 122 East Fifth Street (Houston Heights MRA)*, 122 E. 5th St. (05/14/84)
Houston, *House at 1227 Rutland Street (Houston Heights MRA)*, 1227 Rutland St. (05/14/84)
Houston, *House at 1230 Oxford Street (Houston Heights MRA)*, 1230 Oxford St. (05/14/84)
Houston, *House at 1304 Cortlandt Street (Houston Heights MRA)*, 1304 Cortlandt St. (05/14/84)
Houston, *House at 217 E. 5th Street (Houston Heights MRA)*, 217 E. 5th St. (05/14/84)
Houston, *House at 444 West 24th Street (Houston Heights MRA)*, 444 W. 24th St. (05/14/84)
Houston, *House at 505 W. 18th Street (Houston Heights MRA)*, 505 W. 18th St. (05/14/84)
Houston, *House at 917 Heights Boulevard (Houston Heights MRA)*, 917 Heights Blvd. (05/14/84)
Houston, *Houston Public Library (Heights Branch) (Houston Heights MRA)*, 1302 Heights Blvd. (05/14/84)
Houston, *Keller House (Houston Heights MRA)*, 1448 Heights Blvd. (05/14/84)
Houston, *Macatee Building*, 101 Austin St. (05/24/84)
Houston, *Main Street/Market Square Historic District (Boundary Increase)* (02/23/84)
Houston, *Meitzen House (Houston Heights MRA)*, 725 Harvard St. (05/14/94)
Houston, *Miller House (Houston Heights MRA)*, 1245 Yale St. (05/14/84)
Houston, *Miller, Ezekial and Mary Jane, House*, 304 Hawthorne St. (10/06/83)
Houston, *Milroy-Muller House (Houston Heights MRA)*, 1802 Harvard St. (05/14/84)
Houston, *Mulcahy House (Houston Heights MRA)*, 1046 Harvard St. (05/14/84)
Houston, *Otto House (Houston Heights MRA)*, 835 Rutland St. (05/14/84)
Houston, *Schlesser-Burrows House (Houston Heights MRA)*, 1123 Harvard St. (05/14/84)
Houston, *Sheridan Apartments*, 802–804 McGowen St. (08/02/84)
Houston, *Temple Beth Israel*, 3517 Austin St. (03/01/84)
Houston, *Webber House (Houston Heights MRA)*, 1011 Heights Blvd. (05/14/84)
Houston, *Wilkins House (Houston Heights MRA)*, 1541 Ashland St. (05/14/84)
Houston, *Wilson House (Houston Heights MRA)*, 1206 Cortlandt St. (05/14/84)
Houston, *Wimberly House (Houston Heights MRA)*, 703 Harvard St. (05/14/84)
Houston, *Wisnoski House (Houston Heights MRA)*, 1651 Columbia St. (05/14/84)
Houston, *Woodard House (Houston Heights MRA)*, 740 Rutlant St. (05/14/84)
Spring, *Wunsche Bros. Saloon and Hotel*, 103 Midway St. (02/16/84)

Hartley County

Proctor Pen I (41HT13) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Tafoya, Miguel, Place (41HT17) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)

Hays County

San Marcos, *Belvin Street Historic District (San Marcos MRA)*, 700, 800, 900 blocks of Belvin St., and 227 Mitchell St. (12/01/83)
San Marcos, *Cemetery Chapel, San Marcos Cemetery (San Marcos MRA)*, TX 12 (12/01/83)
San Marcos, *Fort Street Presbyterian Church (San Marcos MRA)*, 516 W. Hopkins St. (03/23/84)
San Marcos, *Hofheinz, Walter, House (San Marcos MRA)*, 819 W. Hopkins St. (12/01/83)
San Marcos, *Kone-Cliett House (San Marcos MRA)*, 724 Burleson St. (12/01/83)
San Marcos, *McKie-Bass Building (San Marcos MRA)*, 111 N. Guadalupe St. (12/01/83)

San Marcos, *Negro School (Dunbar School) (San Marcos MRA)*, Comal and Endicott Sts. (03/23/84)
San Marcos, *San Marcos Milling Company (San Marcos MRA)*, Nicola Alley (12/01/83)

Hill County

Hillsboro, *Farmers National Bank (Hillsboro MRA)*, 68 W. Elm St. (03/30/84)
Hillsboro, *Gebhardt Bakery (Hillsboro MRA)*, 119 E. Franklin St. (03/30/84)
Hillsboro, *Grimes Garage (Hillsboro MRA)*, 110 N. Waco St. (03/30/84)
Hillsboro, *Grimes House (Hillsboro MRA)*, Country Club Rd. and Corporation St. (03/30/84)
Hillsboro, *Hillsboro Cotton Mills (Hillsboro MRA)*, 220 N. Houston St. (03/30/84)
Hillsboro, *Hillsboro Residential Historic District (Hillsboro MRA)*, Roughly bounded by Country Club Rd., Thompson, Corsicana, Pleasant, Franklin, and Elm Sts. (07/09/84)
Hillsboro, *Old Rock Saloon (Hillsboro, MRA)*, 56 W. Elm St. (03/30/84)
Hillsboro, *Sturgis National Bank (Hillsboro MRA)*, S. Waco and W. Elm Sts. (03/30/84)
Hillsboro, *Tarlton Building (Hillsboro MRA)*, 110 E. Franklin St. (03/30/84)
Hillsboro, *Western Union Building (Hillsboro MRA)*, 107 S. Covington St. (03/30/84)

Jasper County

Jasper, *Jasper County Courthouse*, Public Square (09/06/84)

Kendall County

Boerne, *Dienger, Joseph, Building*, 106 W. Blanco Rd. (01/19/84)

Kerr County

Kerrville, *Masonic Building*, 211 Earl Garrett St. (01/12/84)

Liberty County

Liberty, *Cleveland-Partlow House*, 2131 Grand Ave. (02/16/84)

McLennan County

Waco, *Praetorian Building*, 601 Franklin Ave. (07/26/84)

Nolan County

Sweetwater, *Sweetwater Commercial Historic District*, Roughly between 1st and 5th, and Ash and Texas and Pacific RR tracks (06/07/84)

Ochiltree County

Buried City Site (41 OC1), (09/13/84)

Oldham County

Chavez City Ruins (41OL253) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84).
Chavez Suburbs East and West (41OL254) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Green No. 5 (41OL257) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Griffin Site (41OL246) (New Mexican Sites in Texas Panhandle TR), (07/12/84)
Mansfield I (41OL50) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Maston I (41OL256) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Maston No. 52 (41OL235) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Maston No. 13 Stone Wall (41OL249) (New Mexican Pastor Sites in Texas Panhandle TR), (09/10/84)
Stone Corrals No. 1–6 (41OL250) (New Mexcican Pastor Sites in Texas Panhandle TR), (07/12/84)

Palo Pinto County

Mineral Wells, *Weatherford-Mineral Wells and Northwestern Railroad Depot*, S. Oak St. (01/05/84)

Refugio County

Bayside, *Wood, John Howland, House*, 1 Capano Bay St. (10/13/83)

Starr County

Roma-Los Saenz, *Roma-San Pedro International Bridge*, SW of Hidalgo St. and Bravo Alley (03/23/84)

Tarrant County

Arlington, *Hutcheson-Smith House*, 312 N. Oak St. (08/02/84)
Fort Worth, *Blackstone Hotel*, 601 Main St. (02/02/84)
Fort Worth, *Bryce Building*, 909 Throckmorton St. (02/23/84)
Fort Worth, *Bryce, William J., House (Fairview)*, 4900 Bryce Ave. (03/01/84)
Fort Worth, *First Christian Church*, 612 Throckorton St. (10/06/83)
Fort Worth, *Fort Worth Elks Lodge 124*, 512 W. 4th St. (02/16/84)
Fort Worth, *Fort Worth Public Market*, 1400 Henderson St. (01/05/84)
Fort Worth, *Johnson-Elliott House*, 3 Chase Court (05/10/84)
Fort Worth, *St. Mary of the Assumption Church*, 501 W. Magnolia Ave. (05/10/84)

Tom Green County

San Angelo, *Hilton Hotel (Hotel Coctus)*, 36 E. Twohig St. (09/20/84)

Travis County

Long Hog Hollow Archeological District, (05/25/84)
Austin, *Batts, Judge Robert Lynn, House*, 15105 Windsor Rd. (08/22/84)

Victoria County

Victoria, *Phillips, Judge Alexander H., House*, 705 N. Craig St. (11/03/83)

Wichata County

Wichita Falls, *Hamilton, William Benjamin, House*, 1106 Brook Ave. (10/28/83)

Young County

Graham, *Street, Spencer Boyd, Houses*, 800 and 804 — 3rd St. (08/16/84)

UTAH

Beaver County

Beaver, *Ashworth, John, House (Beaver MRA)*, 115 S. 200 West (11/29/83)
Beaver, *Ashworth, John, House (Beaver MRA)*, 110 S. 1st West (11/29/83)
Beaver, *Baldwin, Caleb, House (Beaver MRA)*, 195 S. 400 East (11/30/83)
Beaver, *Beaver Relief Society Meetinghouse (Beaver MRA)*, 35 N. 1st East (11/29/83)
Beaver, *Bradshaw, George Albert, House (Beaver MRA)*, 265 N. 200 West (11/29/83)
Beaver, *Burt, William, House (Beaver MRA)*, 515 E. Center St. (11/30/83)
Beaver, *Cox, Silas, House (Beaver MRA)*, 1st South and 4th East (11/29/83)
Beaver, *Fernley, Edward, House (Beaver MRA)*, 215 E. 200 North (02/23/84)
Beaver, *Fernley, William, House (Beaver MRA)*, 1045 E. 200 North (11/30/83)
Beaver, *Frazer, David L., House (Beaver MRA)*, 817 E. 200 North (11/30/83)
Beaver, *Gale, Henry C., House (Beaver MRA)*, 495 N. 1st East (11/29/83)
Beaver, *Hawkins, William and Eliza, House (Beaver MRA)*, 95 E. 200 North (11/29/83)
Beaver, *House at 110 S. 3rd West (Beaver MRA)*, 110 S. 3rd West (11/30/83)
Beaver, *House at 325 S. Main St. (Beaver MRA)*, 325 S. Main St. (11/30/83)
Beaver, *Jackson, Samuel, House (Beaver MRA)*, 215 S. 2nd East (11/30/83)
Beaver, *Low Hotel (Beaver MRA)*, 95 N. Main St. (11/29/83)
Beaver, *Maeser, Reinhard, House (Beaver MRA)*, 295 E. 200 North (11/29/83)
Beaver, *Mansfield, Murdock and Co. Store (Beaver MRA)*, W. Center and N. Main Sts. (11/29/83)
Beaver, *Moyes, William, Jr., House (Beaver MRA)*, 395 N. 100 West (11/29/83)
Beaver, *Murdock, Almira Lott, House (Beaver MRA)*, 85 W. 1st North (11/29/83)
Beaver, *Murdock, John Riggs and Mae Bain, House (Beaver MRA)*, 94 W. Center St. (11/29/83)
Beaver, *Murdock, John Riggs and Wolfenden, Mary Ellen, House (Beaver MRA)*, 90 W. 1st North (11/29/83)
Beaver, *Nowers, Wilson G., House (Beaver MRA)*, 195 E. 1st North (11/29/83)
Beaver, *Odd Fellows Hall (Beaver MRA)*, 33-35 N. Main St. (11/29/83)
Beaver, *Olcott, Frances A., House (Beaver MRA)*, 590 E. 100 North (11/30/83)
Beaver, *Orwin, Jessie, House (Beaver MRA)*, 390 W. 600 North (11/29/83)
Beaver, *Puffer, Ephraim Orvel, House (Beaver MRA)*, 195 S. 2nd East (11/29/83)
Beaver, *Reeves, Sylvester H., House (Beaver MRA)*, 90 N. 2nd West (11/29/83)
Beaver, *Robinson, William, House (Beaver MRA)*, E of Beaver on UT 153 (11/30/83)
Beaver, *School House (Beaver MRA)*, 325 N. 200 West (11/29/83)
Beaver, *Skinner, Horace A., House (Beaver MRA)*, 185 S. Main St. (11/29/83)
Beaver, *Smith, Ellen, House (Beaver MRA)*, 395 N. 300 West (11/29/83)
Beaver, *Smith, William P., House (Beaver MRA)*, 190 E. Center St. (11/29/83)
Beaver, *Stephens, Mitchell M., House (Beaver MRA)*, 495 N. 200 East (11/29/83)
Beaver, *Stoney, Robert W., House (Beaver MRA)*, 305 W. 300 North (11/30/83)
Beaver, *Tanner, Jake, House (Beaver MRA)*, 580 S. 200 West (11/30/83)
Beaver, *Thompson, Mary L., House (Beaver MRA)*, 25 N. 400 East (11/30/83)
Beaver, *Tolton, J. F., Grocery (Beaver MRA)*, 25 N. Main St. (11/29/83)
Beaver, *Tolton, Walter S. House (Beaver MRA)*, 195 W. 500 North (11/29/83)
Beaver, *Twitchell, Ancil, House (Beaver MRA)*, 100 S. 200 East (02/23/84)

Beaver, *Tyler, Daniel, House (Beaver MRA)*, 310 N. Main St. (11/29/83)
Beaver, *White, Maggie Gillies, House (Beaver MRA)*, 200 North (02/23/84)
Beaver, *White, Samuel, House (Beaver MRA)*, 315 N. 100 East (11/29/83)
Beaver, *White, William H., House (Beaver MRA)*, 510 N. 100 East (02/23/84)
Beaver, *Willden, Charles, House (Beaver MRA)*, 180 E. 300 South (11/30/83)
Beaver, *Willden, Elliot, House (Beaver MRA)*, 340 S. Main St. (11/30/83)
Beaver, *Willden, Feargus O'Connor, House (Beaver MRA)*, 120 E. 1st South (11/29/83)
Beaver, *Yardley, John, House (Beaver MRA)*, 210 S. 1st West (11/29/83)

Davis County

Centerville, *Capener, William, House*, 252 North 400 East (01/05/84)

Duchesne County

Roosevelt, *Toyack Future Farmers of America Chapter House*, 340 N. 300 West (05/18/84)

Grand County

Moab vicinity, *Dewey Bridge*, NE of Moab on UT 128 (07/12/84)

Iron County

Cedar City, *Cedar City Railroad Depot*, 220 N. Main St. (08/09/84)
Cedar City, *Old Main and Science Buildings*, Southern Utah State College campus (08/21/84)

Salt Lake County

Salt Lake City, *Cummings, Byron, House (Perkins Addition Streetcar Suburb TR)*, 936 E. 1700 S. (10/13/83)
Salt Lake City, *Dininny, Harper J., House (Perkins Addition Streetcar Suburb TR)*, 925 E. Logan Ave. (10/13/83)
Salt Lake City, *Fairbanks, J. Leo, House*, 1228 Bryan Ave. (04/26/84)
Salt Lake City, *Ferry Hall-Westminster College*, 1840 S. 1300 East (10/13/83)
Salt Lake City, *Gibbs-Thomas House*, 137 NW Temple St. (07/12/84)
Salt Lake City, *Judd, John W., House (Perkins Addition Streetcar Suburb TR)*, 918 E. Logan Ave. (10/13/83)
Salt Lake City, *Luce, Henry, House (Perkins Addition Streetcar Suburb TR)*, 921 E. 1700 S. (10/13/83)
Salt Lake City, *Mabry-Van Pelt House (Perkins Addition Streetcar Suburb TR)*, 946 E. 1700 S. (10/13/83)
Salt Lake City, *Mitchell, Alexander, House (Perkins Addition Streetcar Suburb TR)*, 1620 S. 1000 E. (10/13/83)
Salt Lake City, *Pearsall, Clifford R., House (Perkins Addition Streetcar Suburb TR)*, 950 E. Logan Ave. (10/13/83)
Salt Lake City, *Weeks, Charles H., House (Perkins Addition Streetcar Suburb TR)*, 935 E. Logan Ave. (10/13/83)
Salt Lake City, *Yardley, Thomas, House (Perkins Addition Streetcar Suburb TR)*, 955 E. Logan Ave. (10/13/83)
Sandy, *Jordan High School*, 9351 S. State St. (05/17/84)

Summit County

Francis, *Mitchell, Byron T., House*, US 189 and UT 35 (05/18/84)

Park City, *Austin, William, House (Mining Boom Era Houses TR)*, 247 Ontario Ave. (07/11/84)
Park City, *Barnes, Charles, House (Mining Boom Era Houses TR)*, 413 Ontario Ave. (07/12/84)
Park City, *Barrett, Richard, House (Mining Boom Era Houses TR)*, 36 Prospect Ave. (07/11/84)
Park City, *Barry, George J., House (Mining Boom Era Houses TR)*, 250 Grant Ave. (07/12/84)
Park City, *Beggs, Ellsworth J., House (Mining Boom Era Houses TR)*, 703 Park Ave. (07/11/84)
Park City, *Brown, Otis L., House (Mining Boom Era Houses TR)*, 713 Woodside Ave. (07/11/84)
Park City, *Buck, John W., House (Mining Boom Era Houses TR)*, 1110 Woodside Ave. (07/12/84)
Park City, *Campbell, William, House (Mining Boom Era Houses TR)*, 164 Norfolk St. (07/11/84)
Park City, *Carling, Benedictus, House (Mining Boom Era Houses TR)*, 660 Rossie Hill Dr. (07/12/84)
Park City, *Cassidy, James, House (Mining Boom Era Houses TR)*, 33 King Rd. (07/11/84)
Park City, *Cavanaugh, James, House (Mining Boom Era Houses TR)*, 564 Woodside Ave. (07/12/84)
Park City, *Clark, Peter, House (Mining Boom Era Houses TR)*, 1135 Park Ave. (07/11/84)
Park City, *Condon, David F. and Elizabeth, House (Mining Boom Era Houses TR)*, 1304 Park Ave. (07/12/84)
Park City, *Cunningham, John F., House (Mining Boom Era Houses TR)*, 606 Park Ave. (07/11/84)
Park City, *Cunningham, Thomas, House (Mining Boom Era Houses TR)*, 139 Main St. (07/12/84)
Park City, *Durkin Boarding House (Mining Boom Era Houses TR)*, 176 Main St. (07/12/84)
Park City, *Durkin, Joseph, House (Mining Boom Era Houses TR)*, 22 Prospect Ave. (07/11/84)
Park City, *Farthelos, Peter, House (Mining Boom Era Houses TR)*, 1150 Park Ave. (07/12/84)
Park City, *Frkovich, Mike, House (Mining Boom Era Houses TR)*, 162 Daly Ave. (07/12/84)
Park City, *Gray, Levins, D., House (Mining Boom Era Houses TR)*, 355 Ontario Ave. (07/12/84)
Park City, *Hansen, Frank, House (Mining Boom Era Houses TR)*, 1025 Park Ave. (07/12/84)
Park City, *Harris, Joseph D., House (Mining Boom Era Houses TR)*, 959 Park Ave. (07/12/84)
Park City, *Harris, William H., House (Mining Boom Era Houses TR)*, 39 King Rd. (07/12/84)
Park City, *Haumann, Harry W., House (Mining Boom Era Houses TR)*, 939 Empire Ave. (07/12/84)
Park City, *Hinsdill, Henry M., House (Mining Boom Era Houses TR)*, 662 Norfolk St. (07/12/84)
Park City, *Holman, Samuel, House (Mining Boom Era Houses TR)*, 307 Norfolk St. (07/12/84)
Park City, *House at 1101 Norfolk Avenue (Mining Boom Era Houses TR)*, 1101 Norfolk Ave. (07/12/84)
Park City, *House at 343 Park Avenue (Mining Boom Era Houses TR)*, 343 Park Ave. (07/12/84)
Park City, *House at 555 Deer Valley Road (Mining Boom Era Houses TR)*, 555 Deer Valley Rd. (07/12/84)
Park City, *House at 577 Deer Valley Road (Mining Boom Era Houses TR)*, 577 Deer Valley Rd. (07/12/84)
Park City, *House at 62 Daly Avenue (Mining Boom Era Houses TR)*, 62 Daly Ave. (07/12/84)
Park City, *House at 622 Rossie Hill Drive (Mining Boom Era Houses TR)*, 622 Rossie Hill Dr. (07/12/84)
Park City, *IOOF Relief Home (Mining Boom Era Houses TR)*, 232 Woodside Ave. (07/12/84)
Park City, *Jenkins, Joseph J., House (Mining Boom Era Houses TR)*, 57 Prospect Ave. (07/12/84)
Park City, *Johnson, Carl G., House (Mining Boom Era Houses TR)*, 147 Grant Ave. (07/12/84)
Park City, *Jones, Elizabeth M., House (Mining Boom Era Houses TR)*, 412 Marsac Ave. (07/12/84)
Park City, *Kimball, Bart, House (Mining Boom Era Houses TR)*, 817 Park Ave. (07/12/84)
Park City, *Kimball, Ernest Lynn, House (Mining Boom Era Houses TR)*, 911 Empire Ave. (07/12/84)
Park City, *Lindorff, Alfred, House (Mining Boom Era Houses TR)*, 40 Sampson Ave. (07/12/84)
Park City, *Meadowcroft, Charles, House (Mining Boom Era Houses TR)*, 951 Woodside Ave. (07/12/84)
Park City, *Morgan, Jesse, House (Mining Boom Era Houses TR)*, 1027 Woodside Ave. (07/12/84)
Park City, *Murdock, Jack M., House (Mining Boom Era Houses TR)*, 652 Rossie Hill Dr. (07/12/84)
Park City, *Murray, George, House (Mining Boom Era Houses TR)*, 44 Chambers Ave. (07/12/84)
Park City, *Raddon, LaPage H., House (Mining Boom Era Houses TR)*, 817 Woodside Ave. (07/12/84)
Park City, *Raddon, Samuel L., House (Mining Boom Era Houses TR)*, 325 Park Ave. (07/12/84)
Park City, *Richardson, Jacob F., House (Mining Boom Era Houses TR)*, 205 Park Ave. (07/12/84)
Park City, *Snyder, Wilson I., House (Mining Boom Era Houses TR)*, 1010 Woodside Ave. (07/12/84)
Park City, *Streeter, Eugene, House (Mining Boom Era Houses TR)*, 335 Ontario Ave. (07/12/84)
Park City, *Sullivan, James R. and Mary E., House (Mining Boom Era Houses TR)*, 146 Main St. (07/12/84)
Park City, *Sutton, Ephraim D. and William D. House (Mining Boom Era Houses TR)*, 713 Norfolk St. (07/12/84)
Park City, *Thomas, Milton and Minerva, House (Mining Boom Era Houses TR)*, 445 Park Ave. (07/12/84)

Park City, *Tretheway, William, House (Mining Boom Era Houses TR)*, 335 Woodside Ave. (07/12/84)
Park City, *Urie, Matthew, House (Mining Boom Era Houses TR)*, 157 Park Ave. (07/12/84)
Park City, *Walker, Samuel D., House (Mining Boom Era Houses TR)*, 1119 Park Ave. (07/12/84)
Park City, *Watson, Irinda, House (Mining Boom Era Houses TR)*, 610 Park Ave. (07/12/84)
Park City, *Welch-Sherman House (Mining Boom Era Houses TR)*, 59 Prospect Ave. (07/12/84)
Park City, *Wells, Hannah, House (Mining Boom Era Houses TR)*, 1103 Woodside Ave. (07/12/84)
Park City, *Wilcocks, Walter and Ann, House (Mining Boom Era Houses TR)*, 363 Park Ave. (07/12/84)
Park City, *Wilkinson-Hawkinson House (Mining Boom Era Houses TR)*, 39 Sampson Ave. (07/12/84)
Park City, *Williams, Nathaniel J., House (Mining Boom Era Houses TR)*, 945 Norfolk Ave. (07/12/84)
Park City, *Williams, Reese, House (Park City Hospital) (Mining Boom Era Houses TR)*, 421 Park Ave. (07/12/84)
Park City, *Willis, Joseph S., House (Mining Boom Era Houses TR)*, 1062 Park Ave. (07/12/84)
Park City, *Wilson-Shields House (Mining Boom Era Houses TR)*, 139 Park Ave. (07/12/84)

Tooele County

Grantsville, *Rich, John T., House*, 275 W. Clark St. (05/02/84)
Tooele, *Tooele Valley Railroad Complex*, 35 N. Broadway (05/17/84)
Vernon, *Sharp, John C., House*, Off UT 36 (07/13/84)

Utah County

Lehi, *Cutler, Thomas R., Mansion*, 150 E. State St. (07/12/84)
Provo, *Frisby, Joseph H., House*, 209 N. 400 West (07/13/84)
Provo, *Provo West Co-op*, 450 W. Center St. (07/13/84)
Provo, *Roberts, William D., House*, 212 N. 500 West (07/24/84)
Provo, *Startup Candy Factory*, 534 S. 100 West (10/28/83)
Springville, *Kelly, T.R., House*, 164 W. 200 South (12/09/83)

Washington County

St. George, *Butler, William F., House*, 168 S. 300 West (07/13/84)

Weber County

Ogden, *Cross, Charles W., House*, 451 17th St. (07/12/84)

VERMONT

Bennington County

Manchester, *Manchester Village Historic District*, US 7A, Union St., and Taconic Ave. (01/26/84)

Caldeonia County

Barnet, *Barnet Center Historic District*, Off US 5 (07/12/84)
Danville, *Grouselands (Waterman Farm)*, Town Hwy. #26 (12/22/83)
Danville, *Whittier House*, Off US 2 (08/23/84)

Chittenden County

Burlington, *Battery Street-King Street Historic District (Boundary Increase)*, Roughly bounded by Brown's Court, King, Adams, and S. Union Sts. (06/28/84)
Charlotte, *Charlotte Center Historic District*, Church Hill and Hinesburg Rds. (07/19/84)
Huntington, *Huntington Lower Village Church*, Richmond-Huntington Rd. (08/23/84)
Shelburne, *Tracy, Lee, House*, US 7 (12/22/83)

Orange County

Thetford vicinity, *Peabody Library*, VT 113 (09/27/84)

Orleans County

Newport, *Goodrich Memorial Library*, Main and Field Sts. (11/23/83)
Westmore, *Fox Hall*, VT 56 (09/27/84)

Rutland County

Clarendon, *Clarendon Congregational Church*, Middle Rd. (07/12/84)

Washington County

Plainfield, *Allenwood Farm*, US 2 (12/22/83)

Windham County

Bellows Falls, *Moore and Thompson Paper Mill Complex*, Bridge St. (03/16/84)
Brattleboro, *Brattleboro Retreat*, Linden St. and Upper Dummerston Rd. (04/12/84)

Windsor County

Weston, *Wilder, John, House*, Lawrence Hill Rd. (11/10/83)

VIRGINIA

Albemarle County

Charlottesville vicinity, *Faulkner House*, 2201 Old Ivy Rd. (05/03/84)
Crossroads, *Crossroads Tavern*, VA 692 (08/16/84)
Ivy vicinity, *Spring Hill*, VA 637 and 786 (11/21/83)

Alexandria (Independent City)

Alexandria City Hall, 301 King St. (03/08/84).

Bath County

Hot Springs, *Homestead, The*, US 220 (05/03/84)

Charlottesville (Independent City)

Dabney-Thompson House (Charlottesville MRA), 1602 Gordon Ave. (01/10/84)
Hard Bargain (Charlottesville MRA), 1105 Park St. (01/10/84)
Morea, 209–211 Sprigg Lane (05/03/84)
Rugby Road-University Corner Historic District, Roughly bounded by University Ave., Wayside Pl., 14th St., and US 29 (02/16/84)
Stonefield (Charlottesville MRA), 1204 Rugby Rd. (01/10/84)
Timberlake-Branham House (Charlottesville MRA), 1512 E. Market St. (01/10/84)

Culpeper County

Lignum vicinity, *Madden's Tavern*, VA 610 (08/16/84)

Fauquier County

Middleburg vicinity, *Mill House*, US 50 (01/12/84)
Warrenton, *Warrenton Historic District*, Roughly Main, Waterloo, Alexandria, Winchester, Culpeper, High, Falmouth, Lee, and Horner Sts. (10/13/83)

Fredericksburg (Independent City)

Presbyterian Church, SW of Princess Anne and George Sts. (03/01/84)

Gloucester County

Zanoni vicinity, *White Hall*, VA 668 (06/16/84)

Halifax County

Halifax, *Mountain Road Historic District*, Roughly Mountain Rd. from Mimosa Dr. to Academy St. (10/06/83)

Hampton (Independent City)

Clark, Reuben, House, 125 S. Willard Ave. (08/16/84)

Loudoun County

Bluemont, *Bluemont Historic District*, VA 734 and 760 (02/23/84)
Leesburg vicinity, *Ball's Bluff Battlefield and National Cemetery*, Ball's Bluff (04/27/84) NHL
Middleburg vicinity, *Benton*, VA 744 (06/14/84)

Madison County

Madison, *Madison County Courthouse Historic District*, Main St. (08/16/84)

Norfolk (Independent City)

Auslew Gallery Building (Virginia Bank and Trust Building), 101 Granby St. (02/23/84)

Northumberland County

Reedville, *Reedville Historic District*, VA 644 at VA 722 (08/16/84)

Orange County

Hampstead Farm Archeological District, (08/16/84)
Gordonsville, *Gordonsville Historic District*, VA 15 and vicinity (10/13/83)

Portsmouth (Independent City)

Porthsmouth Historic District (Boundary Increase), Green and Queen Sts. (10/06/83)

Prince Edward County

Farmville vicinity, *Longwood House*, Johnson Dr. (03/08/84)

Prince William County

Leesylvania Archeological Site (44PW7), (09/13/84)
Occoquan, *Occoquan Historic District*, Poplar Alley, Ellicott, Mill, Commerce, and Washington Sts. (10/06/83)

Richmond (Independent City)

Branch House, 2501 Monument Ave. (02/23/84)
Monroe Park Historic District, Roughly bounded by Belvidere, Main, Cherry, Park, Laurel, and Franklin Sts. (07/05/84)
Richmond Academy of Medicine, 1200 E. Clay St. (08/16/84)

Stonewall Jackson School, 1520 W. Main St. (05/03/84)
Young Women's Christian Association, 6 N. 5th St. (05/03/84)

Roanoke (Independent City)

Boxley Building, 416 Jefferson St. SW (03/08/84)

Rockingham County

Dayton, *Dayton Historic District*, Roughly bounded by Main, Mason, Walnut, Summit, and Bowman Sts. (08/16/84)

Shenandoah County

Edinburg vicinity, *Hockman, Dr. Christian, House*, US 11 (02/23/84)
Strasburg, *Strasburg Historic District*, Roughly bounded by RR tracks, 3rd, High, and Massanutten Sts. (08/16/84)

Stafford County

Accokeek Furnace Archeological Site (44ST53), 05/15/84)

Stauton (Independent City)

Steephill, 200 Park Blvd. (02/23/84)
Stuart Addition Historic District, Roughly bounded by Augusta, Sunnyside, Market, and New Sts. (05/03/84)

Surry County

Second Southwark Church Archeological Site (44SY65), (02/23/84)

WASHINGTON

Cowlitz County

Longview, *Tennant, J.D., House*, 420 Rutherglen Rd. (04/12/84)

Grays Harbor County

Aberdeen, *Finch Building*, Heron and H Sts. (10/13/83)

King County

Enumclaw, *Enumclaw High School*, 2222 Porter St. (08/30/84)
Enumclaw, *Olson, Louis and Ellen, House*, 1513 Griffin Ave. (08/30/84)
Seattle, *Church of the Blessed Sacrament, Priory, and School*, 5040–5041 9th Ave. NE (01/12/84)
Seattle, *Cobb Building*, 1301–09 4th Ave. (08/30/84)
Seattle, *Seattle, Chief of the Suquamish Statue*, 5th Ave., Denny Way, and Cedar St. (04/19/84)
Seattle, *Seattle Electric Company Georgetown Steam Plant*, King County Airport (07/05/84) NHL
Seattle, *Temple de Hirsch*, 15th Ave. and E. Union St. (01/05/84)
Seattle, *Volker, William, Building*, 1000 Lenora St. (10/13/83)

Mason County

Shelton, *Simpson Logging Company Locomotive No. 7 and Peninsular Railway Caboose No. 700*, 3rd and Railroad Aves. (01/12/84)

Pierce County

Ashford, *Ashford House*, Off WA 5 (08/30/84)
Orting, vicinity, *Woolrey-Koehler Hop Kiln*, 176th St., East (Leach Rd.) (10/13/83)
Tacoma, *Fireboat No. 1*, 302 E. 11th St. (12/02/83)
Tacoma, *Nihon Go Gakko*, 1715 S. Tacoma Ave. (08/30/84)
Tacoma, *Old Main (Harstad Hall)*, Park Ave. S. and Garfield St. (01/27/84)

San Juan County

Friday Harbor, *San Juan County Courthouse*, 350 W. Court St. (04/12/84)

Spokane County

Cheney, *Lowe, David, House*, 306 F St. (10/13/83)
Spokane, *Holley-Mason Building*, 157 Howard (10/13/83)
Spokane, *Peaceful Valley Historic District*, Roughly bounded by the Spokane River, Wilson Ave., Elm, and Cedar Sts. (04/19/84)
Spokane, *US Post Office, Courthouse and Custom House*, West 904 Riverside Ave. (12/08/83)

Thurston County

Olympia, *Hale, Calvin and Pamela, House*, 902 NE Tullis St. (01/12/84)
Tumwater, *Tumwater Methodist Church*, 219 W. B St. (01/12/84)

Walla Walla County

Walla Walla, *Osterman House*, 508 Lincoln St. (10/19/83)

Whatcom County

Bellingham, *Bellingham National Bank Building*, 101–111 E. Holly St. (10/13/83)

Yakima County

Yakima, *Larson, A.E., Building*, 6 S. 2nd St. (09/11/84)
Yakima, *Lund Building*, 5 N. Front St. (10/13/83)

WEST VIRGINIA

Barbour County

Elk City, *Crim, J.N.B., House*, WV 57 (08/24/84)
Philippi, *Peck-Crim-Chesser House*, 14 N. Walnut St. (08/23/84)

Berkeley County

Bedington vicinity, *Lick Run Plantation*, Off US 11 (01/12/84)
Bunker Hill vicinity, *Rees, John, David, and Jacob, House*, Off US 11 (01/12/84)
Bunker Hill vicinity, *Morgan Chapel and Graveyard*, Off US 11 (01/12/84)
Bunker Hill vicinity, *Morgan, William G., House*, W of Bunker Hill (01/12/84)
Gerrardstown vicinity, *Gold, Washington, House*, S of Gerrardstown (01/12/84)
Gerrardstown vicinity, *McKown, Gilbert and Samuel, House*, WV 51 (01/12/84)
Gerrardstown vicinity, *Wilson, William, House*, WV 51 (01/12/84)
Hedgesville vicinity, *Hedges, Decatur, House*, WV 9 (01/12/84)
Hedgesville vicinity, *Tabb, Edward, House*, Off WV 9 (01/12/84)
Martinsburg vicinity, *VanDoren, Jacob, House*, E of Martinsburg (01/12/84)

Braxton County

Napier vicinity, *Cunningham House and Outbuildings (Bulltown MRA)*, E of Napier (03/21/84)
Napier vicinity, *Union Civil War Fortification (Bulltown Civil War Site) (Bulltown MRA)*, E of Napier (03/21/84)
Telsa vicinity, *Windy Run Grade School*, Off US 19 (01/12/84)

Fayette County

Thurmond, *Thurmond Historic District*, WV 25 at New River (01/27/84)

Harrison County

Clarksburg, *Trinity Memorial Methodist Episcopal Church*, 420 Ben St. (04/26/84)

Jefferson County

Charles Town vicinity, *Belvedere*, 811 Belvedere Farm Dr. (01/12/84)
Charles Town vicinity, *Jacks-Manning Farm*, US 340 (01/12/84)
Halltown, *Halltown Union Colored Sunday School*, Off US 340 (01/12/84)

Kanawha County

Charleston, *Daniel Boone Hotel*, 405 Capitol St. (08/21/84)
Charleston, *Grosscup Road Historic District (South Hills MRA)*, Grosscup, Roscommon, Roller, and Bridge Rds. (01/26/84)
Hansford, *Hansford, Felix G., House*, Centre and 14th Sts. (01/12/84)
Pratt, *Pratt Historic District*, Roughly bounded by Ferry St., Kanawha River, Charles and Pratt Aves., incl. cemetery (01/12/84)

Mason County

Southside vicinity, *Couch-Artrip House*, US 35 (08/23/84)

Monongalia County

Morgantown, *Cox, Judge Frank, House*, 206 Spruce St. (01/12/84)
Morgantown, *Harner Homestead*, 1818 Listravia St. (01/12/84)
Morgantown, *Metropolitan Threatre*, 371 S. High St. (01/12/84)

Monroe County

Union vicinity, *Estill, Wallace Sr., House*, WV 122 (04/09/84)

Morgan County

Berkeley Springs vicinity, *Quick, John Herbert, House*, Off US 522 (08/23/84)
Berkeley Springs, *Sloat-Horn-Rossell House*, 415 Fairfax St. (08/23/84)

Ohio County

Wheeling, *Centre Market Square Historic District*, Roughly Market St. between 20th and 23rd Sts. (01/12/84)
Wheeling, *Chapline Street Row Historic District*, 2301–2323 Chapline St. (01/12/84)

Raleigh County

Sandstone vicinity, *St. Colman's Roman Catholic Church and Cemetery*, WV 26 (08/23/84)

Randolph County

Elkins, *Davis Memorial Presbyterian Church*, 450 Randolph Ave. (04/20/84)

Summers County

Hinton, *Hinton Historic District*, Roughly bounded by C & O RR, James St., 5th Ave. and Roundhouse (02/17/84)

Taylor County

Grafton, *Grafton Downtown Commercial Historic District*, Main and Latrobe Sts. between bridge and St. Mary's (04/09/84)

Tucker County

Parsons, *Tucker County Courthouse and Jail*, 1st and Walnut Sts. (08/23/84)

Wood County

Parkersburg, *Jackson Memorial Fountain*, Park Ave. and 17th St. (08/23/84)

WISCONSIN

Ashland County

Ashland, *West Second Street Historic District*, W. 2nd St. from Ellis Ave. to 6th Ave. (02/02/84)

Bayfield County

Washburn, *Washburn Public Library*, Washington Ave. and W. 3rd St. (03/01/84)

Crawford County

Prairie du Chien, *Old Rock School*, S. Marquette Rd. at Parrish St. (12/01/83)

Dane County

Black Earth, *Heiney's Meat Market*, 1221 Mills St. (09/27/84)
Fitchburg vicinity, *Fox Hall*, 5183 County Hwy. M (12/01/83)
Madison, *Agricultural Dean's House*, 10 Babcock Dr. (09/20/84)
Madison, *Brown, Charles E., Indian Mounds*, University of Wisconsin Arboretum (01/05/84)
Madison, *Fire Station No. 4*, 1329 W. Dayton St. (03/01/84)
Madison, *Lamb Building*, 114 State St. (08/02/84)
Madison, *Quisling Towers Apartments*, 1 E. Gilman St. (01/09/84)
Madison, *Thompson's Block*, 119 E. Main St. (06/07/84)
Mount Horeb vicinity, *Donald Farm*, 1972 WI 92 (06/07/84)
Stoughton, *Roe, Ole K., House*, 404 S. 5th St. (09/07/84)

Door County

Gills Rock vicinity, *Pilot Island Light*, Porte des Morts Passage (11/21/83)
Gills Rock vicinity, *Plum Island Range Rear Light (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Plum Island (07/19/84)
Sturgeon Bay, vicinity, *Sherwood Point Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Sherwood Point Rd. on Green Bay (07/19/84)
Sturgeon Bay vicinity, *Sturgeon Bay Canal Lighthouse (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Sturgeon Bay Canal (07/19/84)
Sturgeon Bay *Third Avenue/Downtown Historic District*, Roughly bounded by Kentucky St., N. 2nd, N. 3rd, and S. 3rd Aves. (10/06/83)

Eau Claire County

Eau Claire, *Kline's Department Store (Eau Claire MRA)*, 6–10 S. Barstow St. (06/14/84)

Fond du Lac County

Fond du Lac, *Hotel Retlaw*, 15 E. Division St. (09/07/84)
Ripon, *Horner, John Scott, House*, 336 Scott St. (09/27/84)

Jefferson County

Fort Atkinson, *Hoard Mound Group (47JE33)*, Koshkonong Mounds Rd. (05/10/84)
Fort Atkinson, *Main Street Historic District*, Roughly Main St. from Sherman Ave. to S. 3rd St. (06/07/84)
Jefferson, *Puerner Block-Breunig's Brewery*, 101–115 E. Racine, 110–112 N. Main St. (06/14/84)
Jefferson, *Smith, Richard C., House*, 332 E. Linden St. (04/19/79)

Juneau County

Cranberry Creek Archeological District, (07/19/84)

La Crosse County

Sand Lake Archeological District, (04/20/84)
La Crosse, *Powell Place*, 200–212 Main St. (12/22/83)
La Crosse, *Roosevelt, W.A., Company*, 230 N. Front St. (02/16/84)

Langlade County

Antigo, *Antigo Opera House*, 1016 5th Ave. (01/12/84)

Manitowoc County

Newton vicinity, *Lutze Housebarn*, 13634 S. Union Rd. (06/07/84)
Two Rivers vicinity, *Rawley Point (Twin River Point) Light Station (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Point Beach State Forest (07/19/84)

Marathon County

Maine Site (47MR22), (07/19/84)
Wausau, *Andrew Warren Historic District*, Roughly bounded by Fulton, Grant, 4th, and 7th Sts. (01/05/84)

Milwaukee County

Milwaukee, *Astor on the Lake*, 924 E. Juneau Ave. (09/06/84)
Milwaukee, *Baasen House-German YMCA (Brewers' Hill MRA)*, 1702 N. 4th St. (08/02/84)
Milwaukee, *Fourth Street School (Brewers' Hill MRA)*, 333 W. Galena St. (08/02/84)
Milwaukee, *Gallun Tannery Historic District (Brewers' Hill MRA)*, Holton and Water Sts. (08/02/84)
Milwaukee, *Historic Third Ward District*, Bounded by the Milwaukee River, C and NW RR, and E. St. Paul and N. Jackson Sts. (03/08/84)
Milwaukee, *Ketter, Frederick, Warehouse (Brewers' Hill MRA)*, 325 W. Vine St. (08/02/84)
Milwaukee, *Mayer Boot and Shoe Company Building (Brewers' Hill MRA)*, 116 E. Walnut St. (08/02/84)
Milwaukee, *North First Street Historic District (Brewers' Hill MRA)*, Roughly 1st and 2nd Sts. between North and Center Sts. (08/02/84)
Milwaukee, *North Point Lighthouse (US Coast Guard Lighthouses and Light Stations on the Great Lakes TR)*, Wahl St. at Terrace (07/19/84)
Milwaukee, *North Third Street Historic District (Brewers' Hill MRA)*, Roughly N. 3rd St. between N. 3rd Ave. and Vine St. (08/02/84)
Milwaukee, *Public School No. 27 (Brewers' Hill MRA)*, 2215 N. 4th St. (08/02/84)
Milwaukee, *Shorecrest Hotel*, 1962 N. Prospect Ave. (09/07/84)
Milwaukee, *State Bank of Wisconsin (Bank of Milwaukee Block)*, 210 E. Michigan St. (03/08/84)
Milwaukee, *Vine-Reservoir Historic District (Brewers' Hill MRA)*, Vine, Reservoir, Palmer, 1st, 2nd, and Brown Sts. (08/02/84)
Shorewood, *Shorewood Village Hall*, 3930 N. Murray Ave. (09/07/84)
Whitefish Bay, *Uihlein, Herman, House*, 5270 N. Lake Dr. (12/22/83)
Wood, *Ward Memorial Hall*, 5000 W. National Ave. (09/06/84)

Oneida County

Jennings, *Mecikalski General Store, Saloon, and Boardinghouse*, 465 Max Rd. (03/22/84)

Outagamie County

Appleton, *Washington School*, 818 W. Lorain St. (06/07/84)
Kaukauna, *Black, Merritt, House (Kaukauna MRA)*, 104 River Rd. (03/29/84)
Kaukauna, *Brokaw, Norman, House (Kaukauna MRA)*, 714 Grignon St. (03/29/84)
Kaukauna, *Fargo's Furniture Store (Kaukauna MRA)*, 172–176 W. Wisconsin Ave. (03/29/84)
Kaukauna, *Free Public Library of Kaukauna (Kaukauna MRA)*, 111 Main Ave. (03/29/84)
Kaukauna, *Holy Cross Church (Kaukauna MRA)*, 309 Desnoyer St. (03/29/84)
Kaukauna, *Klein Dairy Farmhouse (Kaukauna MRA)*, 1018 Sullivan Ave. (03/29/84)
Kaukauna, *Kuehn Blacksmith Shop-Hardware Store (Kaukauna MRA)*, 148–152 E. 2nd St. (03/29/84)
Kaukauna, *Lindauer and Rupert Block (Kaukauna MRA)*, 137–141 E. 2nd St. (03/29/84)
Kaukauna, *Martens, Julius J., Company Building (Kaukauna MRA)*, 124–128 E. 3rd St. (03/29/84)
Kaukauna, *Meade, Capt. Matthew J., House (Kaukauna MRA)*, 309 Division St. (03/29/84)
Kaukauna, *Nicolet Pulic School (Kaukauna MRA)*, 109 E. 8th St. (03/29/84)
Kaukauna, *St. Andrews, Frank, House (Kaukauna MRA)*, 320 Dixon St. (03/29/84)
Kaukauna, *St. Mary's Catholic Church (Kaukauna MRA)*, 119 W. 7th St. (03/29/84)
Kaukauna, *Stribley, Charles W., House (Kaukauna MRA)*, 705 W. Wisconsin Ave. (03/29/84)

Ozaukee County

Port Washington, *Dodge, Edward, House (proposed move)*, 146 S. Wisconsin St. (04/05/84)
Port Washington, *HOffman House Hotel*, 200 W. Grand Ave. (03/01/84)

Pierce County

Prescott, *Smith, Daniel, House*, 331 N. Lake St. (03/15/84)

Polk County

St. Croix Falls, *Thompson, Thomas Henry, House*, 205 N. Adams St. (03/08/84)

Racine County

Racine, *Racine Elks Club, Lodge No. 252*, 601 Lake Ave. (09/07/84)
Racine, *United Laymen Bible Student Tabernacle*, 924 Center St. (12/06/83)
Racine, *Wind Point (Racine Point) Light Station (US Coast Guard Lighthoues and Light Stations on the Great Lakes TR)*, Windridge Dr. at Lake Michigan (07/19/84)

Rock County

Janesville, *Randall, Brewster, House*, 1412 Ruger Ave. (03/01/84)

Taylor County

Medford, *Benn, J.W., Building (Medford Post Office)*, 202–204 S. Main St. (12/22/83)
Westboro vicinity, *Mondeaux Dam Recreation Area*, Roughly bounded by Mondeaux River and Forest Rd. 106 (06/21/84)

Trempealeau County

Galesville, *Bartlett Blacksmith Shop-Scandinavian Hotel (Galesville MRA)*, 218 E. Mill Rd. (09/18/84)
Galesville, *Bohrnstedt, John, House (Galesville MRA)*, 830 Clark St. (09/18/84)
Galesville, *Cance, John F., House (Galesville MRA)*, 807 W. Ridge Ave. (09/18/84)
Galesville, *Downtown Historic District (Galesville MRA)*, Roughly Gale Ave., Main and Davis Sts. (09/18/84)
Galesville, *Jensen, Tollef, House (Galesville MRA)*, 806 W. Gale Ave. (09/18/84)
Galesville, *Ridge Avenue Historic District (Galesville MRA)*, Roughly Ridge Ave. from 4th to 6th Sts. (09/18/84)

Walworth County

Lake Geneva, *Redwood Cottage*, 327 Wrigley Dr. (09/07/84)

Washburn County

Spooner vicinity, *Polson, Mrs. Richard, House*, N of Spooner (02/08/84)

Washington County

Germantown vicinity, *Christ Evangelical Church*, N of Germantown on Fond du Lac Ave. (11/09/83)
Germantown vicinity, *Schunk, Jacob, Farmhouse*, Donges Bay Rd. (12/08/83)

Waukesha County

Delafield, *Bishopstead*, 153 W. Oakwood Dr. (03/01/84)
Waukesha, *Arcadian Bottling Works (Waukesha MRA)*, 900 N. Hartwell Ave. (10/28/83)
Waukesha, *Blair, Sen. William, House (Waukesha MRA)*, 434 Madison St. (10/28/83)
Waukesha, *College Avenue Historic District (Waukesha MRA)*, Fountain St., S. East and College Aves. (10/28/83)
Waukesha, *Cook, Alexander, House (Waukesha MRA)*, 600 E. North St. (10/28/83)
Waukesha, *Cutler, Morris, House (Waukesha MRA)*, 401 Central Ave. (10/28/83)
Waukesha, *Downtown Historic District (Waukesha MRA)*, Roughly bounded by Broadway, Grand Ave., Clinton and South Sts. (10/28/83)
Waukesha, *Dwinnell, George, House (Waukesha MRA)*, 442 W. College Ave. (10/28/83)
Waukesha, *Elliott, Dr. F.C., House (Waukesha MRA)*, 501 Dunbar Ave. (10/28/83)
Waukesha, *First Baptist Church (Waukesha MRA)*, 247 Wisconsin Ave. (10/28/83)
Waukesha, *First Methodist Church (Waukesha MRA)*, 121 Wisconsin Ave. (12/01/83)
Waukesha, *Frame, Andrew, House (Waukesha MRA)*, 507 N. Grand Ave. (10/28/83)
Waukesha, *Grace, Perry, House (Waukesha MRA)*, 307 N. West Ave. (10/28/83)
Waukesha, *Grand View Health Resort (Waukesha MRA)*, 500 Riverview Ave. (01/31/84)
Waukesha, *Hemlock, David J., House (Waukesha MRA)*, 234 Carroll St. (12/01/83)
Waukesha, *Howitt, John, House (Waukesha MRA)*, 407 N. Grand Ave. (10/28/83)
Waukesha, *Jones, Robert O., House (Waukesha MRA)*, 501 W. College Ave. (10/28/83)
Waukesha, *Laflin Avenue Historic District (Waukesha MRA)*, W. Laflin and Garfield Aves. (10/28/83)
Waukesha, *Mann, William G., House (Waukesha MRA)*, 346 Maple Ave. (10/28/83)
Waukesha, *McCall Street Historic District (Waukesha MRA)*, McCall and James Sts., and N. East and Hartwell Aves. (12/01/83)
Waukesha, *Moore, Dr. Volney L., House (Waukesha MRA)*, 307 E. Main St. (10/28/83)
Waukesha, *National Hotel (Waukesha MRA)*, 235 W. Main St. (10/28/83)
Waukesha, *Nickell, William A., House (Waukesha MRA)*, 511 Lake St. (10/28/83)
Waukesha, *Pokrandt Blacksmith Shop (Waukesha MRA)*, 128 E. St. Paul Ave. (10/28/83)
Waukesha, *Pratt, Hannah, House (Waukesha MRA)*, 501 Barney St. (10/28/83)
Waukesha, *Putney, Frank H., House (Waukesha MRA)*, 223 Wisconsin Ave. (10/28/83)
Waukesha, *Resthaven Hotel (Waukesha MRA)*, 915 N. Hartwell Ave. (10/28/83)
Waukesha, *Sanger, Caspar M., House (Waukesha MRA)*, 507 E. College Ave. (10/28/83)
Waukesha, *Silurian Mineral Springhouse (Waukesha MRA)*, Post Office Circle (01/31/84)
Waukesha, *Sloan, William P., House (Waukesha MRA)*, 912 N. Barstow St. (10/28/83)
Waukesha, *Smith, Camillia, House (Waukesha MRA)*, 603 N. West Ave. (10/28/83)
Waukesha, *St. Joseph's Catholic Church Complex (Waukesha MRA)*, 818 N. East Ave. (10/28/83)
Waukesha, *St. Matthias Episcopal Church (Waukesha MRA)*, 111 E. Main St. (10/28/83)
Waukesha, *Totten-Butterfield House (Waukesha MRA)*, 515 N. Grand Ave. (01/31/84)
Waukesha, *Waukesha Post Office (Waukesha MRA)*, 235 W. Broadway Ave. (10/28/83)
Waukesha, *Waukesha Pure Food Company (Waukesha MRA)*, 550 Elizabeth St. (10/28/83)
Waukesha, *Welch, C.A., House (Waukesha MRA)*, 1616 White Rock Ave. (10/28/83)
Waukesha, *Wisconsin Avenue Historic District (Waukesha MRA)*, Wisconsin and Maple Aves. (10/28/83)
Waukesha, *Yanke, Louis, Saloon (Waukesha MRA)*, 200 Madison Ave. (10/28/83)

Waupaca County

Fremont vicinity, *Sanders Site (47WP26 and 47WP70)*, Off WI 110 (02/09/84)
Waupaca, *Shearer-Cristy House*, 315 E. Lake St. (12/22/83)

Winnebago County

Clayton, *Larson Brothers Airport*, WI 150 (04/05/84)
Menasha, *Menasha City Hall*, 124 Main St. (03/15/84)
Neenah vicinity, *Brainerd Site (47WP289)*, (09/07/84)
Neenah, *Vining, Gorham P., House*, 1590 Oakridge Rd. (12/08/83)
Neenah, *Wisconsin Avenue Historic District*, 106–226 W. Wisconsin Ave., 110 Church St. (06/14/84)
Oshkosh, *Guenther, Richard, House*, 1200 Washington Ave. (03/01/84)
Oshkosh, *Morgan, John R., House*, 234 Church Ave. (10/14/83)

WYOMING

Albany County

Laramie, *St. Matthew's Cathedral Close*, 104 S. 4th St. (04/12/84)
Laramie, *St. Paulus Kirche*, 602 Garfield (11/25/83)

Carbon County

Arlington, *Arlington*, S of I–80 (11/25/83)
Baggs vicinity, *Divide Sheep Camp*, NE of Baggs (02/09/84)
Baggs, *First State Bank of Baggs*, 10 S. Miles St. (09/13/84)
Hanna, *Hanna Community Hall*, Front St. (11/26/83)
Rawlins, *France Memorial United Presbyterian Church*, 3rd and Cedar Sts. (05/14/84)
Saratoga, *Hugus Hardware*, 123 E. Bridge St. (04/05/84)

Converse County

Glenrock, *Hotel Higgins*, 416 W. Birch (11/25/83)

Crook County

Sundance, *Sundance State Bank*, 301 Main St. (03/23/84)

Goshen County

Jay Em, *Jay Em Historic District*, Main St. (04/12/84)

Hot Springs County

Thermopolis, *Downtown Thermopolis Historic District*, Broadway, 5th and 6th Sts. (05/10/84)

Johnson County

Buffalo, *Main Street Historic District*, Main St. (04/12/84)

Laramie County

Cheyenne, *Hynds Lodge*, Curt Gowdy State Park (03/23/84)
Horse Creek vicinity, *Dereemer Ranch Historic District*, E of Horse Creek (11/25/83)

Natrona County

Casper, *Midwest Oil Company Hotel*, 136 E. 6th St. (11/17/83)
Casper, *Townsend Hotel*, 115 N. Centre St. (11/25/83)

Platte County

Chugwater vicinity, *Diamond Ranch*, NW of Chugwater (09/28/84)

Sheridan County

Big Horn, *Johnson Street Historic District*, Johnson, 1st, and 2nd Sts. (04/09/84)
Clearmont, *Clearmont Jail*, Water St. (05/14/84)
Dayton, *Wissler, Susan, House*, 406 Main St. (03/08/84)

Sweetwater County

South Superior, *South Superior Union Hall*, Main and Bridge Sts. (11/25/83)

Uinta County

Evanston, *Downtown Evanston Historic District*, Roughly bounded by Center, 9th, 11th, and Front Sts. (11/25/83)
Evanston, *Quinn, A.V., House*, 1049 Center St. (09/13/84)

The following properties were omitted from a previous annual list of the National Register of Historic Places.

NEW YORK

Queens County

New York, *Stockholm-DeKalb-Hart Historic District (Ridgewood MRA)*, DeKalb and Woodward Aves., Stockholm and Hart Sts. (09/30/83)

WEST VIRGINIA

Wood County

Parkersburg, *Guaranty Building (Downtown Parkersburg MRA)*, 217 4th St. (10/06/82)

The following properties have been demolished and/or removed from the National Register of Historic Places.

COLORADO

Denver County

Denver, *Ghost Building*, 500–518 15th St. (06/06/84)

GEORGIA

Thomas County

Thomasville, *Thomasville Historic District*, Roughly bounded by North Blvd., Loomis, Hansell, and Oak Sts. (09/07/84)

IDAHO

Idaho County

Grangeville vicinity, *Wylies Peak Lookout*, E of Grangeville in Nez Perce National Forest (10/17/83)

ILLINOIS

Mercer County

Keithsburg, *United Presbyterian Church*, Main and 8th Sts. (07/17/84)

Morgan County

Jacksonville, *Jacksonville State Hospital Main Building*, 1201 S. Main St. (04/18/84)

IOWA

Boone County

Boone, *Finnegan Flats*, 710–718 7th St. (04/26/83)

Polk County

Des Moines, *Des Moines Rapid Transit Company Car Barn*, 24th and Ingersoll Ave. (11/30/83)

MINNESOTA

Brown County

New Ulm, *Ruemke Mercantile Store (Brown County MRA)*, 226 N. Minnesota (05/04/84)

McLeod County

Hutchinson, *Maplewood Academy*, 700 N. Main St. (03/12/84)

Murray County

Slayton, *Murray County Courthouse*, Main and 7th Sts. (03/12/84)

Olmsted County

Rochester, *Cutting, Lucius, Barn*, 3210 19th St. NW (05/04/84)

Stearns County

St. Cloud, *St. Cloud Public Library (Stearns County MRA)*, 124 Fifth Ave. S. (03/12/84)

NEW JERSEY

Mercer County

Lawrenceville vicinity, *Princessville Inn*, E of Lawrenceville at 3510 Princeton Pike (06/11/82)

NEW MEXICO

McKinley County,

Gallup, *Cotton, C.N., House*, 406 W. Aztec Ave. (09/05/84)

OHIO

Allen County

Delphos vicinity, *Moenter Round Barn (Round Barns in the Black Swamp of Northwest Ohio TR)*, E of Delphos (05/05/84)

Cuyahoga County

Cleveland, *Cuyahoga Building*, 216 Superior Ave. NE (05/05/83)
Cleveland, *Sterling School*, 2104 E. 30th St. (05/05/84)

Erie County

Sandusky, *Baltimore and Ohio Railroad Company Depot*, Washington and Warren Sts. (05/05/83)

Jefferson County

Smithfield, *Smithfield School*, High St. (05/05/83)

Lucas County

Toledo, *Manhattan Building*, 518 Jefferson Ave. (05/05/83)
Toledo, *St. Paul's United Methodist Church*, Madison and 13th Sts. (05/05/83)
Toledo, *Toledo City Market*, 237 S. Erie St. (05/05/83)
Toledo, *Toledo News-Bee Building*, 604 Jackson St. (05/05/83)

Morrow County

Cardington, *Exchange Hotel*, W. Main St. (05/05/83)

Summit County

Twinsburg vicinity, *Herrick, Jonathan, House*, 8327 Darrow Rd. (05/05/83)

OREGON

Benton County

Monroe vicinity, *Belknap, Ransom A., House*, W of Monroe (05/14/82)

Marion County

Silverton vicinity, *McCorkle, George F., House*, W of Silverton (02/08/84)

TEXAS

Dallas County

Dallas, *Trinity Methodist Episcopal Church*, 2120 McKinney Ave. (11/09/83)

Parker County

Tin Top vicinity, *Tin Top Suspension Bridge*, S of Tin Top on FM 1884 (11/09/83)

UTAH

Salt Lake County

Salt Lake City, *Salt Lake Stamp Company Building (Salt Lake City Business District MRA)*, 43 W. 300 (11/17/83)

Utah County

Springville, *Houtz, Jacob, House*, 980 N. Main St. (11/30/83)

WASHINGTON

Pierce County

Tacoma, *North 4th and Dock Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Dock St. (03/13/84)

WEST VIRGINIA

Jackson County

Ravenswood, *Old Ravenswood School*, Henry St. (04/16/84)

WISCONSIN

Brown County

Green Bay, *East Moravian Church*, 512 Moravian St. (11/03/83)
Green Bay, *Kaap's Restaurant*, 212–214 N. Washington St. (03/29/84)

Milwaukee County

St. Francis, *Old St. Peter's Church*, 3257 S. Lake Dr. (11/03/83)

Outagamie County

Appleton, *Volksfreund Building*, 200 E. College Ave. (03/29/84)

Rock County

Milton vicinity, *Dean-Armstrong-Englund Octagonal Barn (Centric Barns in Rock County TR)*, NE of Milton (03/30/84)

Washburn County

Shell Lake, *Salem Lutheran Church*, 301 8th Avenue, West (09/06/84)

Waukesha County

Muskego, *Philadelphia Toboggan Company Carousel No. 15*, Janesville Rd. (05/07/84)

The following properties have been determined to be eligible for inclusion in the "National Register." Determinations of eligibility are made at the request of the concerned Federal Agency under the authority in section 2(b) and 1(3) of Executive Order 11593, and the National Historic Preservation Act of 1966, as amended. Determinations of eligibility are also made on nominations for privately owned property where the owner or a majority of owners for properties with multiple owners object to listing.

Historic properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to section 106 of the National Historic Preservation Act or 1966, as amended, and the procedures of the Advisory Council on Historic Preservation, 36 CFR, Part 800. Before an agency of the Federal Government may undertake any project which may have an effect on such an eligible property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

ALABAMA

Coffee County

Elba Dam and Powerhouse, (10/20/83)

Jefferson County

Birmingham, *Ridgely Apartment Building*, (04/02/84)

Mobile County

Mobile, *Mobile National Cemetery*, (06/27/84)

Montgomery County

Montgomery, *East Dexter Avenue Historic District*, 201–255 Dexter Ave. (odds only) (09/16/84)

ALASKA

Fairbanks Division

Fairbanks, *Cool Bunkers*, 270 Illinois St. (07/12/84)
Fairbanks, *Fairbanks Exploration Co. Industrial Complex*, 700 Blk Illinois St. (07/12/84)
Fairbanks, *Fairbanks Exploration Company Housing*, 507 and 521 Illinois St. (07/12/84)
Fairbanks, *Rose Building*, 520 Church St. (07/12/84)
Fairbanks, *Sexton House*, 315 Illinois St. (07/12/84)
Fairbanks, *White House (Sisters' Convent)*, 757 Illinois St. (07/12/84)

Kodiak Division

Sitkinak Island, *Site XTI–052*, (02/23/84)

Seward Division

Archeological Site SEW–187, (08/13/84)

ARIZONA

Coconino County

Archeological Sites AZJ18–2 and AZJ18–3, also in Navajo County (03/06/84)
Archeological Sites AZJ19–3, 6, 9, 10, 11, and 12, also in Navajo County (03/06/84)
Archeological Sites AZJ31–2, 3, 5, 6, 7, 8, and 9, also in Navajo County (03/06/84)

Gila County

Shoofly Village Ruin (AR–03–12–04–20), Tonto National Forest (06/05/84)
Payson vicinity, *Archeological Sites AR–03–12–04–52, 113, 118, 139, 141, 142, 210, 256, 470, 471, 487, 488, 489, 490, 491, 511, 516, 525, 534, 535, 536, 537, 541, 542, and 543*, (06/05/84)

Maricopa County

Phoenix, *DeMkund, Herman P., House (Roosevelt Neighborhood MRA)*, (11/30/83)
Phoenix, *Greystone Apartments (Roosevelt Neighborhood MRA)*, 645–649 N. 4th Ave. (11/30/83)
Phoenix, *Hanny's Clothing Store*, (08/24/84)
Phoenix, *Knights of Pythias Building (Roosevelt Neighborhood MRA)*, (11/30/83)
Tempe, *Cooper, J.D., Saloon (Tempe MRA)*, (05/08/84)
Tempe, *Moeur, Gov. Benjamin B., House (Tempe MRA)*, (05/07/84)
Tempe, *Moeur, Sidney B., House (Tempe MRA)*, (05/07/84)
Tempe, *Murphy, E.A., House (Tempe MRA)*, (05/07/84)
Tempe, *Sachs, Wolf, House (Tempe MRA)*, (05/07/84)

Mohave County

Horse Valley Ranch (Waring Ranch), (01/27/84)

ARKANSAS

Independence County

Batesville, *Lock and Dam No. 1*, (03/14/84)

CALIFORNIA

Alameda County

Oakland, *Preservation Park Historic District (CHD)*, Bounded by Grove, 11th, Castro and 14th Sts. (09/05/84)
Oakland, *Victorian Row-Old Oakland Historic District (CHD)*, Bounded by 7th, Broadway, 10th and Clay Sts. (09/05/84)

Contra Costa County

Pittsburg, *New York Landing Historic District (CHD)*, E. 3rd, E. 4th and Railroad Ave. (09/05/84)
Walnut Creek, *Civic Park Bridge*, (06/07/84)

Del Norte County

Crescent City vicinity, *Archeological Site CA–DNO–53*, (08/28/84)

Fresno County

Balch Camp, *Archeological Sites CA–FRE–502, 503, 504, 505, 506 and 507*, (07/30/84)

Humbolt County

Archeological Site CA–HUM–700, (04/24/84)
Archeological Site CA-HUM–204/112, (12/09/83)
Pilot Ridge Archeological/Historical District, (05/07/84)

Lake County

Cache Creek Bridge, (12/08/83)

Lassen County

Archeological Site CA–LAS–587, (12/19/83)
Archeological Site CA–LAS–916, (12/19/83)

Los Angeles County

Downey, *McDonald's Drive-In Restaurant and Sign*, (01/19/84)
Hancock Park, *Rancho La Brea Fossil Deposits*, (01/30/84)
North Hollywood, *El Portal Theatre*, (02/10/84)
North Hollywood, *Paperback Shack Books Building*, (02/10/84)
North Hollywood, *Phil's Diner*, (02/10/84)

Marin County

Sausalito, *Sausalito Central Business Historic District (CHD)*, 558–789 Bridgeway, El Portal and Princess St., portions of Bulkley Ave. (09/05/84)

Mendocino County

Archeological Site CA–MEN–1802, (10/24/83)

Placer County

Wise Powerhouse, (03/14/83)

Plumas County

Nelson Creek Bridge, (11/28/83)

San Diego County

Archeological Site (SDI–9203), (12/19/83)
Archeological Site (SDI–9207), (12/19/83)
Archeological Site (SDI–9208), (12/19/83)
Archeological Site (SDI–9209), (12/19/83)
Archeological Site (SDI–9212), (12/19/83)
Archeological Site CA–SDI–4782, (03/12/84)
Archeological Site CA–SDI–5589, (05/08/84)
La Mesa, *La Mesa Depot*, (07/03/84)

Santa Clara County

Pacheco Creek Bridge, (01/25/84)
San Jose, *Southern Pacific Depot*, (01/17/84)

Shasta County

Archeological Site CA–SHA–1169, (12/09/83)
Archeological Site CA–SHA–1170, (12/09/83)
Archeological Site CA–SHA–1175, (12/09/83)
Archeological Site CA–SHA–1176, (12/09/83)
Archeological Site CA–SHA–476, (12/09/83)
Archeological Site CA–SHA–511, (12/09/83)
Harlan D. Miller Bridge (CA–SHA–1060) (Dog Creek Bridge), (05/29/84)

Siskiyou County

Meek Archeological Site (CA–SIS–900), (08/06/84)

Solano County

Archeological Site CA–SOL–313, (08/14/84)

Trinity County

CA–TRI–429 (Leldin Village), (12/09/83)

South Fork Trinity River Bridge No. 4–50, (12/09/83)

Ventura County

San Buenaventura, *San Buenaventura Historic District (CHD),* Plaza Park and properties south of the park in the 600 blk of E. Thompson Blvd. (09/05/84)

COLORADO

Boulder County

Boulder, *Mapelton Hill Historic District (CHD),* Roughly bounded by Mountain View Rd. 11th and Dewey Sts. (09/05/84)

Grand County

Berthound Pass Chairlift (5GA742), (12/30/83)

La Plata County

Durango Rock Shelters Archeological Site, (06/26/84)

Larimer County

Alta Vista Neighborhood (5LR990), (05/02/84)
Brenimon Farm (5LR993), (05/02/84)
Mandeville Farm (5LR789), (01/27/84)
Milk House (5LR964), (01/27/84)
Plummer School (5LR778), (05/02/84)

Otero County

Swink Bridge (5OT217), Arkansas River (03/27/84)

Pitkin County

Aspen, *Aspen Historic District (CHD),* Roughly bounded by Durant Ave., Main, Monarch, and Hunter Sts. (09/05/84)

CONNECTICUT

Fairfield County

New Canaan, *New Canaan Historic District (CHD),* Roughly bounded by Oenoke Lane, Heritage Hill and the S side of Semigary St. containing properties on both sides of Oenoke Ridge, Main and Park Sts. (09/05/84)

Hartford County

Hartford, *Phelps, Antoinette Randolph, House,* 276 Washington St. (02/11/84)
Hartford, *Royal Typewriter Company Building,* 150 New Park Ave. (02/13/84)

Middlesex County

Durham, *Durham Public Library,* (06/04/84)

New Haven County

Housatonic Water Power Company Dam and Canals, also in Fairfield County (02/09/84)
Branford, *Malleable Iron Fittings Company,* Maple Ave. (05/03/84)
Branford, *US Post Office-Branford,* (06/26/84)
New Haven, *Imperial Granum-Joseph Parker Building,* (04/06/84)
New Haven, *Lighthouse Point Park Carousel Bldg.* (02/09/84)

Windham County

Putnam, *Powhaton Mill Complex,* (11/17/83)

DELAWARE

New Castle County

Wilmington, *Delaware Avenue Historic District (CHD),* Roughly bounded by N. Broom St. and Harrison St. on Delaware Ave. (09/05/84)
Wilmington, *Eastside Historic District,* (10/18/83)

Sussex County

Rehoboth Avenue Bridge, (01/26/84)

DISTRICT OF COLUMBIA

Riggs-Tompkins Building, 14th St. and Park Rd. NW (08/30/84)

FLORIDA

Dade County

Fort Lauderdale, *Fort Lauderdale Historic District (CHD),* Roughly bounded by Broward Blvd., SW 2nd Ave., New River Dr., and SW 5th Ave. (09/05/84)
Miami Beach, *Fire Station No. 2 (Dade Blvd. Fire Station),* (11/17/83)

DeSoto County

Mizell Mound "A" (APLS #15), (11/22/83)
Mizell Mound "C" 8DE33 (APLS #17), (11/22/83)

Duval County

Barsco Supply Company, (01/20/84)
US Post Office (West Bay Annex), (01/20/84)

Escambia County

Pensacola, *North Hill Historic District (CHD),* Roughly bounded by Moreno, Gillemard, Wright, and De Villiers Sts. (09/05/84)

Hillsborough County

Muck Pond Site (8HI515), (01/20/84)

Lee County

Fort Myers, *Fort Myers Downtown Commercial District,* (06/11/84)
Fort Myers, *Fort Myers Residential Historic District,* (06/11/84)

Manatee County

Airstrip Village 8MA181 (APLS #41), (11/22/83)
Sugarbowl Mound 8MA64 (APLS #1), (11/22/83)
Bradenton, *Downtown Bradenton Historic District (CHD),* Roughly bounded by 3rd Ave. W., 9th St. W, 8th Ave. W., 14th St. W (09/05/84)
Bradenton, *Old Manatee Historic District (CHD),* Roughly bounded by E. 3rd, 9th, 4th, Manatee Ave., 10th, 8th and 9th St. E. (09/05/84)

Orange County

Orlando *Downtown Historic District (CHD),* Roughly bounded by Jefferson and South Sts., Rosaland, S. Bryan and N. Gertrude Aves., and W. Central Blvd. (09/05/84)
Orland, *Lake Cherokee Historic District (CHD),* Roughly bounded by East-West Exp., S. Summerlin Ave., Lake Davis, E. Gore, Euclid, S. Delaney and S. Orange Aves. (09/05/84)

Palm Beach County

Boca Raton, *Administration Building,* 2 Camino Real (05/24/84)

Polk County

Lakeland, *Lake Munn Historic District (CHD),* Roughly bounded by Bay and Orange Sts., Massachusetts, Iowa, and Missouri Aves., Lake Mirror Shoreline (09/05/84)

Sarasota County

Sarasota, *Bay Haven Hotel (John Ringling School of Art) (Sarasota MRA),* (03/22/84)
Sarasota, *Burns Realty Co./Karl Bickel House (Sarasota MRA),* (03/22/84)
Sarasota, *City Electric Light and Power Plant (Sarasota MRA),* (09/14/84)
Sarasota, *Cunliff Residence (Bay View Cottage) (Sarasota MRA),* (03/22/84)
Sarasota, *El Vernona Hotel (John Ringling Hotel) Sarasota MRA),* (03/22/84)
Sarasota, *Gillespie House (Sarasota MRA),* (03/22/84)
Sarasota, *Iwersen Block (Sarasota MRA),* 1367 & 1369 Main St. (04/23/84)
Sarasota, *Reagin, L. D., House (Sarasota MRA),* (03/22/84)

Volusia County

Tarragona Arch, (10/12/83)

GEORGIA

Clarke County

Tallassee Shoals, also in Jackson County (11/18/83)
Athens, *Oconee Hill Cemetery,* (04/16/84)

DeKalb County

Moreland Historic District, also in Fulton County (11/28/83)
North Highland/North Avenue Historic District, also in Fulton County (11/28/83)
Chamblee, *Nancy Creek Primitive Baptist Church Cemetery,* (06/29/84)
Chamblee, *Samuel House and Plantation,* (06/29/84)
Decatur, *Candler Hotel,* (01/10/84)

Dougherty County

Archeological Site GPDU01, (01/06/84)
Archeological Site GPDU02, (01/06/84)

Floyd County

Rome, *Hamilton-Bass-Barnes House,* (05/15/84)
Rome, *High Acres,* (05/15/84)
Rome, *Seven Oaks,* (05/15/84)
Rome, *Thornwood,* (05/15/84)

Fulton County

East Point, *Jefferson Park District,* (04/27/84)
East Point, *Martin Street Industrial District,* (04/27/84)

Gwinnett County

Lawrenceville, *Smith-Cleveland-Vaughan House,* (04/26/84)

Jefferson County

Bridge #081/00255/X/00059, over Rocky Comfort Creek (07/17/84)

Richmond County

Augusta, *Augusta Historic Preservation District (CHD),* Roughly bounded by 7th, Telfair, Walker Sts. and Gordon Hwy. (09/05/84)

Walton County

Between, *Upshaw, James Berrier, Homeplace,* (11/28/83)

GUAM

Asan Village, *Asan Village Site*, (12/09/83)

HAWAII

Hawaii County

Hawaii, *Kohala Foreign Church*, Hawi Rd. (07/09/84)

Honolulu County

Honolulu, *Fort Kamehameha Historic District*, (01/24/84)
Oahu, *Mokapu Peninsula Fishpond Complex (Nuupia Ponds)*, Kaneohe Bay (08/08/84)

Maui County

Molokai, *Archeological Site 50-60-03-927*, (01/25/84)
Molokai, *Archeological Sites 50-60-03-913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, and 925*, (01/25/84)
Molokai, *Archeological Sites 50-60-03-928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, and 945*, (01/25/84)
Molokai, *Archeological Sites 50-60-03-947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, and 970*, (01/25/84)

IDAHO

Fremont County

Buffalo Ranger Station, Targhee National Forest (01/17/84)

ILLINOIS

Cook County

Evanston, *Abbey Garth Apartments (Suburban Apartment Bldgs in Evanston TR)*, (03/15/84)
Evanston, *Boylston Flats (Suburban Apartment Bldgs in Evanston TR)*, (03/15/84)
Evanston, *Chateau de Chaumont (Suburban Apartment Bldgs in Evanston TR)*, (03/15/84)
Evanston, *Churchview (Suburban Apartment Bldgs in Evanston TR)*, (03/15/84)
Evanston, *Evanston (Suburban Apartment Bldgs in Evanston TR)*, (03/15/84)

DuPage County

Hinsdale, *Highlands Passenger Station*, 95 Highlands Rd. (09/13/84)

Kane County

Aurora, *Near Eastside Historic District (CHD)*, Roughly bounded by Marve Ave., Anderson and LaSale (09/05/84)

Lake County

Highland Park, *Old Briargate Station (Highland Park MRA)*, 1495 Old Deerfield Rd. (12/13/83)
Waukegan, *Waukegan Public Library*, (12/07/83)

Livingston County

Vieley Bridge, Over the north fork of the Vermillion River (10/06/83)

Madison County

North Alton Confederate Cemetery, (12/22/83)

INDIANA

Floyd County

New Albany National Cemetery, (08/07/84)

IOWA

Henry County

Lowell vicinity, *Boyleston Bridge*, (02/21/84)

Jones County

Fremont Mill Bridge, Buffalo Creek (06/12/84)

Scott County

Davenport, *Aschermann Bros. Grocery (Davenport MRA)*, 1509 Harrison (07/27/84)
Davenport, *Cora Lee Roy Apartments (Davenport MRA)*, 600–608 Brady St. (07/24/84)
Davenport, *Nutting Carriage House (Davenport MRA)*, 1328 E. River Dr. (07/24/84)

Washington County

Archeological Site 13WS122, (08/28/84)
Archeological Site 13WS126, (08/02/84)
Archeological Site 13WS61, (08/02/84)
Archeological Site 13WS65, (08/02/84)

Webster County

Fort Dodge, *Hawkeye Avenue Bridge*, Over Des Moines River (02/02/84)

Woodbury County

Sioux City, *St. Monica Hospital*, 4500 Hamilton Blvd. (04/05/84)

KANSAS

Bourbon County

Fort Scott National Cemetery, (05/03/84)

Butler County

Gordon vicinity, *Gordon Bridge*, (05/23/84)

Leavenworth County

Leavenworth, *Fort Leavenworth National Cemetery*, (11/23/83)

Pottawatomie County

Manhattan, *Manhattan Downtown Historic District (CHD)*, Roughly bounded by Anderson Ave., 7th and 3rd Sts. and Griffith Ball Park (09/05/84)

KENTUCKY

Green County

Roachville, *Buchanan House (Green County MRA)*, KY 208 (08/24/84)

Jefferson County

Zachary Taylor National Cemetery, (12/22/83)

Madison County

Richmond, *Clay, Pattie Field, House (Richmond MRA)*, (03/27/84)
Richmond, *Elmwood (Richmond MRA)*, (03/26/84)
Richmond, *Woodlawn (Richmond MRA)*, (03/19/84)

Owen County

Owenton, *Gibson House (Owenton MRA)*, 120 S. Main St. (09/04/84)

LOUISIANA

East Baton Rouge Parish

Baton Rouge National Cemetery, (10/26/83)

Lafourche Parish

M/V Fox (Boat), (06/19/84)

Orleans Parish

New Orleans, *Lafayette Square Historic District (CHD)*, Roughly bounded by O'Keefe and St. Joseph Aves., Poydras and Magazine Sts. (09/05/84)
New Orleans, *Lower Garden Historic District (CHD)*, Roughly bounded by St. Charles Ave., US 10, Tchoupitoulas, Race and Philip Sts. and Mississippi River (09/05/84)
New Orleans, *Picayune Place Historic District (CHD)*, Roughly bounded by St. Charles Ave., and Common, Tchoupitoulas, and Poydras Sts. (09/05/84)
New Orleans, *St. Charles Avenue Historic District (CHD)*, Roughly bounded by Carondolet, Prytania, Jena Sts. and Jackson Ave. (09/05/84)
New Orleans, *Warehouse Historic District (CHD)*, Roughly bounded by Magazine, Poydras, and S. Front Sts., Howard Ave. (09/05/84)

Rapides Parish

Alexandria National Cemetery, (04/20/84)

MAINE

Androscoggin County

Lewiston, *Kennedy Park (CHD)*, Roughly bounded by Pine, Blake, Birch and the alley W of Park St. (09/05/84)
Lewiston, *Lewiston Waterpower System*, (12/09/83)

Hampden County

Springfield, *Ridgewood Historic District (CHD)*, Roughly bounded by Union St., Mulberry St., and School St. (09/05/84)

Penobscot County

Bangor, *Bangor Theological Seminary (CHD)*, Roughly bounded by Union St., Hammond St., and Cedar St. (09/05/84)
Bangor, *Broadway Historic District (CHD)*, Roughly bounded by Garland St., Pine St., State St. and Broadway (09/05/84)
Bangor, *High Street Historic District (CHD)*, Roughly bounded by Hammond St., N. High St., Union St., and High St. (09/05/84)
Bangor, *Whitney Park Historic District (CHD)*, Roughly bounded by 8th St., Union St., Pond St. and Hayford Rd. (09/05/84)

MARYLAND

Allegany County

Paw Paw Village Site (18AG144), (03/21/84)

Anne Arundel County

Crofton, *Linthicum Walks*, (11/25/83)

Baltimore (Independent City)

East Baltimore/Butcher's Hill District, (12/30/83)
Eutaw Place/Madison Avenue Historic District (CHD), Properties on Eutaw Pl. and Madison Ave. between Druid Park Lake Dr. and North Ave. (09/05/84)

Harlem Park/Lafayette Sq. Historic District, (10/12/83)
Madison Park Historic District (CHD), Roughly bounded by North Ave., Morris St., Laurens St., and Tiffany St. (09/05/84)
Mt. Royal Terrace Historic District (CHD), Roughly bounded by Reservoir St., Park Ave., North Ave., and Mt. Royal Terrace (09/05/84)
Mt. Vernon Historic District (Expanded) (CHD), Roughly bounded by Mt. Royal Ave., Howard St., Gilford St., and Hamilton St. (09/05/84)
Otterbein Historic District (CHD), Roughly bounded by W. Barre St., S. Hanover St., W. Hughes St., and S. Sharp St. (05/02/84)
Parkway Theatre, (03/19/84)
Seton Hill Historic District (Expanded) (CHD), East side of 600 blk. of N. Eutaw St. (09/05/84)
Sterling Street Historic District (CHD), Bounded by Monument, Ensor, and Mott Sts. and Flatiron Alley (09/05/84)
Union Square Historic District (CHD), Roughly bounded by Fulton Ave., Baltimore, Schroder, Carey, and Pratt Sts. (09/05/84)
Waverly Historic District (CHD), Roughly 600 Blk. of 34th St. (09/05/84)

Cecil County

Messina Archeological Site (Delaware Chalcedony Complex TR), (12/16/83)
Elkton, *US Post Office-Elkton,* (10/28/83)

Frederick County

Frederick, *Birely Tannery Site,* (03/02/84)
Frederick, *Frederick Historic District (South Addition) (CHD),* Roughly bounded by E. 7th St., East St., Clarke Pl., E. South and North Bentz Sts. (09/05/84)

Montgomery County

Llewelyn Fields, (04/10/84)
Pleasant View Farm, (04/10/84)
Spencerville Historic District, (04/10/84)
Rockville, *Lyddane/Bradley Farm,* (04/09/84)

Prince Georges County

Hyattsville, *Hardware Store,* (04/10/84)
Hyattsville, *Hyattsville Post Office,* (04/10/84)
Hyattsville, *Professional Building,* (04/10/84)
Hyattsville, *Suburban Bank Building,* (04/10/84)
Hyattsville, *US Post Office-Hyattsville,* (10/28/83)

Somerset County

Fairmount, *Upper Fairmount Historic District,* (01/10/84)

Washington County

Williamsport Historic District, (01/30/84)

Wicomico County

Salisbury, *Downtown Historic District (CHD),* Roughly bounded by US Rt. 50, US Rt. 13, the Wicomico River, and Lake St. (09/05/84)
Salisbury, *Newtown Historic District (CHD),* Roughly bounded by Mill St., North St., Broad St., and Chestnut St. (09/05/84)

MASSACHUSETTS

Berkshire County

Lenox, *Lenox Historic District (CHD),* Properties along both sides of Main St. from Greenwood to West Sts., Franklin, Housatonic, Church and Walker Sts. (09/05/84)

Bristol County

Fall River, *Border City Mills (Fall River MRA),* (12/11/83)
New Bedford, *Bedford Landing-Waterfront Historic District (CHD),* Roughly bounded by Elm and Rodman Sts., Front St., Commercial St., Union St. and Acushnet Ave. (09/05/84)

Hampden County

Springfield, *Forest Park Heights Historic District (CHD),* Roughly bounded by Riverview and Westernview Sts., Fairfield St., Litchfield St., Sumner Ave., Forest Park Ave., Washington Blvd., and Longhill St. (09/05/84)
Springfield, *Lower Maple Historic District (CHD),* Roughly bounded by State St., School St., Union St., and Maple St. (09/05/84)
Springfield, *Maple Hill Historic District (CHD),* Roughly bounded by Cemetery Ave., Madison St., Pine St., Mill St., and Maple St. (Ames Hill and Crescent Hill) (09/05/84)
Springfield, *Ridgewood Historic District (CHD),* Roughly bounded by Union St., Mulberry St., and School St. (09/05/84)

Hampshire County

Ware, *Casino Theatre,* (01/03/84)
Ware, *Guild Block,* 66–80 Main St. (01/27/84)
Ware, *Houses at 6–12, 14–20, 22–28 Otis Avenue,* (01/27/84)
Ware, *Kaplan Block,* 91 Main St. (01/27/84)
Ware, *Robinson-Hitchcock Block,* 112–114 Main St. (01/27/84)
Ware, *Unitarian Church,* Main St. (01/27/84)

Middlesex County

Carlisle, *Carlisle Historic District (CHD),* Properties extending out from the Monument juncture on Lowell and East Sts., Bedford Rd., School St., Concord and Westford Rds. (09/05/84)
Framingham, *804 Edgell Road (Nobscot Grange Hall),* (01/12/84)
Stoneham, *Lang, William Bailey, House (Stoneham MRA),* Lakeview Dr. at Woodland (04/13/84)
Stoneham, *Martin-Maxwell Estate (Stoneham MRA),* 58 Elm St. (04/13/84)
Stoneham, *Sweetser, Warren, House (Stoneham MRA),* 434 Main St. (04/13/84)

Norfolk County

Quincy, *Souther Tide Mill,* (07/26/84)

Suffolk County

Boston, *Bay State Road/Back Bay West Historic District (CHD),* Bounded by W. Charlesgate, Newberry, Graham, alley S. of Bay State Rd., Bay State Rd., and Back St. (09/05/84)
Boston, *St. Botolph Street Historic District (CHD),* Bounded by Harcourt, alley E of Huntington, alley N of Mass. Ave., and NY, NH & Hartford R.O.W. (09/05/84)

Worcester County

Uxbridge, *Sprague, Albert, House (Uxbridge MRA),* 68 Mendon St. (10/07/83)

MICHIGAN

Genesse County

Linden, *Linden Downtown Historic District,* Roughly bounded by the Shiawassee River, N. Main St., Hickory St., S. Bridge and N. Bridge Sts. (09/05/84)

Houghton County

Houghton, *1017 College Avenue,* (10/11/83)
Houghton, *1101 College Avenue,* (10/11/83)
Houghton, *Alumni Building (Michigan Technological University),* Mich. Technological Univ. campus (10/11/83)
Houghton, *C.C. Douglass-Alf Labine Residence,* 1019 College Ave. (10/11/83)
Houghton, *Douglass, W. Corbin, Residence,* 1210 College Ave. (10/11/83)
Houghton, *Duggan, Leo F., Residence,* 916 College Ave. (10/11/83)
Houghton, *Duluth, South Shore and Atlantic RR Depot,* Lake St. at Huron St. (10/11/83)
Houghton, *Edwards, R.M., Residence,* 1020 College Ave. (10/11/83)
Houghton, *Gual, Jane V., Residence,* 1206 College Ave. (10/11/83)
Houghton, *Hoar, John Jr., Residence,* 1109 College Ave. (10/11/83)
Houghton, *Pryor, Reginald, Residence,* 1015 College Ave. (10/11/83)
Houghton, *Reese, Allen F., Residence,* 918 College Ave. (10/11/83)

Iron County

Elmwood Camp (201058), Ottawa National Forest (08/02/84)

Kent County

Grand Rapids, *Heartside Historic District (CHD),* Roughly bounded by Louis St., Division Ave., Cherry St., and Ionia Ave. (09/05/84)

Muskegon County

Muskegon, *Clay-Western Historic District (CHD),* Western Ave., 4th St., Clay Ave., 6th St., Webster St., and 7th St. (09/05/84)

Oakland County

Holly, *Central Downtown Historic District (CHD),* Washinton St., Martha St., S. Broad, E. Maple to N. Saginaw, Front St. to Railroad St. (09/05/84)
Holly, *District #2 (CHD),* North and South lots on Maple St. between Cogshall and Washington St.; West lots on College between Main and Maple St. (09/05/84)

Saginaw County

Township Wastewater Plant Site (20SA620), (08/30/84)
Saginaw, *Old Saginaw City Historic District (CHD),* S. Michigan to N. Michigan to Cleveland St. to Saginaw River to Van Buren St. to Michigan (09/05/84)

Washtenaw County

Lima, *South Lima Rural Historic District,* (04/19/84)
Ypsilanti, *Ypsilanti Historic District (CHD),* Roughly bounded by Forest St., Prospect

St., Michigan St., Buffalo St. and N. Hamilton St. (09/05/84)

Wayne County

Detroit, *Adair Warehouse*, (05/29/84)
Detroit, *Berry Historic District (CHD)*, Roughly bounded by E. Jefferson Ave., Parkview Dr., the Detroit River, and Fiske St. (09/05/84)
Detroit, *Murphy Ironworks Office Building*, (05/29/84)
Detroit, *New Center Historic District (CHD)*, Roughly bounded by Euclid, Woodward, 2nd, Lothrop and 3rd Aves. (09/05/84)

MINNESOTA

Aitkin County

Archeological Site 21AK29, (01/12/84)

Goodhue County

Red Wing, *Downtown Historic District (CHD)*, Roughly bounded by Bush, Main, and Broad Sts. (09/05/84)

Hennepin County

Lower St. Anthony Falls Hydrostation, (01/30/84)
Minneapolis, *Barry, Margaret, Settlement House*, 759 Pierce St. NE (01/18/84)
Minneapolis, *Northwestern Bell Telephone Company Building*, 224 5th St., South (01/18/84)
Minneapolis, *Rand Tower*, 527–529 Marquette Ave. (01/18/84)
Minneapolis, *Southeast Fifth Street Historic District (CHD)*, Along 5th St. between 9th and 4th Ave. (09/05/84)
Minneapolis, *Warehouse Historic District (CHD)*, Roughly bounded by 1st., Washington, 6th and 3rd Aves. (09/05/84)
Minneapolis, *Warehouse Preservation District*, (01/03/84)
Minneapolis, *Washburn Fair Oaks Historic District (CHD)*, Roughly bounded by 26th St., Franklin, 4th and Lincoln Aves. (09/05/84)

Kittson County

Hallock vicinity, *Hill, James J., Worthcote Farm*, (10/20/83)

Olmsted County

Oronoco, *Oronoco Bridge No. 448*, (02/06/84)

Otter Tail County

Perham vicinity, *Schroeder's Brewery*, US 10 (03/04/84)

Ramsey County

St. Paul, *Heimbach, Edward and Elizabeth, House and Carriage House*, 64 W. Delos St. (10/20/83)

Rice County

Faribault, *Faribault Heritage Preservation District (CHD)*, Roughly bounded by Central Ave., 4th and Division Sts. and 1st Ave. (09/05/84)

St. Louis County

Duluth, *St. Louis Courthouse*, (07/05/84)

MISSOURI

Andrew County

St. Joseph vicinity, *Archeological Site 23AN58*, (07/10/84)

Buchanan County

St. Joseph, *Old City Auditorium*, 4th and Faraon Sts. (04/24/84)

Clay County

Kansas City, *Nelle E. Peters Historic District (CHD)*, 3600 Summit and portions of the 700 blk of W. 37th (09/05/84)

Greene County

Archeological Site 23GR535, (02/16/84)

Jackson County

Kansas City, *1219 Main Street*, (02/23/84)
Kansas City, *1221–23 Main Street*, (02/23/84)
Kansas City, *Armour/Gillham Historic District (CHD)*, Roughly bounded by north side of East Blvd., between Warwick, and Locust St. (09/05/84)
Kansas City, *Bonfils Building*, (02/23/84)
Kansas City, *Dixon Inn*, (02/23/84)
Kansas City, *Downtown Retail Historic District*, (02/23/84)
Kansas City, *Miller Plaza/Warner Plaza Historic District (CHD)*, Roughly bounded by Main St., Walwick Blvd. on E. 32nd St. (09/05/84)
Kansas City, *North Hyde Park Historic District (CHD)*, Roughly bounded by 3300 blks. of Harrison and Campbell, the 3400 blk. of Campbell and the residence of 3402 Harrison (09/05/84)
Kansas City, *Old General Hospital*, (03/30/84)

Scott County

Site 23ST196 (Neck-in-the-Woods Site), (06/04/84)
Site 23ST204 (Wild Bob Site), (06/04/84)
Site 23ST205 (Mule Lip Site), (06/04/84)

St. Louis County

St. Louis, *Central West End Historic District (CHD)*, Roughly bounded by Boyle Ave., Lindall Blvd., Baleviere and Belmar (09/05/84)
St. Louis, *Compton Hill Historic District (CHD)*, Roughly bounded by Sidney, S. Grand Blvd., Coplin and Shenandoah (09/05/84)
St. Louis, *Hyde Park Historic District (CHD)*, Roughly bounded by Palm St., 11th Ave., Florissant and Grand Blvd. (09/05/84)
St. Louis, *Lafayette Park Historic District (CHD)*, Roughly bounded by Jefferson Ave., Simpon Pl. and Dolman St. (09/05/84)
St. Louis, *Soulard Historic District (CHD)*, Roughly bounded by Broadway, Compton Ave., Arsenal St. and Delaware Blvd. (09/05/84)
St. Louis, *Visitation Park Historic District (CHD)*, Roughly bounded by Union Blvd., from Delmar to Cabanne (09/05/84)

MONTANA

Big Horn County

Youngs Creek Archeology District, (03/22/84)

Blaine County

Hogeland, *Burlington Northern Railroad Depot*, (01/17/84)
Turner, *Burlington Northern Railroad Depot—Turner*, (01/17/84)

Broadwater County

Archeological Site 24BW182, (12/12/83)
Lombard Coke Oven Site (24BW180), (12/12/83)

Chouteau County

Loma, *Burlington Northern Loma Bridge No. 62.5*, (02/02/84)

Granite County

Copper State Mine (24GN423), (09/24/84)
Emmetsburg Cemetery & Monument (24GN392), (09/24/84)
Erick Peterson Stock-Raising Homestead (24GN386), (09/24/84)
Sunrise Mine (24GN391), (09/24/84)
Walter Olson Homestead (24GN390), (09/24/84)
Ruby Site (24GN203), (09/24/84)

Jefferson County

Site 24 JF 726 (The Park Ditch), Helena National Forest (08/09/84)

Lewis and Clark County

RV/Cody Ranch (O'Connell Ranch) (Amendment), US 12 (12/30/83)
Site 24 LC 1048 (The Park Ditch), Helena National Forest (08/09/84)

Lincoln County

Site 24LN122, (01/31/84)
Site 24LN125, (01/31/84)
Site 24LN127, (01/31/84)
Site 24LN258, (01/31/84)
Site 24LN263, (01/31/84)
Site 24LN264, (01/31/84)
Site 24LN728, (01/31/84)

Mineral County

Keystone Historic District (24MN135), (09/24/84)
Mullan Road Segment (24MN133), (09/24/84)
William A. Berg Homestead (24MN129), (09/24/84)

Missoula County

Emmett P. Rickard Homestead (24MO190), (09/24/84)
Isaac Eddy Ranch (24MO191), (09/24/84)

Phillips County

Loring, *Burlington Northern Railroad Depot—Loring*, (01/17/84)

Powell County

Gustavus H. Wisner Cabin (24PW249), (09/24/84)
Pioneer Historic District (24PW210), (09/24/84)

Sanders County

Bend Guard Station, Lolo National Forest (04/18/84)

NEBRASKA

Lancaster County

Lincoln, *Haymarket Historic District (CHD)*, Roughly bounded by R and O Sts. and the Railroad (09/05/84)

NEVADA

Carson City

Carson City, *Carson City Historic District (CHD)*, Roughly bounded by Curry St., John, 5th and Iris Sts. (09/05/84)

Clark County

Quartette Mining Company Railroad, (01/27/84)
US Government Construction Railroad, (01/27/84)
Willow Beach Gauging Station, (01/27/84)

Lyon County

Yerington, *US Post Office-Yerington,* (09/05/84)

Pershing County

Lovelock, *US Post Office-Lovelock,* (10/13/83)

NEW HAMPSHIRE

Belknap County

Guilford, *Guilford Public Library,* (05/07/84)

Cheshire County

Dublin, *Amory Ballroom (Dublin MRA),* Off Old Troy Rd. (12/18/83)
Dublin, *Amory-Appel Cottage (Dublin MRA),* Off Old Troy Rd. (12/18/83)
Dublin, *Parsons Barn (Dublin MRA),* Parsons Rd. (12/18/83)
Dublin, *Stanley, Joshua, Farm (Dublin MRA),* Goldmine Rd. (12/18/83)

Grafton County

Littleton, *US Post Office-Littleton,* (03/28/84)

Hillsborough County

Manchester, *First Universalist Church,* 30 Lowell St. (06/28/84)
Manchester, *Young's Block (Mickey Finn's),* 1133–1139 Elm St. (06/26/84)

Merrimack County

Concord Bridge No. 186/103, (05/31/84)

Strafford County

Dover, *2–4 School Street,* (09/24/84)
Dover, *Watson Road Bridge (No. 079/140),* (07/10/84)
Somersworth, *Green Street School (Union School),* (07/27/84)

NEW JERSEY

Bergen County,

Edgewater, *Spencer Kellogg and Sons Pier and Transit Shed,* (07/03/84)
Mahwah (Ramsey), *Young House (Stone Houses of Bergen County TR),* 81 Youngs Rd. (07/24/84)

Burlington County

Beverly, *Beverly National Cemetery,* (01/12/84)
Burlington, *High Street Historic District (CHD),* High St. between Broad and Pearl; Broad St. between High and Stacy (09/05/84)

Camden County

Camden, *Cooper Plaza Historic District (CHD),* Roughly bounded by S. Broadway, Benson, S. 7th, and Berkley, including Washington between 7th and Haddon and Haddon from Washington to Newton (09/05/84)
Camden, *Newton Avenue Garage,* (09/24/84)

Cumberland County

Indian Head Multiple Resource District, (01/03/84)

Hudson County

Delaware Lackawanna and Western Coal Pier #5, (06/26/84)
Erie Terminal Station of Hudson and Manhattan Railroad Company, (06/26/84)
Hoboken, *Southern Hoboken Historic District (CHD),* Roughly bounded by 4th, Hudson, and 1st Sts., Erie-Lackawanna Train Yards, Washington St. and Bloomfield St. (09/05/84)

Mercer County

Trenton, *Yard Avenue Historic District (CHD),* Properties along Yard Ave. and E. State St. between Ewing, S. Clinton and Fairview (09/05/84)

Monmouth County

Marlin Estates Site (28MO125), (03/28/84)
Asbury Park, *US Post Office—Asbury Park,* (06/21/84)
Long Branch, *US Post Office—Long Branch,* (06/21/84)

Salem County

Salem, *Broadway Historic District (CHD),* Properties on E. and W. Broadway from Front St. to Keasbey and Yorke St. (09/05/84)

Union County

Plainfield, *Van Wyck Brooks Historic District (CHD),* Roughly bounded by Park Ave., W. 7th, Plainfield Ave., Stelle Ave., Randolph, and Arlington Ave. (09/05/84)

NEW MEXICO

Bernalillo County

Albuquerque, *Allen, W.P., House (Albuquerque North Valley MRA),* 3609 12th St. NW (02/09/84)
Albuquerque, *Indian Health Services Building #233,* (06/07/84)

McKinley County

Archeological Site LA–16128, (06/12/84)

Otero County

Alamogordo, *Fairchild Archeological Site (Boundary Increase),* White Sands National Monument (06/20/84)

San Juan County

Archeological Site NM–01–30539 (Ute Mountain Exchange), (05/21/84)
San Juan and Rio Arriba Counties, Archeological Sites SJC–064, 846, 847, 887, 888, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 901, 902, 903, 905, 906, 907, 908, 909, 911, 912, 914, 915, 916, 917, 918 and 931, (09/14/84)

San Miguel County

Las Vegas, *Elks Lodge Building,* 819 Douglas Ave. (11/19/83)

NEW YORK

Albany County

Champlain-Oneida Street #87, (03/27/84)
Albany, *Capitol Hill Historic District (Center Sq./Hudson Park) (CHD),* Roughly bounded by Millet, Spring, and S. Swan Sts., Park, Ware and Madison Aves. (09/05/84)
Albany, *Clinton Avenue/North Pearl Street Historic District (CHD),* Properties along Clinton Ave. between Quail St. and N. Pearl; and along N. Pearl between Clinton and Livingston Ave. (09/05/84)
Albany, *South End-Groesbeckville Historic District (CHD),* Roughly bounded by Elizabeth, Morton, Franklin, Basset, Vine, S. Pearl and 2nd (09/05/84)
Albany, *South Pearl Street Commercial Row Historic District (CHD),* East side of S. Pearl St. between Hudson Ave. and Beaver St. (09/05/84)
Albany, *The Mansions Historic District (CHD),* Roughly bounded by Eagle St., Madison Ave., S. Pearl St. and Park Ave. (09/05/84)

Broome County

Binghamton, *33 Properties in Binghamton,* 1–20 Dickson, 2–14 Clinton St., 184–186½ Oak St., and 207–225 Front St. (09/08/83)
Binghamton, *Parlor City Center Historic District (CHD),* Roughly bounded by Court, State, and Hawley Sts. (09/05/84)
Dickinson, *Broome Tech Site (A007–06–0006),* (10/24/83)

Bronx County

South Bronx, *Oak Point Link Project,* (10 Properties), (10/12/83)

Chenango County

Norwich, *Jamba Site,* (01/18/84)

Dutchess County

Bowdoin Farm Archeological Site, (04/25/84)

Erie County

Buffalo, *Delaware Avenue Historic District (CHD),* Properties on W. Delaware Ave. between Bryant and North St. (09/05/84)
Buffalo, *Linwood Historic District (CHD),* Roughly bounded by Delaware Ave. and Linwood Ave., North and W. Ferry Sts. (09/05/84)
Buffalo, *Main Street Historic District,* (11/25/83)
Buffalo, *West Village Historic District (CHD),* Roughly bounded by Tracy, S. Elmwood, Huron, Niagara and Carolina Sts. (09/05/84)

Kings County

Brooklyn, *Fort Greene Historic District (CHD),* Roughly bounded by Ft. Greene Pl., Fulton St., Vanderbilt Ave., and Myrtle Ave. (09/05/84)

Monroe County

Rochester, *Convention Hall/Naval Armory,* (11/09/83)

New York County

New York, *Mount Neboh Synagogue,* 130 W. 79th St. (05/31/84)
New York, *Our Lady of Lourdes Roman Catholic Church,* 467 W. 142 St. (02/17/84)

Onondaga County

Syracuse, *Sedgwick-Highland-James Historic District (CHD),* Bounded roughly by Rugby St., Brattle Rd., Teall Ave., James, Graves, and Dewitt Sts. (09/05/84)

Rensselaer County

Pleasantdale Prehistoric Site, (07/09/84)

Suffolk County

Huntington, *Cold Spring Harbor Historic District (CHD)*, Properties on Harbor, Main and Hill between Saw Mill Rd. and Huntington Rd and along Shore Rd and Spring St. (09/05/84)

Sullivan County

Cochecton, *Schultz 15-sided Barn (Central Plan Dairy Barns of New York TR)*, (09/29/84)

Warren County

Glen Falls, *Finch, Pruyn and Co. Office Building (Bigelow, Henry Forbes, Buildings TR) (Glen Falls MRA)*, 1 Glen St. (09/29/84)

Westchester County

Tarrytown, *Main Street Historic District (CHD)*, Properties on Main St. between Windle Park and S. Broadway (09/04/84)

NORTH CAROLINA

Chatham County

Lockville Dam and Powerplant, also in Lee County (10/25/83)

Craven County

New Bern, *New Bern National Cemetery*, (04/04/84)

Guilford County

Greensboro, *College Hill Historic District (CHD)*, Roughly bounded by W. Friendly Ave., S. Spring, W. Lee, Tate and McIver Sts., Freeman Mill Rd. (09/05/84)

Onslow County

Permuda Island, (02/24/84)

Rockingham County

Madison, *Decatur-Hunter Historic District (CHD)*, Roughly bounded by Carter, Market, W. Academy and Wilson Sts., and US 220 (Business) (09/05/84)

Rowan County

Salisbury, *Salisbury National Cemetery*, (10/20/83)

Wake County

Raleigh, *Blount Street Historic District (CHD)*, Roughly bounded by Franklin, Person, Jones, and Halifax Sts. (09/05/84)

OHIO

Clermont County

Old Lock and Dam No. 34, (11/28/83)

Cuyahoga County

Cleveland, *Cedar Apartments*, 2202 E. 20th St. (12/19/83)
Cleveland, *Hessler Road/Hessler Court Historic District (CHD)*, Bounded by Ford, Bellflower, E. 115th and Euclid Ave. (09/05/84)
Cleveland, *Market Square Historic District (CHD)*, Bridge Ave., W. 24th St., Lorain Ave., W. 25th St., United Ct., 28th St., to 28th St. (09/05/84)

Fairfield County

Lancaster, *US Post Office—Lancaster*, (10/28/83)

Franklin County

Columbus, *Bldg. at 736–40 East Long Street*, (02/17/84)

Hamilton County

Addyston, *Houses at 120, 124, 126, 128, 130, 132, 138, and 140 First Street*, (12/30/83)
Cincinnati, *Lincoln-Melrose Historic District (CHD)*, N. side of Lincoln between 820 Lincoln and Gilbert Ave.; between Lincoln and Beecher (09/05/84)
Cincinnati, *Northside Historic District (CHD)*, Hamilton Ave. between Cooper/Spring Grove and Hobart (09/05/84)

Henry County

Johnson Site (33HY207), (02/10/84)

Holmes County

Millersburg, *Forlow, Louis, House (Millersburg MRA)*, 104 N. Clay St. (07/17/84)

Jackson County

Jackson, *Grand Trunk Western Railroad Depot*, (08/07/84)

Lake County

Painesville, *East Main Street Bridge*, (10/13/83)

Logan County

Bellefontaine, *Railroad YMCA*, (07/10/84)

Lucas County

Toledo, *114–126 N. Superior Street (APCOA Garage)*, (01/03/84)
Toledo, *119 N. St. Clair Street (Toledo General District)*, (01/03/84)
Toledo, *121–23 N. St. Clair Street (Galliers District Company)*, (01/03/84)
Toledo, *22–46 N. Summit Street (Bostwick-Braun)*, (01/03/84)
Toledo, *28–32 N. St. Clair (Spangler Candy)*, (01/03/84)
Toledo, *34–36 N. St. Clair Street (Consumers Plumbing)*, (01/03/84)
Toledo, *410–412 Monroe Street (Wasserstrom Warehouse)*, (01/03/84)
Toledo, *505 Jefferson Avenue (Commodore Perry Hotel)*, (01/03/84)
Toledo, *Cumberland Street Historic District*, (01/04/84)
Toledo, *Washington Street Bridge over Swan Creek*, (01/03/84)

Mahoning County

Damascus Schoolhouse, (01/25/84)
Canfield, *Canfield Township Hall*, (09/17/84)
Youngstown, *Mahoning Avenue and CR–319 Bridge*, (10/13/83)

Montgomery County

Dayton, *Lindsey Building*, 25 Main St. (03/19/84)

Morgan County

Chesterhill, *Downtown Chesterhill Historic District*, (04/11/84)

Portage County

Kent, *300 N. Water Street (Sunburst Solar Systems Bldg.)*, (11/17/83)

Putnam County

Ottawa, *Ohio National Guard Armory*, (01/30/84)

Seneca County

Fostoria, *US Post Office—Fostoria*, (10/28/83)

Wyandot County

Carey, *Carey Railroad Depot*, (02/02/84)

OKLAHOMA

Garfield County

Enid, *Enid Masonic Temple*, W. Broadway (07/02/84)

Roger Mills & Ellis Counties

Packsaddle Bridge, (07/24/84)

OREGON

Harney County

Squaw Pit Village Site (35HA1038), (11/02/83)

Linn County

Thomas Creek (Jordan) Bridge, (02/08/84)

Malheur County

Adrian vicinity, *Owyhee Dam*, Owyhee River (06/26/84)

Tillamook County

Tillamook, *US Post Office—Tillamook*, (09/05/84)

Wasco County

White Rivers Fall Power Plant, (07/12/84)

PENNSYLVANIA

Allegheny County

St. Thomas Roman Catholic Church, (10/13/83)
Pittsburgh, *Manchester Historic District (CHD)*, Roughly bounded by Chateau, Franklin, Fulton, Hamlin, Fontella, Stedman, Bidwell and Faulsey (09/05/84)
Pittsburgh, *Mexican War Streets Historic District (CHD)*, Bounded by Buena Vista, Samsonia, Sherman and North (09/05/84)

Berks County

Reading, *Callowhill Historic District (Extension) (CHD)*, Area at the intersection of Penn and 4th Sts. (09/05/84)
Reading, *Centre Park Historic District (CHD)*, Roughly bounded by Church, Robeson, Center, 3rd and Greenwich (09/05/84)
Reading, *Prince Street Historic District (CHD)*, Roughly bounded by 7th, Cherry, Pearl and Willow (09/05/84)

Chester County

Asbridge, Richard, House, West Whiteland Township MRA), (08/02/84)
Colebrook Farm (West Whiteland Township MRA), (08/02/84)
Cuthbert, John, House (West Whiteland Township MRA), (08/02/84)
Downing, Hunt, House (West Whiteland Township MRA), (09/06/84)
Halfway House (West Whiteland Township MRA), (11/10/83)
Ivy Cottage (West Whiteland Township MRA), (09/06/84)
Konnagee, Joseph, House (West Whiteland Township MRA), (09/06/84)
Site 36–CH–128, (04/30/84)
Site 36–CH–332 (Locus 8), (04/30/84)

Site 36–CH–335 (Locus 11), (04/30/84)
Site 36–CH–196, (04/30/84)
St. Mary of the Immaculate Conception (West Whiteland Township MRA), (08/02/84)
Trimble Mill (West Whiteland Township MRA), (11/10/83)
Turnpike Station House (West Whiteland Township MRA), (11/10/83)
Whitford Lodge (West Whiteland Township MRA), (09/06/84)
West Whiteland Township, *Arrandale (Site #46),* (01/25/84)
West Whiteland Township, *Asbridge, Richard, House (Indiana Run Farm) (Site #49),* (01/25/84)
West Whiteland Township, *Church Farm School (Site #30),* (01/25/84)
West Whiteland Township, *Colebrook Manor (Site #38),* (01/25/84)
West Whiteland Township, *Exton Hotel (Site #2),* (01/25/84)
West Whiteland Township, *House at Turnpike Station (Site #6),* (01/25/84)
West Whiteland Township, *Ivy Cottage (Site #33),* (01/25/84)
West Whiteland Township, *John Roberts Thomas Tenant Farmstead (Site J),* (01/25/84)
West Whiteland Township, *Konnagee, Joseph, House (Circle C) (Site #25),* (01/25/84)
West Whiteland Township, *Lochiel Farm (Site #7),* (01/25/84)
West Whiteland Township, *Malvern Federal Building (Site #11),* (01/25/84)
West Whiteland Township, *Norris Hotel (Site C),* (01/25/84)
West Whiteland Township, *Norris, Thomas, House (Site 8),* (01/25/84)
West Whiteland Township, *Oaklands (Site #41),* (01/25/84)
West Whiteland Township, *Sleepy Hollow Hall (Site #6),* (01/25/84)
West Whiteland Township, *St. Mary's Chapel (Site #29),* (01/25/84)
West Whiteland Township, *St. Paul's Church (Site #13),* (01/25/84)
West Whiteland Township, *The Ship Inn (Site #1),* (01/25/84)
West Whiteland Township, *Thomas Marble Quarry Complex (Site #43),* (01/25/84)
West Whiteland Township, *Thomas Mill and Miller's House (Site #42),* (01/25/84)
West Whiteland Township, *Wee Grimmet (Site #47),* (01/25/84)
West Whiteland Township, *West Whiteland Inn (Site #36),* (01/25/84)
West Whiteland Township, *Whitford Hall (Site #31),* (01/25/84)
West Whiteland Township, *Whitford Lodge (Site #32),* (01/25/84)
West Whiteland Township, *William's Deluxe Cabins (Site G),* (01/25/84)

Columbia County

Cattawissa River Bridge, (01/06/84)
Site 36 Co 9, (01/06/84)

Delaware County

Delaware County National Bank, (12/12/83)
Pennell, Abraham, Mansion, 411 N. Middletown Rd. (10/13/83)
Second Street Bridge, (12/12/83)
Site #1 (Sandelands House), (12/12/83)
Site #13 (The Mather (Lafayette) House), (12/12/83)
Site #20 (The Market House), (12/12/83)
Site #21 (William Kerlin House), (12/12/83)
St. Pauls Episcopal Graveyard, (12/12/83)
Nether Providence, *Community Arts Center (The Gables),* (04/02/84)

Lancaster County

Strasburg, *Strasburg Historic District (CHD),* Main St. from Clearview Dr. to Georgetown/Gap (09/05/84)

Lehigh County

Allentown, *Old Allentown Historic District (CHD),* Bounded by Hall, Turner, Fountain, Linden, Howard, Court, Blank, 12th and Liberty Sts. (09/05/84)
Allentown, *Old Fairgrounds Historic District (CHD),* Bounded by Tilghman, Levan, Gordon and Morris (09/05/84)

Montgomery County

Hughes, John, Farmstead, (03/13/84)

Montour County

Washingtonville Bridge, (07/10/84)

Philadelphia County

Philadelphia, *Manayunk Canal,* (12/08/83)

York County

Leibhart, Byrd, Site (36YO170), (05/24/84)

PUERTO RICO

Ponce County

Ponce vicinity, *Quintan Thermal Baths,* (08/15/84)

San Juan County

Ateneo Puertorriqueno, (03/19/84)

RHODE ISLAND

Washington County

Bouchard Site (RI–1025), (04/30/84)
Shannock Historic District, (10/05/83)
South Kingstown, *Site RI 781,* (08/02/84)

SOUTH CAROLINA

Barnwell County

Archeological Sites 38BR259, 273, 274, 277, 283, 291, 494, 495, 527 and 38BR528, (07/16/84)

Lexington County

Leaphart-Harmon House (Lexington County MRA), (11/22/83)
Lorick, Samuel T., House (Lexington County MRA), (11/22/83)
Mathias, John W., House (Lexington County MRA), (11/22/83)
Smith Henry David, House (Lexington County MRA), (12/22/83)
St. Michael's Lutheran Church (Lexington County MRA), (12/16/83)
Lexington, *Roof, W. Pickens, House (Lexington County MRA),* 122 W. Main St. (11/22/83)

Hutchinson County

Freeman vicinity, *Waldner-Tschetter House (German-Russian Folk Architecture TR),* (08/13/84)

SOUTH DAKOTA

McPherson County

Long Lake vicinity, *Miller, Phillip, Summer Kitchen (German-Russian Folk Architecture TR),* (08/13/84)

Yanton County

Midway Stores vicinity, *Rempfer, Johann C., House (German-Russian Folk Architecture TR),* (08/13/84)

TENNESSEE

Franklin County

Boulevard Bridge, Wagner Creek (02/27/84)
Huntland vicinity, *Mann and David Mills Historic District,* (01/30/84)

Hamblen County

Morristown, *Harris, Dr. Crampton, House,* (06/15/84)

Lincoln County

Fayetteville, *Fayetteville Historic District (CHD),* Roughly bounded by Lincoln Ave., Edison, Franklin and Campbell Sts. (09/05/84)

TEXAS

Bastrop County

Prehistoric Site 41 BP 191, (01/16/84)
Prehistoric Site 41 BP 192, (01/16/84)

Bell County

W. Jarvis Henderson Site, Fort Hood (02/02/84)
Belton, *Main Post Office (Belton),* 200 N. Main St. (04/23/84)

Bexar County

San Antonio, *Alamo Plaza Historic District (CHD),* Roughly bounded by Houston, E. Commerce, Broadway and N. Presa (09/05/84)
San Antonio, *Fairmount Hotel,* (07/05/84)
San Antonio, *Franklin, Thomas H., House,* 105 E. French Pl. (04/27/84)

Chambers County

Willisville Archeological District, also in Liberty County (01/23/84)

Crosby County

Smith, Hank, Homestead, (07/06/84)

DeWitt County

Cuero, *Federal Building,* (04/26/84)

El Paso County

El Paso, *Plaza Theatre,* 125 Pioneer Plaza (08/14/84)

Harris County

Houston, *Doyle House (Houston Heights MRA),* 945 Heights Blvd. (05/14/84)
Houston, *House at 943½ Cortlandt Street (Houston Heights MRA),* (05/14/84)

Hidalgo County

Edinburg, *Old Pan American College Buildings,* (08/08/84)
Weslaco, *Weslaco City Hall,* (02/16/84)

Hill County

Hillsboro, *Hill County Cotton Oil Company (Hillsboro MRA),* Franklin St. (03/30/84)

Kent County

Archeological Site 41KT32, (01/12/84)

Polk County

Crawford Site (41PK69), (12/27/83)

Potter County

Corsino Plaza (41PT84) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)
Little Indian Creek Rock Pen (41PT87) (New Mexican Pastor Sites in Texas Panhandle TR), (07/12/84)

San Patricio County

Archeological Site 41SP11, (01/04/84)
Archeological Site 41SP123, (01/04/84)
Archeological Site 41SP124, (01/04/84)
Archeological Site 41SP40, (01/04/84)
Archeological Site 41SP43, (01/04/84)
Archeological Site 41SP72, (01/04/84)
Old Ingleside Townsite, (01/04/84)

Tarrant County

Fort Worth, *Atelier Building,* 209 W. 8th St. (08/17/84)

Travis County

Archeological Site 41TV291, (08/09/84)
Archeological Site 41TV383, (12/02/83)

Wichita County

Wichita Falls, *Depot Square Historic District (CHD),* Roughly bounded by the FW&D Railroad, Indian Ave., 7th and 8th Sts. (09/05/84)

Williamson County

Site 41 WM 8, (03/12/84)

UTAH

Davis County

Centerville, *Smith, William R. and Amelia Cherry, House,* 129 North Main (05/24/84)

Duchesne & Uintah Counties

Irrigation Canals in the Uintah Basin Thematic Resources, (43 canals submitted, 40 determined eligible on this date) (07/05/84)

San Juan County

Blanding vicinity, *Blanding Navajo Ethnoarchaeological District,* (04/17/84)

Summit County

Park City, *Boarding House (Mining Boom Era Houses TR),* 125 Main (07/12/84)
Park City, *Daly-Judge Mine Superintendent's House (Mining Boom Era Houses TR),* (07/12/84)
Park City, *Doyle, John, House (Mining Boom Era Houses TR),* 339 Park (07/12/84)
Park City, *Frankel, Julius, House (Mining Boom Era Houses TR),* 539 Park (07/12/84)
Park City, *Gibson, James, House (Mining Boom Era Houses TR),* 835 Park (07/12/84)
Park City, *Goodwin, Dr. Harold L., House (Mining Boom Era Houses TR),* 1100 Woodside (07/12/84)
Park City, *Gordon-Ledingham House (Mining Boom Era Houses TR),* 145 Daly (07/12/84)
Park City, *Hansen, Arthur E., House (Mining Boom Era Houses TR),* 1215 Park (07/12/84)
Park City, *Heath, Charles, House (Mining Boom Era Houses TR),* 364 Park (07/12/84)
Park City, *Houston, Nathaniel L., House (Mining Boom Era Houses TR),* 1049 Park (07/12/84)
Park City, *Kimball Double Dwelling House No. 1 (Mining Boom Era Houses TR),* 690 Park (07/12/84)
Park City, *Kimball Double Dwelling House No. 2 (Mining Boom Era Houses TR),* 807 Park (07/12/84)
Park City, *Larson, Fred, House (Mining Boom Era Houses TR),* 920 Norfolk (07/12/84)
Park City, *Lindsay, Mrs. J.S., House (Mining Boom Era Houses TR),* 51 Prospect (07/12/84)
Park City, *Louder, James H., House (Mining Boom Era Houses TR),* 170 Main (07/12/84)
Park City, *Lowry, Thomas S., House (Mining Boom Era Houses TR),* 329 Ontario (07/12/84)
Park City, *Matson, John, House (Mining Boom Era Houses TR),* 147 Anchor (07/12/84)
Park City, *Maxwell, Elmer H., House (Mining Boom Era Houses TR),* 1328 Park (07/12/84)
Park City, *McDonald, J.R., House (Mining Boom Era Houses TR),* 297 Daly (07/12/84)
Park City, *McDonald, Thomas J., House (Mining Boom Era Houses TR),* 733 Woodside (07/12/84)
Park City, *Norbisrath, Clement, House (Mining Boom Era Houses TR),* 291 Daly (07/12/84)
Park City, *Shields, John, House (Mining Boom Era Houses TR),* 416 Park (07/12/84)
Park City, *Smith, Evans L., House (Mining Boom Era Houses TR),* 64 Chambers (07/12/84)
Park City, *Smith, Vincent A., House (Mining Boom Era Houses TR),* 264 Ontario (07/12/84)
Park City, *Stromberg, Matilda M., House (Mining Boom Era Houses TR),* 222 Sandridge (07/12/84)
Park City, *Webser, A. W., House (Mining Boom Era Houses TR),* 317 Ontario (07/12/84)
Park City, *Weeter, John C., House (Mining Boom Era Houses TR),* 843 Norfolk (07/12/84)
Park City, *Young, Brigham D., House (Mining Boom Era Houses TR),* 623 Deer Valley Rd. (07/12/84)
Park City, *Young, J. Oluf, House (Mining Boom Era Houses TR),* 416 Harsac (07/12/84)

Tooele County

Clover, *Davis, David E., House,* Off UT 199 (07/13/84)

VERMONT

Windsor County

Windsor, *Houses at 37, 42 and 45 Bridge Street,* (04/23/84)

VIRGINIA

Augusta County

Staunton vicinity, *Frank's Mill,* (09/04/84)

Fairfax County

Archeological Site 44FX457, (01/12/84)
Site 44FX660 (Pope Head Creek Prehistoric Site), (01/12/84)
Site 44FX663 (Kernan Run Prehistoric Site), (01/12/84)
Site 44FX664 (Fort Belvoir-Accotink Prehistoric Site), (01/12/84)

Henrico County

Archeological Site 44HE321, (03/30/84)

Lee County

Archeological Site 44LE71, (03/07/84)

Norfolk (Independent City)

Ghent Historic District (CHD), Roughly bounded by Dundaff, Olney, Duke, Grace, Virginia Beach Blvd., Brambleton and Yarmouth (09/05/84)
West Freemason Historic District (CHD), Roughly bounded by Brambleton Ave., Bousch St., W. Freemason St. and the Eastern Branch of the Elizabeth River (09/05/84)

Petersburg (Independent City)

Old Town Historic District (CHD), Roughly bounded by the Appomattox River, 5th St., West Bank St., Commerce St., and Canal St. (09/05/84)

Roanoke (Independent City)

Market Area Historic District (CHD), Roughly bounded by Williamson, Church, Jefferson, and Norfolk (09/05/84)

WASHINGTON

Chelan County

Crow Cabin, (08/02/84)

Clark County

Vancouver, *US National Bank Building,* 601 Main St. (04/12/84)

King County

Seattle, *1411 Fourth Avenue Building,* (04/18/84)
Seattle, *Ben Bridge Jewelers Clock,* (04/18/84)
Seattle, *Black Manufacturing Building,* 1130 Rainier Avenue, South (07/17/84)
Seattle, *Bogardus-Elliott Building (Ethelton Hotel),* (04/18/84)
Seattle, *Camlin Hotel,* (04/18/84)
Seattle, *Carroll's Jeweler's Clock,* (04/18/84)
Seattle, *Central Building,* (04/18/84)
Seattle, *Chamber of Commerce Building,* (04/18/84)
Seattle, *Cobb Medical-Dental Arts Building,* (04/18/84)
Seattle, *Decatur Building,* (04/18/84)
Seattle, *Dexter Horton Building,* (04/18/84)
Seattle, *Earlington Apts,* (04/18/84)
Seattle, *Fischer Studio Building,* (04/18/84)
Seattle, *Great Northern Building,* (04/18/84)
Seattle, *Great Northern Railroad Tunnel (BN Tunnel),* (04/18/84)
Seattle, *Holland Building,* (04/18/84)
Seattle, *Hotel Bybee,* (04/18/84)
Seattle, *Joseph Vance Building,* (04/18/84)
Seattle, *Joshua Green Building,* (04/18/84)
Seattle, *Leamington Hotel-Apartments,* (04/18/84)
Seattle, *Liggett Building,* (04/18/84)
Seattle, *Lyon Building,* (04/18/84)
Seattle, *Mann Building,* (04/18/84)
Seattle, *New Richmond Hotel/Downtowner Apartments,* (04/18/84)
Seattle, *Northern Securities Building,* (04/18/84)
Seattle, *Northold Inn,* (04/18/84)

Seattle, *Old National Bank*, (04/18/84)
Seattle, *Olive Tower*, (04/18/84)
Seattle, *Pacific Telephone and Telegraph Building*, (04/18/84)
Seattle, *Republic Building*, (04/18/84)
Seattle, *Savenac Nursery*, Lolo National Forest (04/18/84)
Seattle, *Shafer Building*, (04/18/84)
Seattle, *YMCA Buildings*, (04/18/84)

Whatcom County

Glacier vicinity, *Nooksack Falls Historic District*, (10/20/83)

Yakima County

Sunnyside Diversion Dam and Canal Headworks, (06/12/84)
Yakima-Tieton Irrigation District, (10/03/83)

WISCONSIN

Dane County

Madison, *Mansion Hill Historic District (CHD)*, Roughly bounded by Lake Mendota, Butler, Gorham, Gilman, Henry, and Carroll Sts. (09/05/84)

Dodge County

Fox Lake, *Elmwood Island Site (47DO47)*, (01/10/84)
Fox Lake, *Indian Point Site (47DO54)*, (01/10/84)
Fox Lake, *North Shore Village (47DO39)*, (01/10/84)

Grant County

Osceola Site (47GT24), (03/19/84)

Lafayette County

Carey Site II (47LT143), (11/16/83)

Marathon County

Archeological Site PLJF 2-3, (04/23/84)

Milwaukee County

Milwaukee, *Schlitz, Joseph, Brewing Company Historic District (Brewers' Hill MRA)*, (08/02/84)
Milwaukee, *St. Francis of Assisi Historic District (Brewers' Hill MRA)*, (08/02/84)
Milwaukee, *St. John De Nepomuc Rectory (Brewers' Hill MRA)*, (08/02/84)

Trempealeau County

Galesville, *Gale College Historic District (Galesville MRA)*, (09/18/84)

Vernon County

LaFarge vicinity, *Upper Kickapoo Valley Prehistoric Archeological District*, (11/15/83)

Waukesha County

Waukesha, *Buchner, John P., House (Waukesha MRA)*, 609 E. Broadway Ave. (10/28/83)
Waukesha, *Carroll, William, House (Waukesha MRA)*, 142 W. Main St. (10/28/83)
Waukesha, *Hatfield, Joseph Jackson, House (Waukesha MRA)*, 710-712 N. East St. (10/28/83)
Waukesha, *James, Samuel D., House (Waukesha MRA)*, 726 N. East Ave. (10/28/83)
Waukesha, *White Rock Mineral Spring Company (Waukesha MRA)*, 1702 White Rock Ave. (10/28/83)

Winnebago County

Oshkosh, *Oshkosh Grass Matting/Deltox Company Bldgs.* (03/21/84)

The following properties were demolished and/or removed from the list of Determinations of Eligibility.

ARKANSAS

Randolph County

Fourche Creek Watershed Sites 3RA76, 3RA77, 3RA82, 3RA204, 3RA289, 3RA306, and 3RA307.

CALIFORNIA

Los Angeles County

Los Angeles, *Goodyear Tire and Rubber Plant.*

FLORIDA

Citrus County

Iverness, *1911 Building (Site 8CI163).*

GEORGIA

Dougherty County

Albany, *300-308, 320-324 Mercer Avenue and 503, 505 and 507 South Jackson (Mercer-S. Jackson Historic District).*

ILLINOIS

Lake County

Chicago, *North Chicago Veteran's Administration Medical Center.*

MARYLAND

St. Mary's County

Cedar Point Lighthouse.

MICHIGAN

Kalamazoo County

Kalamazoo, *Cobb, James B., House*, 526 S. Burdick St.

MISSOURI

Middle Bridge (Harry S. Truman Dam and Reservoir).

NEW YORK

Allegany County

Hume, *Fillmore Bridge.*

OHIO

Hamilton County

Cincinnati, *Avondale Historic District.*

Stark County

Third Street Bridge.

PENNSYLVANIA

Erie County

Erie, *Frank's Hotel.*

UTAH

Utah County

Perry, Philander J., House.

[FR Doc. 85-5006 Filed 3-4-85; 8:45 am]
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federal register

Tuesday
March 5, 1985

Part IV

Department of Labor

48 CFR Ch. 29

Acquisition Regulations; Implementation; Final Rule

DEPARTMENT OF LABOR

48 CFR Ch. 29

Acquisition Regulations; Implementation

AGENCY: Department of Labor.

ACTION: Final rule.

SUMMARY: The Department of Labor Acquisition Regulation (DOLAR) is established to implement and supplement the Federal Acquisition Regulation (FAR). The DOLAR replaces the Department of Labor Procurement Regulations (DOLPR), 41 CFR Ch. 29, and is applicable to solicitations and contracts awarded on or after the effective date of the FAR (April 1, 1984). The DOLPR will remain in full force and effect for solicitations issued and contracts and contract modifications entered into prior to April 1, 1984.

EFFECTIVE DATE: April 1, 1984.

FOR FURTHER INFORMATION CONTACT: Adam W. Hare, Office of Procurement and Grant Policy, Directorate of Procurement and Grant Managment, Office of the Assistant Secretary for Administration and Management, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (202) 523-9174.

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Requirements.
A. Executive Order 12291.
B. Regulatory Flexibility Act.
C. Paperwork Reduction Act.
II. Public Comments.

I. Statutory and Regulatory Requirements.

A. Executive Order 12291

This Executive Order, entitled "Federal Regulation," requires that certain rules be reviewed by the Office of Management and Budget prior to promulgation. This final rule has been reviewed by the Office of Management and Budget in accordance with the requirements of Executive Order 12291.

B. Regulatory Flexibility Act

This final rule was reviewed under the Regulatory Flexibility Act of 1980, Pub. L. 96-354, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities. DOL certifies that this final rule will not have a significant economic impact on a substantial number of small entities and, therefore, no regulatory flexibility analysis has been prepared.

C. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by OMB under 44 U.S.C. 3501 *et. seq.* The rule does not impose additional recordkeeping or reporting requirements beyond those contained in the FAR for which OMB control numbers have been assigned. (See 49 FR 12973, Friday, March 30, 1984, for listing of OMB approval numbers by FAR segment.) This rule provides uniformity with other Federal agencies and reduces the administrative impact on bidders as set forth in OFPP Policy Letter 83-2.

II. Public Comments

The DOLAR was published as a proposed rule at 49 FR 25160 on June 19, 1984. The notice invited public comments for a 30-day period ending July 18, 1984, but no comments were received. A key change made in the final version was the transfer of responsibility for DOL procurement operations from that of the Procurement Executive (otherwise referred to as the Director, Directorate of Procurement and Grant Management) to a newly established National Capital Service Center. This change is reflected in DOLAR Subpart 2901.603-1(b)(10). The Procurement Executive retains responsibility for all other DOL acquisition and grant management programs. Other changes were primarily editorial in nature and internal to DOL and will have no impact on the public. There are no other significant differences between the proposed rule and the final rule.

List of Subjects in 48 CFR Ch. 29

Government procurement.

Title 48 of the Code of Federal Regulations is amended by establishing Chapter 29 to read as set forth below.

Signed at Washington, D.C., this 25th day of February, 1985.

W. Spence Filleman,

Director, Directorate of Procurement and Grant Management.

Thomas C. Komarek,

Assistant Secretary for Administration and Management.

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Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2901.1—Regulation System

2901.100 Scope of subpart.

This subpart sets forth introductory information pertaining to the Department of Labor Acquisition Regulation, referred to as the DOLAR. This subpart explains the relationship of the DOLAR to the Federal Acquisition Regulation (FAR) and explains the DOLAR's purpose, authority, applicability, exclusions, and issuance.

2901.101 Purpose.

(a) This subpart establishes Chapter 29, the Department of Labor Acquisition Regulation, within Title 48, the Federal Acquisition Regulations System, of the Code of Federal Regulations.

(b) The purpose of the DOLAR is to implement the FAR, where further implementation is needed, and to supplement the FAR when coverage is needed for subject matter not covered in the FAR. The DOLAR is not by itself a complete document as it must be used in conjunction with the FAR.

2901.102 Authority.

The DOLAR and amendments thereto are issued by the Procurement Executive pursuant to a delegation from the Secretary in accordance with the authority of DOL Temporary Regulation Number 44, dated February 18, 1983, in accordance with section 1 of the Act of March 4, 1913 (29 U.S.C. 551, 37 Stat. 736), as amended; 5 U.S.C. 301, and the Federal Property and Administrative Services Act of 1949, as amended, and other applicable law.

2901.103 Applicability.

The FAR and DOLAR apply to all DOL acquisitions of supplies and services which obligate appropriated funds unless otherwise specified in this regulation.

2901.103-70 Exclusions.

Certain DOL policies and procedures which might otherwise come within the scope of this regulation may be excluded from the DOLAR where there is appropriate justification, such as:

(a) Subject matter that is procedural in nature and internal to the operation of the Department. These matters are contained in the Department of Labor Manual Series (DLMS).

(b) Instructional or training material that more fully explains matters covered in the FAR and DOLAR.

(c) Unless otherwise specifically stated, subject matter which deals with assistance programs where the award instruments are other than acquisition contracts. Administrative requirements governing all grants and agreements by which Department of Labor agencies award funds to State and Federal Governments, Indian and Native American entities, public and private institutions of higher education and hospitals, and other quasi-public and private nonprofit organizations are codified separately at Part 29-70 of Title 41 of the Code of Federal Regulations.

2901.104 Issuance.

2901.104-1 Publication and code arrangement.

(a) The DOLAR and its subsequent changes are published when issued in daily issues of the **Federal Register** and in cumulative form in the Code of Federal Regulations.

(b) The DOLAR is issued as Chapter 29 of Title 48 of the Code of Federal Regulations.

2901.104-2 Arrangement of regulations.

(a) *General.* The DOLAR is divided into the same parts, subparts, sections, subsections and paragraphs as is the FAR. However, when the FAR coverage is adequate by itself, there will be no corresponding DOLAR part, subpart, etc.

(b) *Numbering.* Where DOLAR implements the FAR, the implementing part, subpart, section or subsection of the DOLAR will be numbered and captioned, to the extent feasible, the same as the FAR part, subpart, section or subsection being implemented except that the implementation will be preceded with a 29 or a 290 such that there will always be four numbers to the left of the first decimal. For example, the DOLAR implementation of FAR 1.104-1 is shown as 2901.104-1 and DOLAR implementation of FAR subpart 24.1 is shown as subpart 2924.1. Material which supplements the FAR will be assigned the numbers 70 and up. For example, DOL regulations governing appointment and termination of appointment of contracting officers' representatives is identified as 2901.603-70.

(c) *References and citations.* (1) This regulation may be referred to as the Department of Labor Acquisition Regulation or the DOLAR.

(2) References to FAR materials within this regulation will include FAR and the identifying number, for example, FAR 1.104-2(c)(2). References to DOLAR materials within the regulation will simply cite the identifying number, for example, 2901.104-2(c)(2).

2901.104-3 Copies.

Copies of the DOLAR published in the **Federal Register** or Code of Federal Regulations may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Requests should reference the DOLAR as Chapter 29 of Title 48. The Code of Federal Regulations is printed in paperback edition with updates as needed, and revised as of October 1 of each year. Requests for the CFR version of the DOLAR should reference Chapter 29 of Title 48.

Subpart 2901.2—Administration

2901.201 Maintenance of the FAR.

2901.201-1 The Civilian Agency Acquisition Council.

(a) The Department of Labor shall be represented on the Civilian Agency Acquisition Council by a staff member of the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, Office of the Assistant Secretary for Administration and Management, appointed for that purpose by the Director, Directorate of Procurement and Grant Management.

(b) The Office of Procurement and Grant Policy will be responsible for coordination with all interested DOL elements regarding proposed FAR revisions and advocating revisions sought by DOL.

Subpart 2901.3—Agency Acquisition Regulations

2901.301 Policy.

(a) The Department of Labor Acquisition Regulation (DOLAR) System consists of policies, procedures and regulations which implement or supplement the FAR at specific levels within the Department of Labor. The Federal Acquisition Regulation (FAR) and the DOLAR System govern the contracting process and control contracting relationships between contractors and the Departments' agencies and offices.

(b) The DOLAR is issued pursuant to the authority of the Secretary of Labor under 5 U.S.C. 301, 29 U.S.C. 551, 40 U.S.C. 486(c), and other authority specifically stated, and is subject to the overall authority of the Administrator of General Services. See FAR 1.301(c)(3).

2901.302 Limitations.

DOLAR System issuances are limited to:

(a) Published, codified, Department-wide regulations which implement or supplement FAR policies and procedures and which affect organizations or individuals seeking to contract with the Department;

(b) Published, codified, lower-level regulations of agencies and offices which contain additional policies and procedures that supplement the FAR to satisfy the specific and unique needs of the agency or office.

2901.303 Codification and public participation.

(a) Published issuances under the DOLAR are codified under Chapter 29 in Title 48, Code of Federal Regulations and parallel the FAR in format, arrangement and numbering system.

(b) Regulations codified under Chapter 29 are limited to those affecting private or public, profit or not for profit concerns, organizations or individuals desiring to enter into contracts with the Department. Public participation procedures used in the promulgation of codified regulations under the DOLAR System will follow procedures of FAR Subpart 1.5.

2901.304 Agency control and compliance procedures.

(a) The DOLAR System is under the direct oversight and control of the Director, Directorate of Procurement and Grant Management. Procedures for review and approval of issuances under the DOLAR System comply with FAR Subparts 1.3 and 1.4. These procedures are contained in 2901.6.

(b) DOLAR System issuances shall comply with the restrictions in FAR 1.304(b) and the limitations in 2901.302. DOL Agencies and offices may implement or supplement the FAR or DOLAR with internal instructions not applicable DOL-wide. Additionally, they may request publication in the DOLAR of procurement instructions and other procurement material considered of interest to the general public. Such instructions shall not duplicate higher-level coverage and shall be numbered in accordance with FAR 1.104–2 except that the numbers prescribed there and in 2901.104–2 shall be suffixed by the alphabetic abbreviation or other symbol of the respective Agency issuing the instructions. Each DOL Agency and office shall establish, at the headquarters level, review and approval procedures for maintaining oversight and control of all DOLAR System issuances for their respective Agency or office. These procedures shall include methods to prevent unnecessary duplication of higher-level coverage; ensure consistency and uniformity among issuances; control the number of directives issued; update directives; and distribute copies.

(c) DOL Agencies and offices shall submit all proposed instructions and materials that implement or supplement the DOLAR to the Director, Directorate of Procurement and Grant Management, for review in conjunction with the Solicitor prior to their publication. All issuances, whether or not published as a part of the DOLAR System, shall be submitted for review. In the case of internal procurement instructions, the purpose of the review is to ascertain that such instructions are consistent with the FAR and the DOLAR and that they do not contain information which should be issued as the DOLAR.

Subpart 2901.4—Deviations From the FAR and DOLAR

2901.403 Individual deviations.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to approve deviations from FAR provisions (see FAR 1.403) or DOLAR provisions which affect only one contracting action.

(b) Requests for deviations under (a) above shall be submitted by the head of the contracting activity and include justification as to why the deviation is required.

(c) A copy of the approved deviation shall be included in the contract file.

2901.404 Class deviations.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to approve class deviations of FAR or DOLAR provisions which affect more than one contracting action.

(b) Requests for deviations under (a) above shall be submitted by the head of the contracting activity and include justification as to why the deviation is required and the number of contracting actions which will be affected.

(c) A copy of each approved class deviation shall be referenced in the contract file.

(d) Recommended revisions to the FAR and a copy of each approved class FAR deviation shall be transmitted to the FAR Secretariat by the Director, Directorate of Procurement and Grant Management, as required in FAR 1.404.

2901.405 Deviations pertaining to treaties and executive agreements.

(a) The Director, Directorate of Procurement and Grant Management, is responsible for transmitting to the FAR Secretariat the information required in FAR 1.405 (d) and (e).

Subpart 2901.6—Contracting Authority and Responsibilities

2901.601 General.

This subpart deals with contracting authority and responsibilities of the head of the agency as defined in 2901.1 and 2902.1, FAR Subpart 1.6 and this Subpart.

2901.602 Contracting officers.

2901.602–1 Authority.

Information on the limits of contracting officers' authority shall be maintained by the head of each contracting activity as required in FAR 1.601–1. The Directorate of Procurement and Grant Management shall also maintain this information.

2901.603 Selection, appointment, and termination of appointment.

2901.603–1 General.

(a) *First tier delegation.* The Assistant Secretary for Administration and Management (ASAM), acting through the Procurement Executive, is the chief departmental official for all acquisition and grant matters as outlined in Secretary's Order 4–76, for:

(1) Prescribing policies, procedures, and standards regarding the solicitation, award, and administration of all DOL acquisitions and grants for financial assistance (*e.g.*, cooperative agreements, grants, and similar instruments) obligating Federal funds for the purpose of:

(i) Obtaining property and services for the DOL and/or third parties.

(ii) Promoting DOL programs and objectives through financial assistance.

(2) Acquiring property and services for the United States Government under Title I of the Federal Property and Administrative Services Act of 1949 (63 Stat. 379).

(3) Establishing reporting requirements necessary for effective departmental acquisitions and grant management and for complying with data needs promulgated by the Office of Management and Budget (OMB), the General Services Administration (GSA), the General Accounting Office (GAO), and other agencies. This includes the SF-1099 report, "Income Other Than Wages," and input for "Federal Procurement Data System" (FPDS) and "Federal Assistance Award Data System" (FAADS) input.

(b) In the Department of Labor, contracting officer and grant officer authority and responsibility have been delegated from the Secretary of Labor through the Assistant Secretary for Administration and Management (ASAM) to the following officials or officers acting in their behalf:

(1) The Assistant Secretary for Employment and Training.

(2) The Assistant Secretary for Occupational Safety and Health.

(3) The Deputy Under Secretary for Employment Standards.

(4) The Assistant Secretary for Mine Safety and Health.

(5) The Deputy Under Secretary for International Affairs.

(6) The Commissioner of Labor Statistics.

(7) The Inspector General.

(8) The Regional Administrators—OASAM.

(9) The Director, National Capital Service Center, OASAM.

(c) *Delegations and limitations.* Subject to the limitations set forth in this paragraph and paragraph (g), the officials designated in paragraph (b) possess full authority to obligate the U.S. Government through the use of contracts, agreements, orders, grants, and/or other similar instruments. This authority includes obligating Federal funds for the purpose of obtaining property and services for the government and/or third parties, or for the purpose of promoting DOL programs or objectives through financial assistance. Each official designated in paragraph (b) (except the Inspector General), is delegated authority and responsibility for issuing purchase orders for purchases under GSA Federal Supply Schedules, FEDSTRIP, and from open-market sources not to exceed the small purchases limitation. Acquisition of typewriters, office copiers, adding machines, and calculators must be written against blanket purchase orders maintained for such equipment by the National Capital Service Center, OASAM. Acquisitions of copier equipment require prior approval of the Directorate of Administrative Services and Safety and Health Programs. Paragraph (g)(2) outlines limitations on the purchase, lease and renewal of lease(s) of ADP equipment, software and services. Approval authority for competitive acquisition of consulting and related services costing less than $50,000 cannot be redelegated by the head of the contracting activity. Other delegations in this section may be further redelegated by the designated officials within their areas of assigned responsibility, except that small purchase authority delegated to the Assistant Secretary for Employment and Training, the Assistant Secretary for Occupational Safety and Health, the Deputy Under Secretary for Employment Standards, and the Commissioner of Labor Statistics is limited to the National Office only and may not be redelegated to the Regional Offices. Before issuing redelegations, contracting officers should consider the following factors to determine the extent to which authority shall be redelegated: Volume of contracting programs; presence of, or capability of obtaining adequately trained personnel; consolidation of smaller contracting programs and offices on a geographical basis; and the overall strengthening of the acquisition process by the selection of qualified personnel. Criteria for selection, appointment and termination of Contracting/Grant Officers are contained in the Department of Labor Manual Series (DLMS-2) Chapter 800. Copies of the DLMS Chapter may be obtained upon written request from the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, Office of the Assistant Secretary for Administration and Management, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. An information copy of every further redelegation must be furnished to the OASAM, Directorate of Procurement and Grant Management.

(d) *Responsibilities.* The following redelegations are made subject to the requirements and exceptions outlined in paragraph (g) regarding prior approval requirements and the limitations on authority to issue purchase orders and contracts for the purchase, lease and renewal of lease(s) for ADP equipment, software and services; and acquisition of consulting and related services.

(1) The Assistant Secretary for Employment and Training, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Obtaining all program property and services required to fulfill the statutory and regulatory responsibilities imposed on the Assistant Secretary for Employment and Training.

(ii) Approval of all grantee acquisitions of ADP equipment, software and services using grants-in-aid to State and local governments.

(iii) Establishing and maintaining an imprest fund.

(2) The Assistant Secretary for Occupational Safety and Health, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Issuance of grant agreements with States as required under the statutory and regulatory requirements imposed on the Assistant Secretary for Occupational Safety and Health.

(ii) Reimbursements to States, pursuant to section 7(c)(1) of the Occupational Safety and Health Act of 1970 (OSH Act of 1970) (29 U.S.C. 656(c)(1)) for State services, facilities, and personnel used to carry out the statutory and regulatory responsibilities imposed on the Assistant Secretary for Occupational Safety and Health.

(iii) Issuance of grants, pursuant to section 21(b) of the OSH Act of 1970 (29 U.S.C. 670(b)) for short term training of personnel.

(iv) Issuance of grants to nonprofit organizations for implementation of the expanded Employer-Employee Training Program under section 21(c) of the OSH Act of 1970 (29 U.S.C. 670(c)).

(3) The Deputy Under Secretary for Employment Standards, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Entering into agreements with States to enhance Federal/State cooperative efforts for the administration of comparable employment standards programs.

(ii) Procuring medical services necessary for the adjudication of claims for injury and occupational disease filed by Federal employees in accordance with the Federal Employees Compensation Act (5 U.S.C. 8101, et seq.) and the Federal Coal Mine Health and Safety Act of 1969, as amended (Pub. L. 91-173, 83 Stat. 742).

(4) The Assistant Secretary for Mine Safety and Health, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Acquisition of all program property and services required to fulfill the statutory and regulatory responsibilities imposed on the Assistant Secretary for Mine Safety and Health.

(ii) Issuing grants as required by the Mine Safety and Health Act of 1977 (30 U.S.C. 801 *et seq.*).

(iii) The purchase, lease, or renewal of lease(s) of ADP equipment and software costing $50,000 or less without prior approval of the Director, Information Technology (DIT), OASAM. ADP equipment or software costing more than $50,000, and requests for all ADP services require prior approval of DIT. Prior approval of ADP services costing less than $50,000 is also required whenever a Delegation of Procurement Authority (DPA) or sharing clearance is required from the General Services Administration (GSA).

(5) The Deputy Under Secretary for International Affairs, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Acquisition of supplies and services required in support of training and orientation of foreign nationals.

(ii) Acquisition of supplies and services required in support of overseas exhibitions required under statutory and regulatory responsibilities imposed on the Deputy Under Secretary for International Affairs.

(iii) International responsibilities not funded by an annual appropriation.

(6) The Commissioner of Labor Statistics, or an officer acting in that capacity, is delegated authority and responsibility for:

(i) Acquisition of supporting statistical economic research services, required under the statutory and regulatory responsibilities imposed on the Commissioner of Labor Statistics.

(ii) Selling special statistics developed by the Bureau of Labor Statistics in accordance with the Act of April 13, 1934 (29 U.S.C. 9 *et seq.*).

(7) The Inspector General, or an officer acting in that capacity, is delegated authority and responsibility for contracting with State and local agencies for audit services in accordance with section 4 of the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 503).

(8) The Regional Administrators—OASAM, or officers acting in that capacity, are delegated authority and responsibility within their respective regions, for:

(i) The acquisition of property and services required for the Regional Offices, including all imprest fund purchases, GSA Federal Supply Schedule purchases, and open-market purchases. The acquisition of records equipment when the cost does not exceed the small purchases limitation for a single system. Purchases for typewriters, office copiers, adding machines, and calculators must be written against blanket purchase orders maintained for such equipment by the National Capital Service Center, OASAM. The purchase of copiers equipment requires prior approval of the Directorate of Administrative Services and Safety and Health Programs.

(ii) Contracting for ADP operational services to support regional remote job entry capabilities. This authority does not include the purchase, lease, or renewal of lease(s) for ADP equipment or software. Prior approval of ADP operational services is required from DIT whenever a Delegation of Procurement Authority (DPA) or sharing clearance is required from the General Services Administration (GSA).

(9) The Director, National Capital Service Center, OASAM, or an officer acting in that capacity, is delegated authority and responsibility for acquisition of all property and services on behalf of DOL activities except for those contracting and grant responsibilities designated above. This includes (except for the Mine Safety and Health Administration (MSHA) acquisition authority for the purchase, lease, and renewal of lease(s) of all ADP equipment, software and all ADP services where Agencies have obtained prior approval from the Directorate of Information Technology (DIT), OASAM, as appropriate.

(e) *Compliance responsibilities.* Each official designated in paragraph (b) is responsible for:

(1) Complying with the policies, procedures and reporting requirements established by the ASAM.

(2) Complying with the policies, procedures and other requirements prescribed by OMB, GSA, and other central agencies, and such implementing instructions as the Department may issue. This specifically includes competition for services and products within the small purchases limitation and restrictions on the use of consultant contracts, audiovisual productions, etc.

(3) Within the limitations specified in this subpart, obtaining all property and services required to fulfill the statutory and regulatory responsibilities of the Agency or Office.

(f) *Policy responsibilities.* The following officials have acquisition policy responsibilities within the DOL:

(1) The Director, Directorate of Procurement and Grant Management, OASAM, or an officer acting in that capacity, is responsible for:

(i) Developing and publishing guidelines, policies, and regulations for DOL acquisition and grant operations.

(ii) Reviewing and evaluating administrative procedures for DOL acquisition and grant operations.

(iii) Providing technical advice and assistance to those DOL officials and officers with acquisition and grant responsibilities. This includes interpreting the Federal Acquisition Regulations and the Department of Labor Acquisition Regulations and obtaining legal advice and assistance from the Solicitor of Labor as required.

(iv) Providing continuous coordination with appropriate DOL and Federal Agencies to ensure compliance with procurement and grant regulations.

(v) Providing technical advice and support to the ASAM in complying with the reporting requirements outlined in paragraph (a)(3).

(2) The Director, Information Technology (DIT), OASAM, or an officer acting in that capacity, is responsible for:

(i) Reviewing and providing prior approval for the purchase, lease or renewal of lease(s) of ADP equipment, software and services costing $50,000 or more (the purchase price is to be used to determine inclusion in this paragraph regardless of whether the item is to be purchased or leased), and for all ADP services. Prior approval of ADP services costing less than $50,000 is required whenever a Delegation of Procurement Authority (DPA) or sharing clearance is required from the General Services Administration (GSA).

(ii) Providing oversight, including periodic system reviews, to ensure sound DOL-wide ADP methodologies and developmental practices.

(iii) Reviewing ADP procurement requests for conformance with procurement policies, standards, and regulations.

(iv) Reviewing, on a periodic basis, the scope and technical merit of ADP proposals and recommending approval or disapproval, as appropriate.

(v) Representing the Department and Agencies in the Department in liaison with GSA and OMB on ADP matters.

(vi) Developing and publishing guidelines, policies and regulations for DOL ADP activities.

(3) The Director, Office of Small and Disadvantaged Business Utilization (OSDBU), is responsible for:

(i) Assuring participation of the Department in the Federal Small and Disadvantaged Business Program as specified in section 8(a) (small disadvantaged business set-asides) and section 15 (procurement in labor surplus areas) of the Small Business Act, as amended (15 U.S.C. 637(a) and 644), and Executive Orders 11625 (Minority Business Enterprises) and 12138 (Women-Owned Business Enterprises).

(ii) Assuring participation and input of each Program Agency in establishing DOL goals for increased opportunities for small and disadvantaged business concerns to participate in the Department's procurement and grant activities.

(iii) Providing technical advice and assistance to Program Agencies in establishing Agency goals for utilizing small and disadvantaged businesses.

(iv) Developing systematic procedures, guidelines and regulations for assuring the effective implementation of the provisions of the Small Business Act, as amended, and Executive Orders 11625 and 12138.

(v) Maintaining liaison with the Small Business Administration (SBA) on matters regarding sections 8 and 15 of the Small Business Act, as amended (15 U.S.C. 637(a) and 644), and Executive Order 12138, and the Department of Commerce on matters relating to Executive Order 11625.

(4) The Director, Office of Information and Public Affairs (OIPA), is responsible for:

(i) Reviewing all purchase orders, requisitions and contracts for audiovisual productions including those which contain an audiovisual component along with other activities before the request is processed and approved by OASAM or another Agency to assure compliance with DOL and OMB requirements. All types of audiovisual productions are covered, including projects for training, education, internal communications, and/or public information purchases. Training and education products will not be reviewed for content but rather for the professional quality, effectiveness and cost of the communications material being produced. (See Guidelines for Management of Departmental Audiovisual Activities, issued pursuant to OMB Circular A–114 and Secretary's Order 5–79.)

(ii) Reviewing all purchase orders, requisitions, and contracts for the rental or purchase of major audiovisual equipment to be used in production work before the request is processed and approved by OASAM or another DOL Agency to assure compliance with DOL and OMB requirements. Production equipment includes motion picture and videotape cameras, editing equipment and duplication equipment for videotape and film. Review is not necessary for such equipment as still cameras, projectors and tape players, cassette tape players, *etc.*

(5) The Procurement Review Board is responsible for:

(i) Reviewing all requests to award contracts, grants, agreements, or modifications thereto (as described in this paragraph (f)(5)) and recommending approval or disapproval to the ASAM:

(A) Requests for noncompetitive procurements, discretionary grants and agreements exceeding the small purchases limitation;

(B) Noncompetitive consulting and related services requests, including purchase orders, and personnel appointments of consultants and experts;

(C) Competitive procurements for consulting and related services costing $50,000 or more and modifications thereto as described in paragraph (g), below;

(D) Major procurements and those with high waste vulnerability; and

(E) Requests for noncompetitive research, evaluation and demonstration projects after prior review by the Assistant Secretary for Policy.

(ii) Assuring compliance with the scope of the Board's authority, with OMB and DOL guidelines for use of consulting and related services and other special acquisitions.

(iii) Approval by the ASAM of requests identified in this paragraph (f)(5) do not constitute award of a contract. The contracting officer has final approval authority.

(g) *Exceptions to delegations of authority.* The assignment of procurement responsibilities described in paragraph (b) are subject to the exclusions listed below:

(1) *Procurement of consulting and related services.* (i) The ASAM retains authority and responsibility for approval of requests for consulting and related services for individuals and organizations under the following circumstances:

(A) When acquisitions by either contract or purchase order are to be awarded without competition, regardless of amount, or for those competitive actions costing $50,000 or more; and

(B) When modifications involving changes in dollar amounts, deliverables under contracts or (under rare circumstances) extensions to existing consulting and related services contracts are required.

(ii) The heads of the contracting activities retain approval authority for the acquisition of consulting and related services costing less than $50,000 which are obtained through competitive procedures.

(2) *Automated data processing (ADP).* The following requirements and limitations exist for the purchase or lease of ADP equipment, software and services.

(i) Authority to issue purchase orders and contracts is limited only to those officials in paragraph (b) whose procurement responsibility explicitly includes this authority.

(ii) Acquisition of ADP equipment and software costing $50,000 or more and all ADP services requires prior approval of DIT, OASAM, before the request can be forwarded to the National Capital Service Center, OASAM (except for MSHA).

(iii) Agencies can forward requisitions for ADP equipment and software costing less than $50,000 to the National Capital Service Center, OASAM (except for MSHA), without prior approval of DIT, OASAM, provided that records are maintained in accordance with procedures prescribed by DIT.

(3) *Records equipment.* The purchase of records equipment; defined as file cabinets, shelf files, visible files, mechanized files, files guides, folders jackets, wallets, and similar items used in the creation and maintenance of records and in mail handling requires special authority. Federal Property Management Regulation 101–11.306 as implemented by the Department of Labor Manual Series (DLMS–1) requires that: Porm DL 1–194 be completed by the Agency Records Officer and forwarded to the Departmental Records Officer, Directorate of Management Policy and Systems, OASAM, for approval prior to acquisition. Regional Administrators—OASAM are delegated this approval authority for their respective regions. In keeping with GSA Bulletins FPMR B–120 and B–122 which discourage the use of legal-size files, no new legal size records equipment is to be purchased.

(4) The OSDBU will periodically monitor DOL Agency acquisition and grant functions which relate to the preferential programs to determine their effectiveness and adherence to Federal and DOL requirements.

(5) The Assistant Inspector General for Audit will periodically audit Agency acquisition and grant functions to determine compliance with governing regulations, policies and procedures.

(h) *Rescission of authority.* The ASAM acting through the Director, Directorate of Procurement and Grant Management, reserves the right to rescind the acquisition and grant authority delegated herein if it is determined that such action is in the best interest of the Government.

2901.603-70 Modification of appointment.

To modify a contracting officer's authority, the present appointment shall be revoked and a new certificate issued.

2901.603-71 Ratification of unauthorized contract awards.

(a) The Government is not generally bound by agreements or contractual commitments made to contractors or prospective contractors by persons to whom acquisition authority has not been delegated. Such unauthorized acts may be in violation of the Federal Property and Administrative Services Act of 1949, other Federal laws, the FAR, the DOLAR, and good acquisition practice; *e.g.*, certain requirements of law and regulation necessary for the proper establishment of a contractual obligation may not be met, such as certification of the availability of funds, determinations and findings, competition of sources, determination of contractor responsibility, price/cost analysis, administrative approvals, negotiations of appropriate contract clauses, *etc.*

(b) Unauthorized commitments shall not be ratified unless it would have been otherwise proper to enter into a contract prior to the commitment. As used herein, the phrase "otherwise proper" means that a ratification of an unauthorized commitment can be made only if there occurred no violation of any substantive legal requirements; *e.g.*, there can be no ratification unless a sole source can be justified; a determination made that the contractor is not debarred or otherwise ineligible for award; the Organizational Conflict of Interest reviews and determinations, if required, are completed; and where all other substantive legal requirements have been met. Whenever it is discovered that any person is performing work as a result of an unauthorized commitment, that person shall be advised that such work is being performed at their own risk pending establishment of valid contractual coverage. The Head of the Contracting Activity (HCA) shall then be notified of the circumstances. If the HCA agrees that the work appears to be without valid authorization, the Director, Directorate of Procurement and Grant Management, shall be notified by the HCA in accordance with the procedures outlined in (c) below.

(c) Requests received by contracting officers for ratification of commitments made by personnel lacking contracting authority shall be processed as follows:

(1) The individual who made the unauthorized contractual commitment shall furnish the contracting officer all records and documents concerning the commitment and a complete, written statement of facts, including, but not limited to, a statement as to why the acquisition office was not used, why the proposed contractor was selected and a list of other sources considered, description of work to be performed or products to be furnished, estimated or agreed contract price, citation of appropriation available, and a statement as to whether the contractor has commenced performance. Under exceptional circumstances, such as when the person who made the unauthorized commitment is no longer available to attest to the circumstances of the unauthorized commitment, the Director, Directorate of Procurement and Grant Management, may waive the requirement that the responsible employee initiate and document the request; *Provided* the Head of the Contracting Activity determines in writing that the commitment was in fact made by an employee who shall be identified in the determination.

(2) The request for ratification, an approved justification for noncompetitive acquisition, and the information required by (c)(1) above must be forwarded to the HCA for concurrence, together with recommended corrective actions to preclude recurrence.

(3) If the HCA concurs with the request for ratification, the request and concurrence shall be forwarded to the Director, Directorate of Procurement and Grant Management, for review by the Procurement Review Board (PRB). The PRB will review the request, the Justification for Non-Competitive Acquisition, any comments or information submitted by the contracting officer which should be considered in evaluation of the request, and the information submitted in accordance with (c)(2) above. Based upon this review and advice from the Office of the Solicitor, the PRB will proceed as follows:

(i) If the request submitted does not appear to be justified, it will be returned to the concurring HCA without approval with an explanation of the decision not to ratify.

(ii) If the request and the recommended corrective actions appear justified and adequate, the PRB may ratify the action, with the concurrence of the Assistant Secretary for Administration and Management, return the file to the contracting officer for action, and monitor the implementation of the corrective action plan. The contracting officer shall direct the disposition of all products and deliverables received by the Government as a result of an unauthorized commitment.

(iii) A detailed record of the review shall be maintained for audit purposes.

2901.603-72 Responsibility of other Government personnel.

(a) Responsibility for the decision of what to buy and when to buy rests with program and certain staff offices and the head of the agency or designee. Responsibility for determining how to buy, the conduct of the buying process, and execution of the contract rests with the contracting officer.

(b) Personnel responsible for making decisions to buy should maintain a close and continuous relationship with their acquisition activity to ensure that acquisition personnel are made aware of contemplated acquisition actions. This will be mutually beneficial in terms of better planning for acquisition action and more timely, efficient and economical acquisition.

(c) Personnel not delegated contracting authority may not commit the Government, formally or informally, to any type of contractual obligation. However, program personnel who must use the contracting process to accomplish their programs, must support the contracting officer in ensuring that:

(1) Requirements are clearly defined and specified;

(2) Competitive sources are solicited, evaluated, and selected;

(3) Quality standards are prescribed, and met;

(4) Performance or delivery is timely;

(5) Files are documented to substantiate the judgments, decisions, and actions taken.

2901.603-73 Contracting officer's representatives.

(a) A contracting officer may designate other Government personnel to act as authorized representatives for such functions as technical monitoring, inspection, approval of shop drawings, testing, approval of samples, and other functions of a technical nature not involving a change in the scope, price, terms or conditions of the contract or order. Such designation shall be in writing and shall contain specific instructions as to the extent to which the representative may take action for the contracting officer, but will not contain authority to sign contract documents. The responsibilities and limitations of the contracting officer's representatives may be set forth in the contract or in a separate letter, a copy of which shall be furnished to the contractor.

(b) A person assigned to a contracting office and performing primary duties in a position within a contracting office, and under the supervision of a

contracting officer, does not require written designation as a representative of the contracting officer nor designation in a contractual document to perform assigned duties. Such a person is considered to be an employee of the contracting officer, acting in the latter's behalf and, as such, has the authority and responsibility to perform, under the terms and conditions of employment, and to act as assigned by the contracting officer. The contracting officer, however, shall not authorize such as employee, acting as a representative for the contracting officer, to sign any contractual documents or letter in those instances where the signature of a contracting officer is required.

PART 2902—DEFINITIONS OF WORDS AND TERMS

Subpart 2902.1—Definitions

2902.101 Definitions.

As used throughout this regulation, the following words and terms are used as defined in this subpart unless (a) the context in which they are used clearly requires a different meaning, or (b) a different definition is prescribed for a particular part or portion of a part:

"Automated Data Processing (ADP)" means equipment, related services and software. Equipment includes computers and auxiliary equipment, such as terminals, printers, plotters, modems, data conversion equipment, source data automation recording equipment (optical character recognition devices), word processing equipment, computer input/output microfilm, and computer performance evaluation equipment. It also includes data transmission or communications equipment, including front-end processors, terminals, and other similar devices, designed primarily for use with a configuration of ADP equipment.

"Contracting activity" means an agency or office within the Department with delegated procurement authority to manage contracting functions associated with its mission. Within the Office of the Assistant Secretary for Administration and Management, the National Capital Service Center is the contracting activity.

"Head of the agency" (also called "agency head") means the Assistant Secretary for Administration and Management.

"Head of the contracting activity (HCA)" means the Assistant Secretary for Administration and Management; the Director, National Capital Service Center, and the head of each DOL Agency and Office listed in 2901.603-1(b) who has overall responsibility for managing the contracting activity.

"Procurement Executive" means the Director, Directorate of Procurement and Grant Management.

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2903—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

Subpart 2903.1—Safeguards

Sec.
2903.101 Standards of conduct.
2903.101-3 Agency regulations.

Subpart 2903.2—Contractor Gratuities to Government Personnel

2903.203 Reporting suspected violations of the gratuities clause.
2903.204 Treatment of violations.

Subpart 2903.3—Reports of Identical Bids and Suspected Antitrust Violations

2903.302 Reporting identical bids.
2903.302-2 Reporting requirements.

Subpart 2903.4—Contingent Fees

2903.409 Misrepresentation or violation of the Covenant against Contingent Fees.

Subpart 2903.5—Other Improper Business Practices

2903.502 Subcontractor kickbacks.

Subpart 2903.6—Contracts With Government Employees or Organizations Owned or Controlled by Them

2903.602 Exceptions.
2903.603 Responsibilities of the Contracting officer.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2903.1—Safeguards

2903.101 Standards of conduct.

2903.101-3 Agency regulations.

All DOL personnel engaged in acquisition related activities shall conduct such activities in a manner above reproach in every respect. See Part 0 of Title 29, CFR. Transactions relating to expenditure of public funds require the highest degree of public trust to protect the interests of the Government. See 2903.6 for requirements concerning contracting with current or former DOL employees.

Subpart 2903.2—Contractor Gratuities to Government Personnel

2903.203 Reporting suspected violations of the Gratuities clause.

(a) *Action official.* The Director, Directorate of Procurement and Grant Management, is the DOL official authorized to take action pursuant to FAR 3.204(c) against a contractor if it is determined that a violation of the clause at FAR 52.203-3, Gratuities, has occurred. This authority may not be redelegated.

(b) *Referral.* Whenever a suspected violation of the clause at FAR 52.203-3, Gratuities, becomes known to a DOL employee, the matter shall be reported to the cognizant contracting officer. The report shall be in writing and shall clearly state the circumstances surrounding the incident or incidences where it is alleged that the contractor offered or gave a gratuity to a DOL employee and intended by the gratuity to obtain a contract or favorable treatment under a contract. The date(s), location(s), and name(s) of all parties involved in the incident shall be included in the report. The report shall also include a recommended course of action in accordance with FAR 3.204(c) and shall be submitted through the head of the contracting activity to the Director, Directorate of Procurement and Grant Management for disposition.

2903.204 Treatment of violations.

(a) *Notice of contractor.* Afer review of the report and consultation with the Office of the Solicitor and Office of the Inspector General, as appropriate, the Director, Directorate of Procurement and Grant Management shall determine further action to be taken. If requested, the contractor shall be provided with a formal notice which summarizes the events involving the suspected violations and affords the contractor the opportunity to take the action(s) listed under FAR 3.204(b). The notice shall contain a reasonable time limit for reply and shall be sent by certified mail, return receipt requested.

(b) *Action.* Based on the contractor's response to the notice; the results of any further discussions with the contractor, the counsel, or witnesses; the review of additional documentary evidence; and other pertinent information, the Director, Directorate of Procurement and Grant Management, shall make a final and binding decision on the action to be taken in accordance with FAR 3.204(c) and shall provide the contractor with a formal notice of such action.

Subpart 2903.3—Reports of Identical Bids and Suspected Antitrust Violations

2903.302 Reporting identical bids.

2903.302-2 Reporting requirements.

Potential anti-competitive practices, such as described in FAR 3.301, and antitrust law violations as described in FAR 3.303, evidenced in bids or proposals shall be reported to the Office of the Solicitor through the Head of the Contracting Activity with a copy to the

Director, Directorate of Procurement and Grant Management. The Office of the Solicitor will provide reports to the Attorney General as appropriate.

Subpart 2903.4—Contingent Fees

2903.409 Misrepresentation or violation of the Convenant Against Contingent Fees.

(a) Suspected misrepresentation or violations of the Convenant Against Contingent Fees shall be documented and reported promptly to the contracting officer for review and action under FAR 3.409.

(b) Suspected fraudulent or criminal violations shall be documented in a report and submitted by the contracting officer to the Office of the Solicitor prior to initiation of any actions outlined in FAR 3.409(b). A copy of the report shall be submitted to the Director, Directorate of Procurement and Grant Management.

Subpart 2903.5—Other Improper Business Practices

2903.502 Subcontractor kickbacks.

(a) Reports on suspected violations of the Antikickback Act as required by FAR 3.502(b) shall be prepared by the contracting officer and submitted by the head of the contracting activity to the Office of the Solicitor for further action. A copy of the report shall be submitted to the Director, Directorate of Procurement and Grant Management.

(b) The head of the contracting activity may initiate debarment or suspension action in accordance with FAR 9.406–2 or 9.407–2 and 2909.4 of this chapter.

Subpart 2903.6—Contracts With Government Employees or Organizations Owned or Controlled by Them

2903.602 Exceptions.

(a) The Assistant Secretary for Administration and Management is authorized to except a contract from the policy in FAR 3.601.

(b) Negotiated contracts or grants or amendments to existing contracts or grants which constitute new acquisition (including those for the rental of real or personal property) may be entered into with former employees of DOL or with firms in which former employees are known to have a substantial interest, within a period of 1 year subsequent to the termination of the individual's employment by DOL, only with the prior written approval of the Assistant Secretary for Administration and Management.

2903.603 Responsibilities of the contracting officer.

Approval of a decision to grant an exception as provided in 2903.602 shall be documented by a written determination and findings prepared by the contracting officer for signature by the Assistant Secretary for Administration and Management. The determination and findings shall document compliance with FAR 3.603 and 2909.5; specify the compelling reason(s) for award; and be placed in the contract file.

PART 2904—ADMINISTRATIVE MATTERS

Subpart 2904.6—Contract Reporting

2904.601 Federal Procurement Data System.

(a) DOL's data collection point is the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

(b) The SF 279, Individual Contract Action Report (over $10,000), and SF 281, Summary of Contract Actions of $10,000 or less, are due monthly on the tenth day of the month.

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2905—PUBLICIZING CONTRACT ACTIONS

Subpart 2905.4—Release of Information

Sec.
2905.403 Requests from Members of Congress.
2905.404 Release of long-range acquisition estimates.
2905.404–1 Release procedures.

Subpart 2905.5—Paid Advertisements

2905.502 Authority.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2905.4—Release of Information

2905.403 Requests from Members of Congress.

In addition to having access to the information available to the general public, Members of Congress shall, upon their request, be given full and detailed information regarding any particular DOL procurement. The information provided shall be fully responsive to the member's request unless such a response would disclose classified matter, information not to be released pursuant to law, business confidential information or information which would be prejudicial to the competitive process. The contracting officer shall promptly consult with the Office of the Solicitor and the Office of Legislative and Intergovernmental Affairs to determine whether circumstances exist which will allow the release of additional information. In such instances, the Congressional requestor shall be furnished an interim reply providing the information which is readily releasable. The interim reply shall describe the problem which precludes release of any requested materials and describe generally what steps, if any, are being taken to make such information available.

2905.404 Release of long-range acquisition estimates.

2905.404–1 Release procedures.

(a) Heads of contracting activities are authorized to release long-range acquistion estimates under the conditions in FAR 5.404–1.

(b) Offices contemplating the release of long-range acquisition planning estimates shall coordinate with the Office of Information and Public Affairs in advance of the release of such planning estimates.

Subpart 2905.5—Paid Advertisements

2905.502 Authority.

When it is deemed necessary to use paid advertisements in newspapers and trade journals, written authority for such publication shall be obtained from the Head of the Contracting Activity or designee.

SUBCHAPTER B—ACQUISITION PLANNING

PART 2907—ACQUISITION PLANNING

Subpart 2907.1—Acquisition Plans

Sec.
2907.102 Policy.

Subpart 2907.3—Contractor Versus Government Performance

2907.307 Appeals.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2907.1—Acquisition Plans

2907.102 Policy.

DOL Agencies and Offices shall develop acquisition plans for major system acquisitions and major projects in accordance with FAR Subpart 7.1 when the potential benefit justifies their development. The Directorate of Procurement and Grant Management and the Procurement Review Board will review each DOL Agency/Office Annual Advance Procurement Plan to ensure compliance with this subpart.

Subpart 2907.3—Contractor Versus Government Performance

2907.307 Appeals.

An appeal of a decision to convert to contract or to continue in-house performance may be made by an affected party. Appeals shall be made in writing, be based only on specific alleged material deviation (or deviations), from OMB Circular A–76, and be supported by appropriate documentation. Appeals must be delivered within 15 working days of the announced decision, through the contracting officer and the Director, Directorate of Procurement and Grant Management, to the Under Secretary.

PART 2908—REQUIRED SOURCES OF SUPPLIES AND SERVICES

Subpart 2908.8—Acquisition of Printing and Related Supplies

2908.802 Policy.

(a) The Office of Printing, Directorate of Administrative Services and Safety and Health Programs, has been designated as the DOL liaison with the Joint Committee on Printing (JCP) and the Public Printer, Government Printing Office (GPO), on all matters related to printing.

(b) Except as provided in paragraphs 35–2 through 35–4 of the "Government Printing and Binding Regulations" of the Congressional Joint Committee on Printing, inclusion of printing as defined in FAR 8.801 in contracts for supplies and services is prohibited unless specifically approved in writing by the Directorate of Administrative Services and Safety and Health Programs.

(5 U.S.C. 301; 40 U.S.C. 486 (c))

PART 2909—CONTRACTOR QUALIFICATIONS

Subpart 2909.1—Responsible Prospective Contractors

Sec.

2909.105 Procedures.
2909.105–1 Obtaining information.

Subpart 2909.4—Debarment, Suspension, and Ineligibility

2909.400 Scope of subpart.
2909.404 Consolidated List of Debarred, Suspended, and Ineligible Contractors.
2909.405 Effect of listing.
2909.405–1 Continuation of current contracts.
2909.406 Debarment.
2909.406–1 General.
2909.406–3 Procedures.
2909.407 Suspension.
2909.407–1 General.
2909.407–3 Procedures.

Subpart 2909.5—Organizational Conflicts of Interest

2909.503 Waiver.
2909.507 Procedures.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2909.1—Responsible Prospective Contractors

2909.105 Procedures.

2909.105–1 Obtaining information.

(a) In addition to the sources of information listed in FAR 9.105–1(c) to support determinations of responsibility or nonresponsibility, the contracting officer shall use, if available, performance evaluation reports on section 8(a) contractors (section 8(a) of the Small Business Act as amended (15 U.S.C. 637(a)) and construction and architect-engineer contractors (see 2936.201 and 2936.604).

(b) Using on-line terminals, contracting officers may obtain credit reports prior to the issuance of any loan, loan guarantee, contract or grant through the credit bureau service. The Office of Procurement Operations, National Capital Service Center, will award and administer a contract for the credit bureau service for use by all DOL contracting offices or will establish a procedure to obtain the services through an established GSA Federal Supply Schedule.

Subpart 2909.4—Debarment, Suspension, and Ineligibility

2909.400 Scope of subpart.

This subpart prescribes DOL policies and procedures governing the debarment and suspension of contractors, the listing of debarred and suspended contractors, contractors declared ineligible (see FAR 9.403) and distribution of the list.

2909.404 Consolidated List of Debarred, Suspended, and Ineligible Contractors.

(a) The Directorate of Procurement and Grant Management, is responsible for accomplishing the actions required in FAR 9.404(c).

(b) The Directorate of Procurement and Grant Management, upon receipt of monthly issues of the consolidated list from GSA, shall distribute the issues to the heads of contracting activities.

(c) Weekly supplements to monthly lists shall be furnished to the heads of contracting activities by the Directorate of Procurement and Grant Management.

2909.405 Effect of listing.

The Director, Directorate of Procurement and Grant Management, is authorized to make the determinations listed in FAR 9.405(a). Requests for such determinations shall be submitted by the head of the contracting activity to the Director, Directorate of Procurement and Grant Management.

2909.405–1 Continuation of current contracts.

The Director, Directorate of Procurement and Grant Management, is authorized to take the actions listed in FAR 9.405–1.

2909.406 Debarment.

2909.406–1 General.

(a) The Director, Directorate of Procurement and Grant Management, is the debarring official for DOL and is authorized to debar a contractor for any of the causes in FAR 9.406–2, using the procedures in 2909.406–3.

(b) Exceptions to debarment made by another Executive Agency shall be made by the Director, Directorate of Procurement and Grant Management, in accordance with the conditions in FAR 9.406–1(c).

2909.406–3 Procedures.

(a) *Investigation and referral.* Whenever a cause for debarment, as listed in FAR 9.406–2, becomes known to a DOL employee, the head of the contracting activity affected shall be notified. The head of the contracting activity shall consult with the Office of the Solicitor and the Office of the Inspector General, as appropriate, and submit a formal recommendation which documents the cause for debarment to the Director, Directorate of Procurement and Grant Management.

(b) *Notice of proposal to debar.* Based upon review of the recommendation to debar and consultation with the Office of the Solicitor and Office of the Inspector General, as appropriate, the Director, Directorate of Procurement and Grant Management, shall initiate proposed debarment by taking the actions listed in FAR 9.406–3(c) and advising the contractor of DOL's rules under 2909.4.

(c) *Factfinding proceedings.* For actions listed under FAR 9.406–3(b)(2), the Director, Directorate of Procurement and Grant Management, shall afford the contractor the opportunity to appear at an informal factfinding as required by FAR 9.406–3(b)(2)(i). The hearing shall be conducted by the Office of Administrative Law Judges and shall be held at a date and location convenient to the parties concerned. Subject to the provisions of 29 CFR Part 18, the contractor and any specifically named affiliates, may be represented by counsel or any duly authorized representative. Witnesses may be called

by either party. The proceedings shall be conducted expeditiously and in such a manner that each party will have a full opportunity to present all information considered pertinent to the proposed debarment. A transcript of the proceedings shall be made available to the contractor under the conditions in FAR 9.406-3(b)(2)(ii).

(d) *Decision and notice.* The Director, Directorate of Procurement and Grant Management, shall make a decision on imposing debarment in accordance with the procedures in FAR 9.406-3(d), findings of fact of the Administrative Law Judge, and the conditions in FAR 9.406-4 and 9.406-5. Notice of the decision shall be provided to the contractor and any affiliates involved in accordance with the procedures in FAR 9.406-3(e).

2909.407 Suspension.

2909.407-1 General.

(a) The Director, Directorate of Procurement and Grant Management, is the suspending official for DOL and is authorized to suspend a contractor for any of the causes in FAR 9.407-2, using the procedures in 2909.407-3.

(b) The Director, Directorate of Procurement and Grant Management, is authorized to make the statement regarding suspension by another agency suspending official under the conditions in FAR 9.407-1(d).

2909.407-3 Procedures.

(a) *Investigation and referral.* Whenever a cause for suspension, as listed in FAR 9.406-2, becomes known to a DOL employee, the head of the contracting activity affected shall be notified. The head of the contracting activity shall consult with the Office of the Solicitor and the Office of the Inspector General, as appropriate, and submit a formal recommendation, which documents the cause for suspension, to the Director, Directorate of Procurement and Grant Management.

(b) *Notice of suspension.* Based upon review of the recommendation to suspend and consultation with the Office of the Solicitor and the Office of the Inspector General, as required, the Director, Directorate of Procurement and Grant Management, shall initiate suspension by taking the actions listed in FAR 9.407-3(c) and advising the contractor of DOL's rules under 2909.4.

(c) *Factfinding proceedings.* For actions listed under FAR 9.407-3(b)(2), the Director, Directorate of Procurement and Grant Management, shall afford the contractor the opportunity to appear at an informal hearing as required by FAR 9.407-3(b)(2)(i). The hearing shall be conducted under the conditions in 2909.407-3(c).

(d) *Suspension decisions.* The Director, Directorate of Procurement and Grant Management, shall make a final decision on suspension as prescribed in FAR 9.407-3(d). Notice of the decision shall be provided to the contractor and any affiliates involved in accordance with the provisions in FAR 9.407-3(d)(4).

Subpart 2909.5—Organizational Conflicts of Interest

2909.503 Waiver.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to waive any general rule or procedure in FAR 9.5 when its application in a particular situation would not be in the Government's interest. Pursuant to FAR 9.503, this authority may not be redelegated.

(b) Requests for waivers shall be made by the head of the contracting activity to the Director, Directorate of Procurement and Grant Management. Each request shall include:

(1) An analysis of the facts involving the potential or actual conflict including benefits and detriments to the Government and prospective contractors;

(2) A discussion of the factors which preclude avoiding, neutralizing, or mitigating the conflict; and

(3) Identification of the provision(s) in FAR Subpart 9.5 to be waived.

(c) In making determinations under 2909.503(a), the Director, Directorate of Procurement and Grant Management, shall request the opinion of the Office of the Solicitor.

2909.507 Procedures.

(a) If a prospective contractor disagrees with the decision of a contracting officer regarding an organizational conflict of interest provision and requests higher level review in accordance with FAR 9.507(c)(4) the matter shall be referred to the Director, Directorate of Procurement and Grant Management for review and final decision.

(b) Referrals shall be made by the head of the contracting agency concerned and include the contracting officer's decision and the position of the prospective contractor.

(c) In making determinations under 2909.507(a), the Director, Directorate of Procurement and Grant Management, shall request the opinion of the Office of the Solicitor.

PART 2910—SPECIFICATIONS, STANDARDS, AND OTHER PURCHASE DESCRIPTIONS

Sec.

2910.004 Selecting specifications or descriptions for use.
2910.004-70 Brand name products or equal.
2910.007 Deviations.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

2910.004 Selecting specifications or descriptions for use.

(a) In accordance with FAR 10.1004(b)(2), purchase descriptions shall not specify a product, or specific feature of a product, peculiar to a manufacturer unless it is determined in writing by the Office initiating the purchase request that the product, or specific product feature, is essential to the Government's requirements and other similar products will not meet these requirements. This determination shall be in writing and shall accompany the purchase requisition.

(b) A "brand name or equal" purchase description shall be used only under the conditions listed in FAR 10.004(b)(3) and in accordance with the policies and procedures in 2910.004-70.

2910.004-70 Brand name products or equal.

(a) *Limitations on use.* The identification of a requirement in a purchase description by use of one or more brand name products followed by the words "or equal" shall be used only under the conditions listed in FAR 10.004(b)(3). A "brand name product" means a current commercial product of a manufacturer described by its brand name, make, model number, catalog designation, or other description by which it is regularly offered for sale to the public in the commercial market place.

(b) *Invitation requirements.* (1) "Brand name or equal" purchase descriptions in invitations shall identify salient characteristics of the product (see 2910.004-70(b)(2)) and contain the following information to describe the specific item:

(i) Identification of the item by generic descriptions;

(ii) Make, model number, catalog designation (or other description), and identification of commercial catalog where it is listed; and

(iii) Name of manufacturer, producer, or distributor of the item and complete address.

(2) In accordance with the policy in FAR 10.002, whenever a "brand name or equal" purchase description is used, offerors shall be given the opportunity to offer products equal to the brand name

if those products (including modifications thereto) satisfy the minimum needs of the Government. Therefore, all salient characteristics of the "brand name or equal" product which are determined by the office initiating the purchase request to be essential to the Government's minimum needs shall be identified separately under the heading of "Salient Characteristics" and included in the purchase description contained in the solicitation so the offeror understands the information to be submitted with its bid when offering an "equal" product for evaluation. In addition, the following certification shall be included at the end of each "brand name or equal" description in a solicitation for an offeror to identify its "equal" product:

Offerors proposing to furnish an "equal" product, in accordance with the "Brand Name or Equal" provision of this solicitation, shall insert the following description for the product.

Bidding on: _____

Manufacturer's Name: _____

Address: _____

Product Name (if any): _____

Product make, model, or catalog description: _____

Offerors shall also be responsible for submitting all additional information on the above product necessary for the Government to determine whether the product offered meets the salient characteristics of the "brand name" as listed in the solicitation.

2910.007 Deviations.

(a) Heads of contracting activities are authorized to approve deviations and exceptions to specifications or standards listed in the Index of Federal Specifications and Standards when the exceptions listed under FAR 10.006 do not apply. The Director, Directorate of Procurement and Grant Management, shall be notified formally and provided a copy of each deviation or exception approved.

(b) Heads of contracting activities are responsible for accomplishing the actions required under FAR 10.007.

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 2913—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

Subpart 2913.1—General

Sec.

2913.106 Competition and price reasonableness.

2913.107 Solicitation and evaluation of quotations.

Subpart 2913.3—Fast Payment Procedure

2913.301 General.

Subpart 2913.4—Imprest Fund

2913.403 Agency responsibilities.

Subpart 2913.5—Purchase Orders

2913.503 Obtaining contractor acceptance and modifying purchase orders.

2913.503–70 Duplicate purchase orders.

2913.505 Purchase order and related forms.

2913.505–2 Agency order forms in lieu of optional forms 347 and 348.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2913.1—General

2913.106 Competition and price reasonableness.

When other than the lowest responsive quotation from a responsible supplier is used as the basis for the purchase, the Contracting Officer shall include in the purchase file documentation of the reason(s) for rejecting any lower quotation and the name of the individual responsible for making the determination to reject such quotation.

2913.107 Solicitation and evaluation of quotations.

Standard Form 18, Request for Quotations, shall be used as prescribed in FAR 13.107(a) unless an agency equivalent form has been authorized for use by the Director, Directorate of Procurement and Grant Management.

Subpart 2913.3—Fast Payment Procedure

2913.301 General.

The fast payment procedure delineated in FAR Subpart 13.3 shall not be utilized by DOL.

Subpart 2913.4—Imprest Fund

2913.403 Agency responsibilities.

The DOL "Imprest Fund Handbook" incorporated in the Department of Labor Manual System (DLMS 6, Chapter 1900, Handbook DLMS 6–5) contains internal DOL procedures for establishment, maintenance and use of imprest funds. Copies of the handbook may be obtained upon written request from the Directorate of Procurement and Grant Management, Office of the Assistant Secretary for Administration and Management, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Subpart 2913.5—Purchase Orders

2913.503 Obtaining contractor acceptance and modifying purchase orders.

2913.503–70 Duplicate purchase orders.

If the vendor reports non-receipt, loss or other inability to locate an original purchase order and requests another copy, the purchasing officer may issue to the vendor a duplicate copy as the vendor's basis of performance. This second issue should be conspicuously marked "Duplicate Copy." To avoid the possibility of a duplicate shipment, a letter of transmittal or a notation on the purchase order should read as follows:

This is a duplicate copy of the lost orginal purchase order, furnished in accordance with your request of _____ (Date). The Government will not be responsible for duplicate shipment.

2913.505 Purchase order and related forms.

2913.505–2 Agency order forms in lieu of optional forms 347 and 348.

Department of Labor Form 1–90 (DL Form 1–90), entitled "Purchase Order" may be used by DOL in lieu of Optional Forms 347 and 348 prescribed in FAR 13.505.

PART 2914—FORMAL ADVERTISING

Subpart 2914.2—Solicitation of Bids

Sec.

2914.203 Methods of soliciting bids.

2914.203–2 Dissemination of information concerning invitation for bids.

2914.205 Solicitation mailing lists.

2914.205–1 Establishment of lists.

Subpart 2914.4—Opening of Bids and Award of Contract

2914.406 Mistakes in bids.

2914.406–3 Other mistakes disclosed before award.

2914.406–4 Disclosure of mistakes after award.

2914.407 Award.

2914.407–8 Protests against award.

2914.407–70 Award when only one bid is received.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2914.2—Solicitation of Bids

2914.203 Methods of soliciting bids.

2914.203–2 Dissemination of information concerning invitation for bids.

Procedures for obtaining approval for paid advertisements in newspapers are contained in 2905.502.

2914.205 Solicitation mailing lists.

2914.205–1 Establishment of lists.

In accordance with FAR 14.205–1(b), prospective bidders which submit solicitation mailing list applications shall be notified by the Contracting Activity when added to a mailing list unless the bidder is expected to be issued a solicitation within thirty days after Government receipt of the application.

Subpart 2914.4—Opening of Bids and Award of Contract

2914.406 Mistakes in bids.

2914.406-3 Other mistakes disclosed before award.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to make the administrative determinations under FAR 14.406-3. This authority may not be redelegated except as set forth in paragraph (b) of 2914.406-3.

(b) If (1) a bidder requests permission to withdraw a bid rather than correct it, and (2) the evidence is determined convincing as to the mistake or (3) the evidence reasonably supports the existence of a mistake but is not clear and convincing, the head of the contracting office is authorized to make a written determination permitting the bidder to withdraw the bid after review, in accordance with established procedures, and concurrence by the appropriate Office of the Solicitor. Copies of all determinations made pursuant to this authority shall be promptly transmitted to the Director, Directorate of Procurement and Grant Management. If evidence of the intended bid is clear and convincing, even though the bidder has not requested permission to correct the bid, the case shall be processed in accordance with paragraph (c) of 2914.406-3.

(c) Suspected or alleged mistakes in bids shall be processed in accordance with the requirements of FAR 14.406-3(g). The contracting officer shall submit a report together with the supporting data described in FAR 14.406-3(g)(3) through the head of the contracting activity to the Director, Directorate of Procurement and Grant Management.

(d) The Director, Directorate of Procurement and Grant Management, is responsible for maintaining records of administrative determinations as required in FAR 14.406-3(h).

2914.406-4 Disclosure of mistakes after award.

(a) The head of the contracting activity is authorized to make the administrative determinations in FAR 14.406-4 after concurrence is received from the Office of the Solicitor as required by FAR 14.406-4(d). This authority may not be redelegated.

(b) The contracting officer shall process a mistake and prepare a case file in accordance with the requirements of FAR 14.604-4(e). The file shall be submitted to the head of the contracting activity for determination.

2914.407 Award.

2914.407-8 Protests against award.

(a) *Responsibility.* The Director, Office of Procurement and Grant Policy, shall be responsible for handling bid protests lodged with the General Accounting Office (GAO). All communications relative to protests at the GAO shall be coordinated with the Office of Procurement and Grant Policy.

(b) *Determination to make award.* (1) If a written protest before award has been lodged with the contracting activity only, the appropriate procedures of FAR 14.407-8 (a) and (b) shall be followed. Prior to making an award of a contract under the circumstances in FAR 14.407-8(b)(4), the contracting officer shall consult with the Director, Office of Procurement and Grant Policy.

(2) If a protest before award has been lodged directly with the GAO and the contracting officer determines in writing that it is necessary to make an award under the circumstances in FAR 14.407-8(b)(4), such determination must be submitted by the head of the contracting activity concerned to the Director, Office of Procurement and Grant Policy, for approval before award of the contract. The Director, Office of Procurement and Grant Policy, shall be responsible for coordination with GAO as required in FAR 14.407-8(b)(3).

(c) *Notice of protest.* Upon being advised by the GAO of the receipt of a protest before or after award, the Office of Procurement and Grant Policy will inform the appropriate contracting activity which will immediately notify the contracting officer. As required by FAR 14.407-8(a)(3), the contracting officer shall then promptly notify all interested persons, including bidders (or the contractor if the protest is after award) involved in or affected by the protest, that a protest has been lodged with the GAO and the basis for the protest. A written record of such telephonic notices shall be placed in the contract file. After receiving a copy of the protest from GAO and its request for an administrative report, the Office of Procurement and Grant Policy, will promptly furnish the same to the contracting activity involved which shall, in turn, promptly transmit copies to the contracting officer and request a written report. The contracting officer shall promptly transmit by letter a copy of the protest to all interested persons previously notified and include a statement requiring furnishing of views and information directly to the GAO. Copies of such cover letters shall be sent concurrently to the director, Office of Procurement and Grant Policy. Cover letters shall contain the advice contained in FAR 14.407-8(a)(3), including instructions that any comments submitted to GAO should also be submitted to the contracting officer and the Director, Office of Procurement and Grant Policy.

(d) *Submission of report.* All personnel shall handle protests on a priority basis. The administrative report responsive to the protest shall be appropriately titled and dated, shall cite the GAO file number, shall include the documents and statements required by FAR 14.407-8(a)(2) and shall be signed by the contracting officer. Reports shall be prepared with the assistance of the local attorney/advisor of the Office of the Solicitor. If appropriate, the report shall contain a statement regarding any urgency for the procurement and the extent to which a delay in award may result in significant performance difficulties or additional expense to the Government. If award is not urgent, a statement shall be included giving an estimate of the length of time an award may be delayed without significant expense or difficulty in performance. The contracting activity shall submit an original and one complete copy of the contracting officer's report to the Director, Office of Procurement and Grant Policy, plus one complete copy for each interested person. Contracting officers must assure that no trade secrets or commercial or financial information which is privileged or confidential is disclosed to unauthorized parties.

2914.407-70 Award when only one bid is received.

When only one bid is received in response to an invitation for bids, such bid may be considered and accepted if the contracting officer makes a written determination that (a) the specifications used in the invitation were not unduly restrictive, (b) adequate competition was solicited and it could have been reasonably assumed that more than one bid would have been submitted, (c) the price is reasonable, and (d) the bid is otherwise in accordance with the invitation for bids. Such a determination shall be placed in the contract file.

PART 2915—CONTRACTING BY NEGOTIATION

Subpart 2915.1—General Requirements for Negotiation

Sec.

2915.105 Competition.

Subpart 2915.2—Negotiation Authorities

2915.213 Technical equipment requiring standardization and interchangeability of parts.

2915.270 Use of negotiation authorities.

Subpart 2915.3—Determinations and Findings to Justify Negotiations

2915.304 Content.
2915.307 Signatory authority.

Subpart 2915.4—Solicitation and Receipt of Proposals and Quotations

2915.404 Presolicitation notices and conferences.
2915.405 Solicitations for information or planning purposes.
2915.405–1 General.
2915.413 Disclosure and use of information before award.
2915.413–1 Alternate I.

Subpart 2915.5—Unsolicited Proposals

2915.505 Content of unsolicited proposals.
2915.505–1 Unsolicited research proposals.
2915.506 Agency procedures.

Subpart 2915.6—Source Selection

2915.607 Disclosure of mistakes before award.
2915.612 Formal source selection.

Subpart 2915.8—Price Negotiation

2915.803 General.
2915.804 Cost or pricing data.
2915.804–3 Exemptions from or waiver of submission of certified cost or pricing data.
2915.805 Proposal analysis.
2915.805–5 Field pricing support.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2915.1—General Requirements for Negotiation

§ 2915.105 Competition.

(a)(1) Negotiated acquisition shall be on a competitive basis to the maximum practical extent (FAR 15.105) and reasonable competition shall be obtained in making small purchases over $1,000 (FAR 13.106). There are, however, circumstances where one source (or group of resources) has exclusive capability to perform the work within the time required and at reasonable prices; e.g., by reasons of experience, specialized facilities, or technical competence. In such a circumstance, the initiating program office may conclude that only one source (or groups of sources) is qualified to perform the work, and therefore, may recommend that a contract be negotiated only with that source or group. (In the case of a "group sole source" situation, a justification is required for limiting competition to that group and for the allocation of work among members of the group.) The recommendation, in writing, shall be contained in a separate document entitled "Justification for Noncompetitive Procurement," and shall examine the reasons for the acquisition being noncompetitive in accordance with paragraph (c) below.

(2) For noncompetitive acquisition, a recommended justification shall be attached to the acquisition request when the request is sent to a contracting officer for action.

(3) A justification for noncompetitive acquisition is also required where "new" acquisitions (i.e., outside the contractual scope of work) are initiated through modifications to existing contracts. Such justification shall be made a part of the permanent contract file (see FAR 4.8).

(b) The provisions of this regulation do not apply to:

(1) Acquisitions of electric power or energy, gas (natural or manufactured), water or other utility;

(2) Acquisitions of educational services from nonprofit institutions; and

(3) Acquisitions from or through other Government agencies.

(c) Justification for noncompetitive procurement.

(1) The document entitled "Justification for Noncompetitive Procurement" shall be prepared for all noncompetitive acquisitions exceeding the small purchases limitation. Noncompetitive acquisitions within the small purchases limitation shall be handled in accordance with small purchase procedures as defined in FAR 13.106.

(2) Each justification shall set forth enough facts and circumstances to clearly and convincingly establish that competition would not have been feasible or practicable. The following considerations shall be made in preparing the justification.

(i) Description of supplies or services to be procured.

(A) A brief, general nontechnical description and statement of the general application and particular significance or specialized character of the acquisition.

(B) A description of all associated supplies or services, and so forth, to be procured.

(ii) Acquisition history, estimated future requirements, and long-range acquisition objectives.

(A) A brief statement of the technical and contractual evolution of the supplies or services being procured from initiation to present status.

(B) A brief statement as to whether the work is a continuation of previous effort performed by the proposed contractor.

(C) A reference should be made to any advance planning information previously prepared or furnished, together with information with respect to any changes proposed in the present justification which represent a departure or modification of prior acquisition plans, including a statement of the effect of the changes, if any, on scheduled milestones.

(D) A brief statement as to what actions have been taken to develop competition and elimination of a noncompetitive situation in future acquisitions of the proposed supplies or services.

(iii) Estimated costs.

(A) The estimated cost of the acquisition and brief description of the assumptions made and data used by the initiating program office to develop the estimate.

(B) The estimated cost listed by fiscal year.

(C) Whether the proposed contractor has a substantial investment of some kind that would have to be duplicated at Government expense by another source.

(iv) Schedule requirements.

(A) The basis for establishing schedule requirements.

(B) An explanation of the urgency, if any, of the requirement. Describe why the schedules are critical and why only the proposed contractor can meet them.

(C) Describe what significant cost savings or other benefits could result if schedules could be relaxed and whether competition could thus be obtained.

(v) Exclusive capability.

(A) Does the proposed contractor have personnel considered unquestionably predominant experts in the particular field?

(B) What prior experience of a highly specialized nature does the source exclusively have that is complex or specialized and vital to the effort?

(C) What facilities and test equipment does the source exclusively have that are complex or specialized and vital to the effort?

(D) Is competition precluded because of the existence of patent rights, copyrights, secret processes, trade secrets, technical data, or other proprietary data?

(E) What other capacity does the proposed contractor have that is necessary for the specific effort and makes it clearly the only source that can perform the work on the required time schedule without incurring clearly unreasonable costs?

(vi) Other.

(A) If lack of drawings and/or specifications is a constraining factor, why is the proposed contractor clearly best able to perform under these

circumstances? Why are the drawings and specifications lacking? What is the lead time required to get drawings and specifications suitable for competition?

(B) Are parts or components being procured as replacement parts in support of equipment specially designed by a manufacturer, where data available is not adequate to assure that the parts or components obtained from another source would perform the same function?

(d) Review and approval. The justification shall contain a recommendation, concurrence (when needed), and approval as follows: (In the case of cost-shared contracts, review levels shall be based on the sum of the contractor and Government shares.)

(1) Concurrences in the recommendation shall be obtained within the initiating office at such levels as are deemed appropriate by the Head of the Contracting Activity. The objective of maximizing the use of competitive acquisition procedures as well as the complexity or cost of an acquisition should be used as a guide in establishing the appropriate level of responsibility for approval of noncompetitive recommendations.

(2) To ensure that DOL conforms fully with the basic policy prescribing competition, any proposed noncompetitive acquisitions is excess of the small purchases limitation must be fully justified, submitted to the Procurement Review Board and approved by the Assistant Secretary for Administration and Management and, in the case of research contracts, by the Assistant Secretary for Policy. The contracting officer is responsible for assuring that proposed noncompetitive acquisitions below these dollar levels are in compliance with FAR and DOLAR requirements regarding maximum competition.

Subpart 2915.2—Negotiation Authorities

2915.213 Technical equipment requiring standardization and interchangeability of parts.

The Directorate of Procurement and Grant Management is responsible for the reviews required in FAR 15.213(b)(5) and maintenance of the lists required in FAR 15.213(c)(4).

2915.270 Use of negotiation authorities.

Negotiation authorities under FAR Subpart 15.2 requiring written D&F's shall be exercised in accordance with the signatory levels in 2915.307 and Appendix A—Signatory Authority Matrix.

Subpart 2915.3—Determinations and Findings to Justify Negotiations

2915.304 Content.

2915.307 Signatory authority.

(a) When a written D&F is required under FAR Subpart 15.2, it shall be signed by the authority listed in Appendix A.

(b) For D&F's requiring the signature of the Head of the Agency under Appendix A the D&F shall be submitted by the Head of the Contracting Activity to the Directorate of Procurement and Grant Management for review and further action.

APPENDIX A.—SIGNATORY AUTHORITY MATRIX

Negotiation authority (FAR Subpart 15.2)	Signatory authority	
	Individual D&F	Class D&F
Public Exigency (FAR 15.202).	Contracting Officer	Head of Contracting Activity.
Medicines or Medical Supplies (FAR 15.207).	Contracting Officer	Head of Contracting Activity.
Supplies purchased for authorized resale (FAR 15.206).	Contracting Officer	Head of Contracting Activity.
Impractical to secure competition by formal advertising (FAR 15.210).	Contracting Officer	Head of Contracting Activity.
Experimental, developmental or research work (FAR 15.211).	Assistant Secretary for Administration and Management.	Assistant Secretary for Administration and Management.
Purchases not to be publicly disclosed (FAR 15.212).	Assistant Secretary for Administration and Management.	Assistant Secretary for Administration and Management.
Technical equipment requiring standardization and interchangeability or parts (FAR 15.213).	Assistant Secretary for Administration and Management.	Assistant Secretary for Administration and Management.
Negotiation after advertising (FAR 15.214).	Head of Contracting activity.	Head of Contracting Activity.

Subpart 2915.4—Solicitation and Receipt of Proposals and Quotations

2915.404 Presolicitation notices and conferences.

A presolicitation conference (see FAR 15.404) shall not be used unless approved by the Head of the Contracting Activity or designee in accordance with Agency or Office procedures.

2915.405 Solicitations for information or planning purposes.

2915.405.1 General.

The written determination justifying use of a solicitation for information or planning purposes under FAR 15.405–1 shall be approved by the Head of the Contracting Activity before issuance of the solicitation.

2915.413 Disclosure and use of information before award.

2915.413–1 Alternate I.

The Department of Labor shall employ the procedures in FAR Alternate I regarding disclosure and use of information.

Subpart 2915.5—Unsolicited Proposals

2915.505 Content of Unsolicited proposals.

2915.505–1 Unsolicited research proposals.

In addition to the contents required by FAR 15.505, unsolicited proposals for research should contain a commitment to provide cost-sharing.

2915.506 Agency procedures.

(a) The contact points for submission of unsolicited proposals are those officials (Heads of Contracting Activities) with program responsibility listed in Subpart 2901.6.

(b) Heads of Contracting Activities shall assure that unsolicited proposals are controlled, evaluated, safeguarded and disposed of in accordance with FAR Subpart 15.5

Subpart 2915.6—Source Selection

2915.607 Disclosure of mistakes before award.

The Head of the Contracting Activity is authorized to make the determination permitting proposal correction in accordance with the conditions in FAR 15.607(c)(3) and consultation with the Office of the Solicitor.

2915.612 Formal source selection.

(a) The Head of the Contracting Activity shall determine when a formal source selection process shall be used

and shall establish procedures for implementing the requirements in FAR 15.612.

(b) The procedures established under (a) above shall be forwarded for the review and approval of the Director, Directorate of Procurement and Grant Management.

Subpart 2915.8—Price Negotiation

2915.803 General

(a) Where the contractor insists on a price or demands a profit or fee that the contracting officer considers unreasonable, and the contracting officer has taken all authorized actions to resolve the matter (see FAR 15.803), the contract action shall be referred to the Head of the Contracting Activity for final resolution.

(b) Resolution under (a) above shall be documented and signed by the Head of the Contracting Activity, and included in the contract file.

2915.804 Cost or pricing data.

2915.804-3 Exemptions from or waiver of submission of certified cost or pricing data.

(a) The Head of the Contracting Activity is authorized to approve the contracting officer's finding supporting the unreasonableness of the lowest price (see FAR 15.804-3(b)(2)(iii).

(b) The Director, Directorate of Procurement and Grant Management, is authorized to waive the requirement for submission of certified cost or pricing data.

(c) Requests for waiver under (b) above shall be submitted in writing by the Head of the Contracting Activity and shall contain a statement as to the reasons the waiver is necessary and the efforts made to obtain the data from the contractor or prospective contractor.

2915.805 Proposal analysis.

2915.805-5 Field pricing support.

(a) As prescribed in FAR 15.805-5(c), the contracting officer shall initiate a cost or pricing review by sending a written request to the Director, Directorate of Procurement and Grant Management, OASAM. The contracting officer shall allow at least 30 calendar days when assigning a deadline for receipt of the cost and price analysis report.

(b) Upon receipt of the cost or pricing review report, the contracting officer and the price analyst (if assigned) shall discuss any questions regarding the contents of the report with the reviewer. If a question cannot be resolved, or agreement cannot be reached on a recommendation in the report, the contracting officer shall prepare a written statement for the contract file which discusses the issue(s) in question and supports a final decision on the matter. An information copy of the statement shall be promptly forwarded to the Director, Directorate of Procurement and Grant Management.

PART 2916—TYPES OF CONTRACTS

Subpart 2916.2—Fixed Price Contracts

Sec.
2916.203 Fixed-price contracts with economic price adjustment.
2916.203-4 Contract clauses.

Subpart 2916.6—Time-and-Materials, Labor-Hour, and Letter Contracts

2916.603 Letter contracts.
2916.603-2 Application.

Subpart 2916.7—Agreements

2916.702 Basic agreements.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2916.2—Fixed Price Contracts

§ 2916.203 Fixed-price contracts with economic price adjustment.

§ 2916.203-4 Contract clauses.

An economic price adjustment clause based on cost indexes of labor or material may be used under the conditions listed in FAR 16.203-4(d) after approval by the Director, Directorate of Procurement and Grant Management, is obtained.

Subpart 2916.6—Time-and-Materials, Labor-Hour, and Letter Contracts

2916.603 Letter contracts

2916.603-2 Application

The Head of the Contracting Activity is authorized to extend the period for definitization of a letter contract required by FAR 16.603-2(c) in extreme cases where it is determined in writing that such action is in the best interest of the Government.

Subpart 2916.7—Agreements

2916.702 Basic agreements

Copies of basic agreements negotiated with contractors in accordance with FAR 16.702 shall be furnished by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, promptly after execution by the Government.

PART 2917—SPECIAL CONTRACTING METHODS

Subpart 2917.2—Options

Sec.
2917.203 Solicitations.
2917.206 Evaluation.

Subpart 2917.4—Leader Company Contracting

2917.402 Limitations.

Subpart 2917.5—Interagency Acquisitions Under the Economy Act

2917.502 General.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2917.2—Options

2917.203 Solicitations.

Option quantities in excess of the 50 percent limit prescribed in FAR 17.203(g)(2) may, in unusual circumstances, be approved by the Head of the Contracting Activity. The documentation required by FAR 17.205(a) shall include a written justification to fully support the need for such action.

2917.206 Evaluation.

The Head of the Contracting Activity shall make the written determination required by FAR 17.206(a). This determination is required before use of the solicitation provision at FAR 52.217-5, Evaluation of Options, is authorized. See FAR 17.208(c).

Subpart 2917.4—Leader Company Contracting

2917.402 Limitations.

Use of leader company contracting for a product, subject to the limitations in FAR 17.402, shall require the advance authorization of the Director, Directorate of Procurement and Grant Management. Authorization requests shall document the circumstances requiring such action and shall be submitted by the Head of the Contracting Activity.

Subpart 2917.5—Interagency Acquisitions Under the Economy Act

2917.502 General.

SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

PART 2919—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

Subpart 2919.2—Policies

Sec.
2919.201 General policy.
2919.202 Specific policies.
2919.201-1 Encouraging small business participation in acquisitions.
2919.202-2 Locating small business sources.
2919.202-5 Data collection and reporting requirements.
2919.202-70 Annual plans and program goals.

Subpart 2919.5—Set-Asides for Small Business

2919.501 General.
2919.503 Setting aside a class of acquisitions.
2919.503-70 Class set-aside for construction acquisitions.
2919.505 Rejection of set-aside recommendations.
2919.506 Withdrawal or modification of set-asides.

Subpart 2919.6—Certificates of Competency and Determinations of Eligibility

2919.602 Procedures.
2919.602-1 Referrals.

Subpart 2919.7—Subcontracting With Small Business and Small Disadvantaged Business Concerns

2919.705 Responsibilities of the contracting officer under the subcontracting assistance program.
2919.705-3 Solicitations.
2919.705-4 Reviewing the subcontracting plan.
2919.705-5 Awards involving subcontracting plans.
2919.705-6 Postaward responsibilities of the contracting officer.
2919.708 Solicitation provisions and contract clauses.

Subpart 2919.8—Contracting With the Small Business Administration

2919.802 Selecting firms for DOL acquisitions.
2919.803 Selecting acquisitions for the 8(a) program.
2919.810 Contract administration.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2919.2—Policies

2919.201 General policy.

(a) The Director, Office of Small and Disadvantaged Business Utilization (OSDBU), is responsible for performing all functions and duties prescribed in FAR 19-201(c) and for:

(1) Developing and monitoring policies, procedures and regulations for effective administration of the Department's small business and small disadvantaged business program;

(2) Coordinating issues with the small and disadvantaged business specialist (SDBS) in each contracting office regarding the Department's small and small disadvantaged business program;

(3) Conducting surveys and reviews of DOL contracting offices related to the small business and small disadvantaged business program, recommending changes and corrective action, as appropriate; and

(4) Representing the Department before other Government agencies on matters primarily affecting small business, small disadvantaged business, women-owned business, historically black colleges and universities (HBCU), and advising the Under Secretary and other officials on matters relating to the program.

(b) The Head of the Contracting Activity, or designee, in addition to the requirements of FAR 19.201(b), shall be responsible for:

(1) Establishing annual goals for the small disadvantaged business programs; and

(2) Appointing, as prescribed in FAR 19.201(d), a small and disadvantaged business specialist (SDBS) for each contract office.

(c) The small and disadvantaged business specialist (SDBS) shall serve as advisor to the Head of the Contracting Activity, and shall be the contracting activity's central point of contact for inquiries and advice pertaining to the small business and small disadvantaged business program. The SDBS shall be responsible for:

(1) Maintaining a program to locate capable small business, small disadvantaged business, and women-owned business sources to fulfill the Department's acquisition requirements;

(2) Coordinating inquiries and requests for advice from small business, small disadvantaged business, women-owned business concerns and HBCU on DOL contracting and subcontracting opportunities and other acquisition matters;

(3) Ensuring that contracting offices are kept abreast of new or revised small business, small disadvantaged business, women-owned business and HBCU regulations, policies, procedures and other related information;

(4) Assisting in the Agency's advance acquisition planning process;

(5) Reviewing all requirements to assure that small business, small disadvantaged business, women-owned business, businesses located in labor surplus areas (LSA) and HBCU will be afforded an equitable opportunity to compete, and as appropriate, initiating recommendations for small business set-asides;

(6) Reviewing proposed requirements for possible breakout of items or services suitable for acquisition from participants of the small and disadvantaged business programs;

(7) Attending, as appropriate, debriefings to unsuccessful small business and small disadvantaged business concerns to assist those firms in understanding requirements for responsiveness and responsibility so that the firm may be able to better qualify for future awards;

(8) Participating in the evaluation of small business and small disadvantaged business subcontracting plans for prime contractors and other evaluation activities, as appropriate;

(9) Maintaining a list of products and services which have been placed as repetitive small business set-asides;

(10) Developing and maintaining records necessary to demonstrate maximum support for DOL's preferential programs, ensuring compilation of current, accurate, and complete data; and preparing all reports pertaining to program activities;

(11) Participating in the development, implementation, and review of automated source systems to assure that the interest of small business, small disadvantaged business, women-owned business, and HBCU are fully considered;

(12) Participating, as required, in governmental-industry conferences to assist small business, disadvantaged business, women-owned business, and HBCU, including Congressionally-sponsored Federal acquisition conferences, minority business enterprises acquisition seminars, and business opportunity committee meetings;

(13) Initiating action, in writing, with appropriate personnel to assure the availability of adequate specifications and drawings, when necessary, to obtain small business, small disadvantaged business, women-owned business and HBCU participation in current and future acquisitions.

2919.202 Specific policies.

2919.202-1 Encouraging small business participation in acquisitions.

In addition to the requirements prescribed by FAR 19.202-1, contracting officers shall:

(a) Afford the SBA Procurement Center Representative (PCR) an opportunity to review all solicitations expected to exceed $2,500 which have not been set aside for small business, prior to release to the public. The SBA PCR shall be allowed a period of two working days to review the solicitation, depending on the complexity of the individual acquisition;

(b) Synopsize all proposed acquisitions expected to exceed $10,000 in the Commerce Business Daily (CBD) in accordance with the requirements of Pub. L. 98-72 and FAR Subpart 5.2;

(c) Synopsize subcontract opportunities in the CBD in accordance with the requirements in FAR 5.206, where applicable, including Numbered Note 65 or 100, when appropriate, in the CBD synopsis message; and

2919.202-2 Locating small business sources.

(a) It is the policy of the DOL to utilize the services of the SBA Procurement Automatic Source System (PASS) to identify small and small disadvantaged business sources. Obtaining sources from PASS or from local mailing lists does not negate the requirement that the contracting officer advertise the acquisition in accordance with FAR 5.

(b) Historically black colleges and universities shall be considered as sources for fulfilling requirements except for small business set-asides.

2919.202-5 Data collection and reporting requirements.

In addition to the requirements of FAR 19.202-5, DOL Agencies/Offices shall accurately measure the extent of participation by historically black colleges and universities in their acquisitions in terms of the total value of contracts placed with such organizations during each fiscal year, and report data to the OSDBU at the end of the second and fourth quarters of each fiscal year. The OSDBU shall forward the Department's consolidated data to the Department of Education.

2919.202-70 Annual plans and program goals.

(a) Heads of Contracting Activities shall develop annual goals for each category of the small business and small disadvantaged business utilization programs, which shall include projected acquisition awards to small businesses, minority businesses, 8(a) concerns, women-owned businesses, and HBCU.

(1) To the greatest extent possible, the goals shall be based on advance procurement plans, budget justifications, and past performance.

(2) Goals must comply with the criteria established by OSDBU.

(b) Goals are to be submitted to the OSDBU upon request of the Director. OSDBU shall analyze and evaluate proposed goals, consolidate departmental goals and forward such to the Small Business Administration (SBA), the General Services Administration (GSA), and the Minority Business Development Agency (MBDA), Department of Commerce.

(c) OSDBU may be required to negotiate final departmental goals, depending on SBA, GSA, and/or MBDA concurrence or nonconcurrence.

Subpart 2919.5—Set-Asides for Small Business

2919.501 General.

(a) The SDBS shall review individual requirements prior to issuance of solicitations to determine the suitability of the acquisition for award to the SBA under the section 8(a) Program (see FAR 19.803).

(b) When the requirement cannot be awarded under section 8(a) procedures, the SDBS shall review individual requirements to determine the feasibility of small business set-asides in the order of precedence set forth in FAR 19.504. The SDBS recommendation shall be entered on Form DL1-2004, "Small Business Determination," with the reasons for the "pro" or "con" set-aside recommendation. The form shall be placed in the contract file.

(c) Upon receipt of the SDBS recommendation, the contracting officer shall promptly approve or disapprove the SDBS recommendation, stating in writing the reasons for any disapproval. If the contracting officer disapproves the SDBS recommendation, the proposed acquisition shall be promptly referred to the SBA PCR where available, for review; or where no SBA PCR is available, to the Head of the Contracting Activity. All negative recommendations shall be forwarded concurrently to the OSDBU.

(d) All requirements expected to exceed $10,000 which have not been set-aside for small business shall be further reviewed by the SBA PCR, who shall indicate approval or disapproval of the SDBS/contracting officer's negative recommendation on Form DL 1-2004. If the SBA disapproves the SDBS/contracting officer's recommendation, the proposed action shall be appealed as provided in FAR 19.402(c)(3).

(e) All future requirements for products or services previously acquired on a small business set-aside basis and which are not subject to simplified small purchase procedures, shall be acquired on the basis of a repetitive set-aside.

2919.503 Setting aside a class of acquisitions.

2919.503-70 Class set-aside for construction acquisitions.

(a) Each requirement for construction, alterations, maintenance, and repair (including architect-engineer services), estimated to cost up to $2 million shall be set aside for exclusive small business participation. Such set-asides shall be considered to be unilateral small business set-asides, and shall be withdrawn only in accordance with the procedures of FAR 19.506 and 2919.506 if found not to serve the best interest of the Government.

(b) Small business set-aside preferences for construction acquisitions in excess of $2 million shall be considered on a case-by-case basis under conditions prescribed in FAR 19.502-2.

2919.505 Rejection of set-aside recommendations.

The Under Secretary of Labor shall make final decisions on any appeals of the Administrator of SBA concerning a DOL contracting officer's adverse set-aside recommendation. The contracting officer's written justification in support of the decision to reject the set-aside recommendation shall be approved by the Head of the Contracting Activity. The justification shall then be forwarded for review through the Director, Directorate of Procurement and Grant Management, and the Director, OSDBU, to the Under Secretary of Labor.

2919.506 Withdrawal or modification of set-asides.

Disagreements between the contracting officer and the SDBS concerning withdrawals or modifications of individual or class set-asides shall be resolved by the SBA PCR in the National Office, or by the Head of the Contracting Activity where no SBA PCR is available. The SDBS shall concurrently notify the OSDBU of such disagreements.

Subpart 2919.6—Certificates of Competency and Determinations of Eligibility

2919.602 Procedures.

2919.602-1 Referrals.

Referrals by the contracting officer in accordance with FAR 19.602-1 shall be approved by the head of the contracting activity prior to submission to the appropriate SBA office. The contracting officer shall forward copies of each referral to the Director, OSDBU.

Subpart 2919.7—Subcontracting With Small Business and Small Disadvantaged Business Concerns

2919.705 Responsibilities of the contracting officer under the subcontracting assistance program.

2919.705-3 Solicitations.

The contracting officer shall forward to the OSDBU any solicitation expected to result in a contract exceeding $500,000 ($1 million for construction of a public facility) prior to release to the public to ensure that appropriate subcontracting provisions are included in the Request for Proposals or Invitations for Bids. The OSDBU shall be allowed up to five working days for review of the solicitation, depending on the circumstances and complexity of the individual procurement.

2919.705-4 Reviewing the subcontracting plan.

The OSDBU shall be afforded the opportunity to review subcontracting plans submitted by apparent successful offerors to determine if small and small disadvantaged businesses are afforded the maximum practicable opportunity to participate as subcontractors. OSDBU shall recommend to the contracting officer needed changes to subcontracting plans determined to be unacceptable.

2919.705-5 Awards involving subcontracting plans.

The contracting officer shall forward for review, upon request of the Director, OSDBU, any acquisition package prior to execution of any negotiated contractual document requiring subcontracting plans.

2919.705-6 Postaward responsibilities of the contracting officer.

(a) The contracting officer shall forward to the Director, OSDBU, a copy of any subcontracting plan that was incorporated into a contract or contract modification.

(b) The contracting officer shall maintain a list of active prime contracts containing a subcontracting plan.

(c) Contracting officers shall collect quarterly and semi-annually subcontracting data from contractors required to establish subcontracting plans in support of small and small disadvantaged business concerns. Copies of the semi-annual report, Standard Form 294 (Subcontracting Report for Individual Contracts), and the quarterly report, Standard Form 295 (Summary Subcontracting Report), shall be forwarded to the Director, OSDBU, not later than the 30th day of the month following the close of the reporting period.

2919.708 Solicitation provisions and contract clauses.

Advance approval is required prior to including any small and small disadvantaged business concerns incentive subcontracting provisions in any contract. Requests for approval shall be submitted by the Head of the Contracting Activity through the Director, Directorate of Procurement and Grant Management, to the Director, OSDBU.

Subpart 2919.8—Contracting With the Small Business Administration

2919.802 Selecting firms for DOL acquisitions.

Contracting opportunities marketed by individual 8(a) firms may be reserved for the firm or group of firms which identified the opportunity; however, each 8(a) firm or group of firms nominated by DOL for a specific requirement must be approved by SBA for that particular requirement prior to any DOL technical discussions with the firm(s).

2919.803 Selecting acquisitions for the 8(a) program.

(a) Each DOL Agency shall identify in tentative Annual Advance Procurement Plans acquisitions to be fulfilled by 8(a) firms. Such tentative plans shall provide detailed descriptions of the nature of the services or work, or any other information pertinent to the requirement.

(b) Project officers shall also be responsible for cooperating with the OSDBU to actively locate and identify qualified 8(a) sources and to structure and tailor acquisitions to permit their participation.

2919.810 Contract administration.

(a) Contracting officers, or designees, shall conduct periodic evaluations relative to the performance of an 8(a) contract at various stages of the contract period of performance. Any problems encountered during the performance evaluation which cannot be resolved shall be referred to OSDBU for subsequent review and discussion with the appropriate SBA official.

(b) The OSDBU and SBA are to be notified at least 45 days prior to initiating final action to terminate a section 8(a) contract.

PART 2920—LABOR SURPLUS AREA CONCERNS

Subpart 2920.1—General

Sec.
2920.102 General policy.

Subpart 2920.2—Set-Asides

2920.201 Set-asides for labor surplus area concerns.
2920.201-1 Total set-asides.
2920.201-70 Set-asides for construction acquisitions.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2920.1—General

2920.102 General policy.

It is the policy of the Department of Labor (DOL) to award acquisitions with eligible labor-surplus area (LSA) concerns in accordance with FAR Part 20. Responsibility for implementing the DOL LSA program is assigned to the Office of Small and Disadvantaged Business Utilization.

Subpart 2920.2—Set-Asides

2920.201 Set-asides for labor surplus area concerns.

2920.201-1 Total set-asides.

Acquisitions shall be reviewed for potential combined small business/LSA set-aside consideration in accordance with FAR 19.501 and 2919.501.

2920.201-70 Set-asides for construction acquisitions.

(a) As prescribed in 2919.503-70, all acquisitions for construction, alterations, maintenance and repair (including architect-engineer services) estimated to cost up to $2 million shall be set-aside on a class basis for combined small business/LSA concern when the construction site is located in a LSA.

(b) Small business/LSA set-aside preference for construction acquisitions in excess of $2 million shall be considered on a case-by-case basis under conditions prescribed in FAR 20.201-1.

PART 2922—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Subpart 2922.1—Basic Labor Policies

Sec.
2922.101 Labor relations.
2922.101-3 Reporting labor disputes.
2922.101-4 Removal of items from contractor facilities affected by work stoppage.
2922.103 Overtime.
2922.103-4 Approvals.

Subpart 2922.6—Walsh-Healy Public Contracts Act

2922.604 Exemptions.
2922.604-2 Regulatory exemptions.
2922.608 Procedures.
2922.608-4 Award pending final determination.

Subpart 2922.8—Equal Employment Opportunity

2922.804 Affirmative action programs.
2922.804-2 Construction.
2922.805 Procedures.
2922.807 Exemptions.

Subpart 2922.13—Special Disabled and Vietnam Era Veterans

2922.1303 Waivers.
2922.1306 Complaint procedures.

Subpart 2922.14—Employment of the Handicapped

2922.1403 Waivers.
2922.1406 Complaint procedures.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2922.1—Basic Labor Policies

2922.101 Labor relations.

2922.101-3 Reporting labor disputes.

Potential or actual labor disputes that may interfere with contract performance shall be reported by the contracting activity to the Office of the Solicitor for legal advice or assistance.

2922.101-4 Removal of items from contractor facilities affected by work stoppage.

Prior to initiating any action under FAR 22.101-4 for removal of items from contractors' facilities, the contracting officer shall obtain legal advice from the Office of the Solicitor.

2922.103 Overtime.

2922.103-4 Approvals.

The Head of the Contracting Activity is authorized to approve the use of overtime in accordance with the limitations in FAR 22.103-4(a).

Subpart 2922.6—Walsh-Healy Public Contracts Act

2922.604 Exemptions.

2922.604-2 Regulatory exemptions.

The Secretary of Labor may exempt contracts from the Walsh Healy Public Contracts Act under FAR 22.604(c). A written finding justifying the exemption (see FAR 22.604-2(c)) shall be submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2922.608 Procedures.

2922.608-4 Award pending final determination.

The contracting officer's certification for award under FAR 22.608-4(a) shall be approved by the Head of the Contracting Activity.

Subpart 2922.8—Equal Employment Opportunity

2922.803 Responsibilities.

Matters involving the applicability of Executive Order 11246 and implementing regulations of the Secretary of Labor to an acquisition or a class of acquisitions shall be reduced to writing by the contracting officer and forwarded through the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for resolution.

2922.804 Affirmative action programs.

2922.804-2 Construction.

Heads of Contracting Activities are responsible for maintaining lists of geographical areas subject to affirmative action requirements under FAR 22.804-2. Lists of areas for which OFCCP has designated specific affirmative action requirements are available through OFCCP. The list, including updates or revisions, shall be distributed to all contract offices which acquire construction.

2922.805 Procedures.

The contract office shall maintain ample supplies of the poster (OFCCP-1420) entitled, "Equal Opportunity is the Law" for use as required in FAR 22-805(b). The poster (stock number 7690-00-926-8988) may be ordered from the nearest regional GSA Supply Depot.

2922.807 Exemptions.

(a) The Assistant Secretary for Administration and Management shall make the determinations in FAR 22.807(a)(1).

(b) Requests for exemptions under FAR 22.807 (a)(1), (a)(2), and (b)(5) shall be submitted in writing in accordance with FAR 22.807(c) by the contracting officer, through the Head of the Contracting Activity, to the Director, Directorate of Procurement and Grant Management, for further action.

Subpart 2922.13—Special Disabled and Vietnam Era Veterans

2922.1303 Waivers.

(a) The Assistant Secretary for Administration and Management is authorized to (1) waive any or all terms of the clause at FAR 52.222-35, Affirmative Action for Special Disabled and Vietnam Era Veterans, under the conditions prescribed in FAR 22.1303(a) and (2) waive any requirement in FAR Subpart 22.13 as prescribed in FAR 22.1303(b).

(b) Requests for waivers under (a) above shall be made in writing by the contracting officer and submitted through the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2922.1306 Complaint procedures.

The contracting office shall forward complaints received about the Administration of the Vietnam Era Veterans Readjustment Assistance Act of 1972 directly to the Assistant Secretary for Veteran's Employment Service, DOL, as prescribed in FAR 22.1306.

Subpart 2922.14—Employment of the Handicapped

2922.1403 Waivers.

(a) The Assistant Secretary for Administration and Management is authorized to (1) waive any or all of the terms of the clause at FAR 52.222-36, Affirmative Action for Handicapped Workers, under the conditions prescribed in FAR 22.1403(a) and (2) waive any requirement in FAR Subpart 22.14 as prescribed in FAR 22.1403(b).

(b) Requests for waivers under (a) above shall be made in writing by the contracting officer and submitted through the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management.

2922.1406 Complaint procedures.

The contracting office shall forward complaints received about administration of section 503 of the Rehabilitation Act of 1973, as amended, directly to the OFCCP as prescribed in FAR 22.1406.

PART 2923—ENVIRONMENT, CONSERVATION, AND OCCUPATIONAL SAFETY

Subpart 2923.1—Pollution Control and Clean Air and Water

Sec.

2923.104 Exemptions.
2923.107 Compliance responsibilities.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2923.1—Pollution Control and Clean Air and Water

2923.104 Exemptions.

(a) The Assistant Secretary for Administration and Management is authorized to exempt controls from the requirements of FAR Subpart 23.1 under the conditions in FAR 23.104(c).

(b) Requests for exemption shall be made in writing by the contracting officer and forwarded through the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2923.107 Compliance responsibilities.

Conditions involving noncompliance with clean air or water standards in facilities used in performing nonexempt contracts shall be reported in writing by the contracting officer to the Head of the Contracting Activity for transmittal directly to the EPA Administrator in accordance with FAR 23.107. A copy of the report shall be promptly sent to the Director, Directorate of Procurement and Grant Management.

PART 2924—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

Subpart 2924.1—Protection of Individual Privacy

Sec.
2924.103 Procedures.

Subpart 2924.2—Freedom of Information Act

2924.202 Policy.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2924.1—Protection of Individual Privacy

2924.103 Procedures.

See 29 CFR Part 70a.—Protection of Individual Privacy on Records, for the DOL Regulations relating to the maintenance or disclosure of information from systems of records on individuals.

Subpart 2924.2—Freedom of Information Act

2924.202 Policy.

See 29 CFR Part 70—Examination and Copying of Department of Labor Records, for the DOL regulations implementing the Freedom of Information Act.

PART 2925—FOREIGN ACQUISITION

Subpart 2925.1—Buy American Act—Supplies

Sec.
2925.102 Policy.
2925.105 Evaluating offers.
2925.108 Excepted articles, materials, and supplies.

Subpart 2925.2—Buy American Act—Construction Materials

2925.202 Policy.
2925.203 Evaluating offers.
2925.204 Violations.

Subpart 2925.3—Balance of Payments Program

2925.302 Policy.
2925.304 Excess and non-excess foreign currencies.

Subpart 2925.7—Restrictions on Certain Foreign Purchases

2925.703 Exceptions.

Subpart 2925.9—Omission of the Examination of Records Clause

2925.903 Conditions for omission.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2925.1—Buy American Act—Supplies

2925.102 Policy.

(a) The Assistant Secretary for Administration and Management shall make the determinations prescribed in FAR 25.102 (a)(2) and (a)(3).

(b) The Director, Directorate of Procurement and Grant Management, shall make the determination prescribed in FAR 25.102(a)(4) in accordance with the procedures in 2925.106.

(c) Determinations under (a) above shall be prepared by the contracting officer and submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2925.105 Evaluating offers.

(a) In unusual circumstances, the Assistant Secretary for Administration and Management may determine to use evaluation differentials other than those prescribed in FAR 25.105 for a particular acquisition.

(b) Requests for use of other evaluation differentials shall be directed by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management for further action.

2925.108 Excepted articles, materials, and supplies.

(a) Determinations for additional articles, materials, and supplies not included in the list under FAR 25.108(d) shall be made by the Director, Directorate of Procurement and Grant Management.

(b) Determinations shall be prepared by the contracting officer and submitted by the Head of the Contracting Activity for approval.

(c) Contracting activities which have information justifying the removal of an item from the list under FAR 25.108(d) shall submit such information to the Director, Directorate of Procurement and Grant Management, for further disposition as prescribed in FAR 25.108(c).

Subpart 2925.2—Buy American Act—Construction Materials

2925.202 Policy.

(a) The Assistant Secretary for Administration and Management shall make the determinations prescribed in FAR 25.202(a)(2) and 2925.203.

(b) The Director, Directorate of Procurement and Grant Management, shall make the determination prescribed in FAR 25.202(a)(3) in accordance with the procedures in 2925.108.

(c) Determinations under (a) above shall be prepared by the contracting officer and submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2925.203 Evaluating offers.

Unless the Assistant Secretary for Administration and Management determines otherwise, when the cost of a comparable domestic construction material exceeds by more than 6 percent for large business or 12 percent for small business or labor surplus area set-aside the cost of a foreign construction material proposed in an offer, use of the domestic construction material would unreasonably increase the cost of the contract and use of the foreign construction material is authorized and acceptable. This evaluation shall be made for each foreign construction material proposed in an offer and not specifically excepted by the solicitation. The cost of construction material shall be computed to include all delivery costs to the construction site, and the cost of foreign construction material shall also include any applicable duty (whether or not a duty-free entry certificate may be issued). The acceptable offer that remains low after adding (for evaluation purposes only) 6 percent or 12 percent, as applicable, of the cost of all foreign construction materials shall be considered the successful offer. The contract awarded under these circumstances shall contain a list of the authorized foreign construction materials as required by FAR 25.202(c) and the clause at FAR 52.225–5, Buy American Act—Construction Materials.

2925.204 Violations.

Failure of the contractor to comply with the clause at FAR 52.225–5, Buy American Act—Construction Materials, shall be documented in a report by the contracting officer and submitted to the Head of the Contracting Activity for initiation of debarment action in accordance with Subpart 2909.4.

Subpart 2925.3—Balance of Payments Program

2925.302 Policy.

(a) The Director, Directorate of Procurement and Grant Management, shall make the determination prescribed in FAR 25.302(b)(3) and 25.304(c). Differentials greater than 50 percent may be authorized as prescribed in FAR 25.302(c).

(b) Determinations under (a) above shall be prepared by the contracting officer and submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2925.304 Excess and non-excess foreign currencies.

The Director, Directorate of Procurement and Grant Management, shall consult with the Office of Management and Budget as required in FAR 25.304(c) prior to making the determination in 2925.302(a).

Subpart 2925.7—Restrictions on Certain Foreign Purchases

2925.703 Exceptions.

(a) The Assistant Secretary for Administration and Management is authorized to approve exceptions, as prescribed in FAR 25.703, for all contracts other than small purchases.

(b) Determinations under (a) above shall be prepared by the contracting officer and submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

Subpart 2925.9—Omission of the Examination of Records Clause

2925.903 Conditions for omission.

(a) The Assistant Secretary for Administration and Management shall make the determination prescribed in FAR 25.903 (a)(1) and (a)(2).

(b) Determinations under (a) above shall be prepared by the contracting officer in accordance with the requirements of FAR 25.904 and submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

(c) The report required by FAR 25.903(b) shall be prepared and forwarded by the Directorate of Procurement and Grant Management.

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 2928—BONDS AND INSURANCE

Subpart 2928.2—Sureties

2928.203 Options in lieu of sureties.

Upon receipt of any of the types of securities listed in FAR 28.203–1 (except bonds or notes received in the District of Columbia) or FAR 28.203–2, the contracting officer shall turn the securities over to the finance office.

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2929—TAXES

Subpart 2929.1—General

Sec.

2929.101 Resolving tax problems.

Subpart 2929.3—State and Local Taxes

2929.303 Applications of State and local taxes to Government contractors and subcontractors.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2929.1—General

2929.101 Resolving tax problems.

Contract tax problems or questions shall be referred by the contracting officer to the Office of the Solicitor for resolution.

Subpart 2929.3—State and Local Taxes

2929.303 Applications of State and local taxes to Government contractors and subcontractors.

(a) Contractors to be treated as agents of the Government for the purposes set forth in FAR 29.303(a) shall require the written review and approval of the Assistant Secretary for Administration and Management.

(b) Requests for approval under (a) above shall be submitted by the Head of the Contracting Activity, through the Office of the Solicitor, to the Director, Directorate of Procurement and Grant Management, for further action.

PART 2930—COST ACCOUNTING STANDARDS

Subpart 2930.3—CAS Contract Requirements

2930.304 Waiver.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to waive CASB requirements as provided in FAR 30.304(c).

(b) Requests for waivers under (a) above shall be prepared by the contracting officer as prescribed in FAR 30.304(a) and submitted by the Head of the Contracting Activity.

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2931—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 2931.1—Applicability

2931.101 Objectives.

Individual and class deviations concerning cost principles in FAR Part 31 shall be processed as prescribed in Subpart 2901.4.

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2932—CONTRACT FINANCING

Subpart 2932.1—General

Sec.

2932.102 Description of contract financing methods.

Subpart 2932.4—Advance Payments

2932.402 General.

Subpart 2932.5—Progress Payments Based on Costs

2932.502 Preaward matters.
2932.502–2 Contract finance office clearance.

Subpart 2932.6—Contract Debts

2932.605 Responsibilities and cooperation among Government officials.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2932.1—General

2932.102 Description of contract financing methods.

(a) Progress payments based on a percentage or stage of completion accomplished are authorized for use in contracts for construction, alteration, or repair.

(b) The Head of the Contracting Activity, or designee, is authorized to approve the use of progress payments based on percentage or stage of completion accomplished for contracts other than those listed in (a) above.

(c) Requests for approval under (b) above shall be in the form of a written determination by the contracting officer that:

(1) Use of progress payments based on costs (see FAR Subpart 32.5) is impracticable; and

(2) Adequate measures exist for determining percentage or stage of completion as a basis for determining payment.

Subpart 2932.4—Advance Payments

2932.402 General.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to approve findings and determinations and contract terms for advance payments as prescribed in FAR Subpart 32.4.

(b) The contracting officer shall review and analyze the contractor's application for advance payments to determine if it meets the information requirements of FAR 32.408. Applications which do not contain the required information shall not be processed until such information is obtained from the contractor.

(c) The contracting officer shall submit a recommendation for approval or disapproval of the contractor's request through the Head of the Servicing Finance Office (see FAR 32.402(e)(2)) to the Head of the Contracting Activity for transmittal to the Director, Directorate of Procurement and Grant Management, under (a) above. Recommendations which do not

contain the information required by FAR 32.409-1 or FAR 32.409-2 will not be processed by the Directorate of Procurement and Grant Management.

Subpart 2932.5—Progress Payments Based on Costs

2932.502 Preaward matters.

2932.502-2 Contract finance office clearance.

(a) The contracting officer shall obtain the approval of the Head of the Contracting Activity before providing a progress payment rate higher than the customary rates prescribed in FAR 32.501-1.

(b) For deviations to progress payment terms prescribed under FAR Part 32, the contracting officer shall obtain approval as prescribed in 2901.403.

(c) The contracting officer shall obtain the approval of the servicing finance office for the contract before taking the action in FAR 32.502-2.

Subpart 2932.6—Contract Debts

2932.605 Responsibilities and cooperation among Government officials.

(a) The DOL contracting officer has primary responsibility for determining the amount of contract debt and notifying the cognizant finance office of such debt due the Government. The servicing DOL finance office making payments under the contract has primary responsibility for debt collection.

(b) Each DOL Agency/Office is responsible for developing an internal debt collection system and prescribing internal procedures for collection of debts, including contract debts covered under FAR Subpart 32.6. Agency/Office procedures should be in conformance with policies and procedures issued by DOL.

PART 2933—DISPUTES AND APPEALS

Sec.
2933.003 Applicability.
2933.003-70 Department of Labor Board of Contract Appeals.
2933.009 Suspected fraudulent claims.
2933.011 Contracting officer's decision.
2933.012 Contracting officer's duties upon appeal.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

2933.003 Applicability.

(a) The Assistant Secretary for Administration and Management shall make the determination prescribed under FAR 33.003(b).

(b) Determinations under (a) above shall be submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

2933.003-70 Department of Labor Board of Contract Appeals.

(a) The Department of Labor Board of Contract Appeals (LBCA) is authorized by the Secretary to consider and determine appeals from decisions of contracting officers arising under a contract or relating to a contract made by the Department or any other executive agency when such agency or the Administrator of the Office of Federal Procurement Policy has designated the LBCA to decide the appeal.

(b) The address of the LBCA is 1111 20th Street, NW., Washington, DC 20036.

(c) The LBCA rules of procedure are contained in 41 CFR Part 29-60.

2933.009 Suspected fraudulent claims.

The contracting officer shall refer all matters relating to suspected fraudulent claims by a contractor under the conditions in FAR 33.009 to the Office of the Inspector General for further action or investigation.

2933.011 Contracting officer's decision.

The written decision required by FAR 33.011(a)(4) shall include, in the paragraph listed under FAR 33.011(a)(4)(v), specific reference to the Department of Labor Board of Contract Appeals (LBCA), 1111 20th Street, NW., Washington, DC 20036, and its procedures under 41 CFR Part 29-60. The LBCA optional small claims (expedited) procedures and accelerated procedures under 41 CFR 29-60.211 shall also be referenced as required by FAR.

2933.012 Contracting officer's duties upon appeal.

(a) When a notice of appeal has been received, the contracting officer shall endorse on the appeal the date of mailing (or the date of receipt if the notice was not mailed) and forward it to the LBCA by certified mail within five (5) days of receipt. The Solicitor of Labor shall also be notified of the appeal by the contracting officer. See 41 CFR 29-60.203.

(b) The contracting officer shall prepare and transmit the data, documentation, and information required by 41 CFR 29-60.205 in the form of an appeal file and appellant or appellants counsel within 30 days after receipt of a notice of appeal or advice that an appeal has been docketed by the LBCA.

SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING

PART 2935—RESEARCH AND DEVELOPMENT CONTRACTING

Sec.
2935.015 Contracts for research with educational institutions and nonprofit organizations.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

2935.015 Contracts for research with educational institutions and nonprofit organizations.

(a) Heads of contracting activities shall furnish to the Director, Directorate of Procurement and Grant Management, copies of basic agreements pertaining to R&D with educational institutions and nonprofit organizations in accordance with 2916.702.

(b) The Director, Directorate of Procurement and Grant Management, shall furnish the list required under FAR 35.015(b)(3) to the FAR Secretariat.

PART 2936—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

Subpart 2936.2—Special Aspects of Contracting for Construction

Sec.
2936.201 Evaluation of contractor performance.
2936.202 Specifications.
2936.209 Construction contracts with architect-engineer firms.

Subpart 2936.5—Contract Clauses

2936.518 Quantity surveys.

Subpart 2936.6—Architect-Engineer Services

2936.602 Selection of firms for architect-engineer contracts.
2936.602-1 Selection criteria.
2936.602-2 Evaluation boards.
2936.602-3 Evaluation based functions.
2936.602-4 Selection authority.
2936.602-5 Short selection processes for contracts not to exceed $10,000.
2936.603 Collecting data on and appraising firms' qualifications.
2936.604 Performance evaluation.
2936.606 Negotiations.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2936.2—Special Aspects of Contracting for Construction

2936.201 Evaluation of contractor performance.

(a) The Head of the Contracting Activity shall establish procedures to evaluate construction contractor performance and prepare performance reports as required by FAR 36.201. Normally, the performance report shall be prepared by the contracting officer's authorized representative or other official who was responsible for

monitoring contract performance and who is qualified to evaluate overall performance. DOL Agency/Office procedures shall prescribe instructions for review of the report, prior to distribution, as prescribed in FAR 36.201(b).

(b) Performance reports shall be made using Standard Form 1420, Performance Evaluation (Construction), as prescribed in FAR 36.701(e). Details concerning unsatisfactory performance including Government notification to the contractor as required by FAR 36.201(a)(3), and written comments by the contractor, shall also be included in the report.

(c) Performance reports shall be distributed to the Heads of Contracting Activities or designee for filing and other points required by DOL Agency/Office procedures. Copies of all reports shall also be promptly forwarded to the Director, Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, for central filing. All reports shall be retained for six years after the date of the report by the Office of Procurement and Grant Policy.

(d) Before making a determination of prospective contractor responsibility, the contracting officer may contact the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, for information regarding performance evaluation reports on file, unless other procedures are prescribed in DOL Agency/Office instructions.

2936.202 Specifications.

When "brand name or equal" product descriptions are necessary, the requirements of 2910.004-70 shall be followed.

2936.209 Construction contracts with architect-engineer firms.

(a) As required by FAR 36.209, no contract for construction of a project shall be awarded to the firm that designed the project or its subsidiaries or affiliates without the written approval of the Director, Directorate of Procurement and Grant Management.

(b) Requests for approval under (a) above shall be made by the Head of the Contracting Activity, through the appropriate Office of the Solicitor, to the Director, Directorate of Procurement and Grant Management. The request shall include the reason(s) why award to the design firm is required; an analysis of the facts involving potential or actual organizational conflicts of interest including benefits and detriments to the Government and the prospective contractor; and the measures which are to be taken to avoid, neutralize, or mitigate conflicts of interest.

Subpart 2936.5—Contract Clauses

2936.516 Quantity surveys.

The Head of the Contracting Activity is authorized to make the determination regarding the impracticability of Government performance of original and final surveys as prescribed in FAR 36.516.

Subpart 2936.6—Architect-Engineer Services

2936.602 Selection of firms for architect-engineer contracts.

2936.602-1 Selection criteria.

Heads of contracting activities are authorized to approve the use of design competition under the conditions in FAR 36.602-1(b).

2936.602-2 Evaluation boards.

Heads of Contracting Activities shall establish procedures for providing permanent or ad hoc architect-engineer evaluation boards as prescribed in FAR 36.602-2. DOL Agency/Office procedures shall provide for the appointment of private practitioners of architecture, engineering, or related professions when such action is determined by the Head of the Contracting Activity to be essential to meet the Government's minimum needs.

2936.602-3 Evaluation based functions.

The selection report required in FAR 36.602-3(d) shall be prepared for the approval of the Head of the Contracting Activity.

2936.602-4 Selection authority.

The Head of the Contracting Activity is authorized to serve as the designated selection authority in accordance with FAR 36.602-4.

2936.602-5 Short selection processes for contracts not to exceed $10,000.

The selection process prescribed in FAR 36.602-5(b) shall be used for architect-engineer contracts not expected to exceed $10,000.

2936.603 Collecting data on and appraising firms' qualifications.

(a) Heads of Contracting Activities which acquire architect-engineer services shall establish procedures to comply with the requirements of FAR 36.603.

(b) Copies of procedures established under (a) above shall be submitted to the Director, Directorate of Procurement and Grant Management, for review and approval. These procedures shall include a list of names, addresses, and telephone numbers of offices or boards assigned to maintain architect-engineer qualification data files. The list shall be updated annually and submitted to the Director, Directorate of Procurement and Grant Management, no later than 30 days after the beginning of each fiscal year.

2936.604 Performance evaluation.

(a) The Head of the Contracting Activity shall establish procedures to evaluate architect-engineer contractor performance as required in FAR 36.604. Normally, the performance report shall be prepared by the contracting officer's authorized representative or other official who was responsible for monitoring contract performance and who is qualified to evaluate overall performance. DOL Agency/Office procedures shall prescribe instructions for review of the report, prior to distribution, as prescribed in FAR 36.604(b).

(b) Performance reports shall be made using Standard Form 1421, Performance Evaluation (Architect-Engineer) as prescribed in FAR 36.702(c). Details covering unsatisfactory performance including Government notification to the contractor as required by FAR 36.604(a)(3) and written comments by the contractor shall also be included in the report.

(c) Performance reports shall be distributed to the Head of Contracting Activities for filing, distribution points in FAR 36.604(c), and other points required by DOL Agency/Office procedures. Copies of all reports shall also be promptly forwarded to the Director, Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, for central filing. All reports shall be retained by the Office of Procurement and Grant Policy for six years after date of the report.

(d) Evaluation boards or contracting offices may contact the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, for information regarding performance evaluation reports on file, unless other procedures are prescribed in DOL Agency/Office instructions.

2936.606 Negotiations.

When a proposal is solicited from an architect-engineer firm selected for negotiations, the contracting officer shall include in the request for proposals a reference to 2936.209 of this title as required by FAR 36.606(c).

PART 2937—SERVICE CONTRACTING

Subpart 2937.1—Service Contracts—General

Sec.
2937.103 Contracting officer responsibility.

Subpart 2937.2—Consulting Services

2937.205 Management controls.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2937.1—Service Contracts—General

2937.103 Contracting officer responsibility.

Personal services contracts (see FAR 37.104) are not authorized.

Subpart 2937.2—Consulting Services

2937.205 Management controls.

(a) Heads of contracting activities having a requirement for consulting or related services by either contract or purchase order to be awarded without competition (regardless of dollar amount) and competitive actions ($50,000 or more) are required to prepare a written justification for such services. This written justification shall be submitted to the Procurement Review Board (PRB) at least 60 days prior to the proposed effective date of the contract. Generally, requests for such services will be scheduled for review by the PRB within 21 working days. Heads of Contracting Activities retain final approval authority for all competitive acquisitions under $50,000. However, a copy of the justification for competitive acquisitions under $50,000 must be forwarded to the Assistant Secretary for Administration and Management and the Inspector General within ten days of approval. Regardless of the type of action planned, the justification shall include the following:

(1) A statement of need which certifies that the requested services do not unnecessarily duplicate any previously performed work.

(2) Nature and scope of the problem, the results expected, and the manner in which the project will relate to an impact on the Contracting Activity administration and/or program management.

(3) That the services described in the request are not prohibited by OMB Circular A–120.

(4) Extent to which in-house staff availability was assessed, and the reasons why procurement of outside services are necessary.

(5) Any additional information or data which support the requirement for a contract.

(6) Name(s) and title(s) of official(s) who will be assigned as project officer(s) to work with the contractor, and who can be contacted for additional information.

(b) In accordance with FAR 37.205(b)(7), all purchase requests for consulting services initiated in the fourth quarter of the fiscal year must be submitted to the Procurement Review Board for action and subsequent approval by the Assistant Secretary for Administration and Management.

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 2942—CONTRACT ADMINISTRATION

Subpart 2942.2—Assignment of Contract Administration

Sec.
2942.202 Assignment of contract administration.
2942.203 Retention of contract administration.

Subpart 2942.6—Corporate Administrative Contracting Officer

2942.602 Assignment and location.

Subpart 2942.7—Indirect Cost Rates

2942.703 Policy.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2942.2—Assignment of Contract Administration

2942.202 Assignment of contract administration.

Unless otherwise prescribed in DOL Agency/Office procedures, the Head of the Contracting Activity is authorized to make the decision on withholding functions in FAR 42.202(b)(2).

2942.203 Retention of contract administration.

Unless otherwise prescribed in DOL Agency/Office procedures, the Head of the Contracting Activity is authorized to perform the review in FAR 42.203(b).

Subpart 2942.6—Corporate Administrative Contracting Officer

2942.602 Assignment and location.

The Head of the Contracting Activity is authorized to approve the need for a corporate administrative contracting officer as prescribed in FAR 42.602(a)(2).

Subpart 2942.7—Indirect Cost Rates

2942.703 Policy.

The Office of Cost Determination, Directorate of Procurement and Grant Management, is responsible for establishing billing rates and indirect cost rates as prescribed in FAR Subpart 42.7.

PART 2943—CONTRACT MODIFICATIONS

Subpart 2943.2—Change Orders

2943.205 Contract clauses.

Heads of Contracting Activities may establish procedures, when appropriate, for authorizing the contracting officer to vary the 30-day period for submission of adjustment proposals to the clauses prescribed by FAR 43.205 (a)(1), (b)(1), (c), and (d).

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2945—GOVERNMENT PROPERTY

Subpart 2945.3—Providing Government Property to Contractors

Sec.
2945.302 Providing facilities.
2945.302–1 Policy.

Subpart 2945.4—Contractor Use and Rental of Government Property

2945.403 Rental—Use and Charges clause.
2945.405 Contracts with foreign governments or international organizations.
2945.407 Non-Government use of plant equipment.

Subpart 2945.6—Reporting, Redistribution, and Disposal of Contractor Inventory

2945.608 Screening of contractor inventory.
2945.608–6 Waiver of screening requirements.
2945.610 Sale of surplus contractor inventory.
2945.610–2 Exemptions from sale by GSA.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2945.3—Providing Government Property to Contractors

2945.302 Providing facilities.

2945.302–1 Policy.

The Head of the Contracting Activity is authorized to make the determination for providing facilities to a contractor as prescribed in FAR 45.302–1(a)(4).

Subpart 2945.4—Contractor Use and Rental of Government Property

2945.403 Rental—Use and Charges Clause.

The Head of the Contracting Activity is authorized to make the determination for changing rent on the basis of use under the clause at FAR 52.245–9 as prescribed in FAR 45.403(a).

2945.405 Contracts with foreign governments or international organizations.

The Head of the Contracting Activity shall establish procedures, when required, for processing requests of

foreign governments or international organizations to use Government property and for recovering costs for such use (see FAR 45.405).

2945.407 Non-Government use of plant equipment.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to approve the non-Government use of plant equipment as prescribed in FAR 45.407.

(b) Requests for approval under (a) above shall be submitted by the Head of the Contracting Activity.

Subpart 2945.6—Reporting, Redistribution, and Disposal of Contractor Inventory

2945.608 Screening of contractor inventory.

2945.608-6 Waiver of screening requirements.

(a) The Director, Directorate of Procurement and Grant Management, is authorized to waive screening requirements as prescribed in FAR 45.608-6.

(b) Requests for waiver shall be submitted by the Head of the Contracting Activity.

2945.610 Sale of surplus contractor inventory.

2945.610-2 Exemptions from sale by GSA.

(a) The Assistant Secretary for Administration and Management is authorized to seek exemptions from sale as prescribed in FAR 45.610-2.

(b) Requests for exemptions shall be submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

PART 2948—VALUE ENGINEERING

Subpart 2948.1—Policies and Procedures

2948.102 Policies.

(a) The Head of the Contracting Activity is authorized to make the determination to extend the sharing base of a value engineering change proposal (VECP) as prescribed in FAR 48.102(e).

(b) The Head of the Contracting activity is authorized to extend the sharing base of a VECP to include the entire contracting activity or any part of it (see FAR 48.102(e)).

(c) When the sharing base is extended under (a) or (b) above, the contracting officer shall specify the base in the contract schedule as required in FAR 48.104-1(a).

(5 U.S.C. 301; 40 U.S.C. 486(c))

PART 2949—TERMINATION OF CONTRACTS

Subpart 2949.1—General Principles

Sec.
49.106 Fraud or other criminal conduct.
49.111 Review of proposed settlements.
49.111-70 Settlement review boards.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2941.1—General Principles

2949.106 Fraud or other criminal conduct.

(a) Whenever fraud, such as falsified documents, false statements, or other criminal conduct related to the settlement of a terminated contract is suspected, the contracting officer shall discontinue negotiations and prepare a report of the facts. The report shall be submitted by the Head of the Contracting Activity to the Assistant Inspector General for Investigations along with copies of documents or other information connected with the suspected violation(s). A copy of the report shall also be submitted to the Director, Directorate of Procurement and Grant Management.

(b) Depending on the findings of the Assistant Inspector General for Investigations, the Head of the Contracting Activity may initiate suspension or debarment action as prescribed in FAR Subpart 9.4 and Supart 2909.4.

2949.111 Review of proposed settlements.

All proposed settlement agreements shall be reviewed by the Office of the Solicitor and approved at a level higher than the contracting officer in accordance with DOL Agency procedures. Settlement agreements of $50,000 or more shall be approved by the Head of the Contracting Activity.

2949.111-70 Settlement review boards.

(a) Heads of Contracting Activities shall establish settlement review boards for the review of each termination settlement or determination of amount due under the termination clause of a contract or approval or ratification of a subcontract settlement when the action involves $50,000 or more.

(b) Settlement review boards may be established for actions below $50,000 when considered desirable by the Head of the Contracting Activity or when specifically requested by the contracting officer.

PART 2951—USE OF GOVERNMENT SOURCES BY CONTRACTORS

Subpart 2951.1—Contractor Use of Government Supply Sources

Sec.
2951.101 Policy.
2951.102 Authorization to use Government supply sources.
2951.102-70 Exclusive use on Government work.

Subpart 2951.2—Contractor Use of Interagency Motor Pool Vehicles

2951.201 Policy.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2951.1—Contractor Use of Government Supply Sources

2951.101 Policy.

It is DOL policy that cost-type contractors should meet their requirements from Government sources of supply when these sources are available to them, and if it is economically advantageous or otherwise in the best interest of the Government.

2951.102 Authorization to use Government supply sources.

(a) The Head of the Contracting Activity may authorize cost-type contractors and subcontractors, where all higher tier contracts and subcontracts are cost-type, to use Government supply sources in accordance with the requirements and procedures in FAR Subpart 51. This authority may be redelegated to the level of contracting officer.

(b) If the contracting officer decides to authorize a contractor to use Government supply sources under the conditions prescribed in FAR 51.102, a written request for a FEDSTRIP activity address code (see FPMR 101-26.203) shall be made directly to the DOL Agency, Headquarters Property Management Office.

2951.102-70 Exclusive use on Government work.

Materials, supplies, and equipment acquired from Government sources of supply under the procedures described herein must be used exclusively in connection with Government work, except as otherwise authorized by the Head of the Contracting Activity.

Subpart 2951.2—Contractor Use of Interagency Motor Pool Vehicles

2951.201 Policy.

If it is in the Government's interest, the contracting officer may authorize cost-reimbursement contractors to obtain, for official purposes only, as

defined in FAR 51.201(a), interagency motor pool vehicles and related services for short-term use under Federal Supply Schedule Industrial Group 751.

SUBCHAPTER H—CLAUASE AND FORMS

PART 2952—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Sec.
2952.000 Scope of part.

Subpart 2952.1—Instructions for Using Provisions and Clauses

2952.102-1 Incorporation by reference.
2952.170 Deviations.

Authority: (5 U.S.C. 301; 40 U.S.C. 486(c)).

2952.000 Scope of part.

This part implements FAR Part 52 which sets forth contract clauses for use in connection with the acquisition of personal property and nonpersonal services (including construction).

Subpart 2952.1—Instructions for Using Provisions and Clauses

2952.102-1 Incorporation by reference.

(a) Preprinted standard general provisions sets will be maintained by the Office of Procurement and Grant Policy, Directorate of Procurement and Grant Management, and distributed to DOL contracting activities for use during the initial FAR and DOLAR familiarization period. Contracting activities will be responsible for inserting necessary additions and alterations into individual contracts to ascertain that the general provisions are current and appropriate to the circumstances of the individual contract.

(b) At a later date, when the FAR general provisions are familiar to both DOL personnel and the Department's contractors, the general provisions will be incorporated by reference.

2952.170 Deviations.

(a) Individual or class deviations of provisions and clauses in FAR Part 52 shall be authorized by the Director, Directorate of Procurement and Grant Management, as prescribed in Subpart 2901.4.

(b) Any FAR provision or clause used with a deviation authorized in accordance with (a) above shall be identified as prescribed in FAR 52.103.

PART 2953—FORMS

Sec.
2953.000 Scope of part.

Subpart 2953.1—General

2953.103 Exceptions.
2953.108 Recommendations concerning forms.
2953.170 Forms for collection of information.

Subpart 2953.2—Prescription of Forms

2953.200 Department of Labor forms.

Subpart 2953.3—Illustration of Forms

2953.300 Scope of subpart.
2953.303 Agency forms.
2953.303-DL 1-1 Department of Labor Form DL 1-1, Requisition for Equipment, Supplies, or Services
2953.303-DL 1-90 Department of Labor Form DL 1-90, Purchase Order
2953.303-DL 1-194 Department of Labor Form DL 1-194, Certification Prior to Acquisition of Filing Equipment
2953.303-DL 1-2004 Department of Labor Form DL 1-2004, Small Business Procurement Determination.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

2953.000 Scope of part.

This part (a) prescribes Department of Labor (DL) forms for use in acquisition, (b) illustrates these forms, and (c) contains procedures for exceptions to forms prescribed in FAR Part 53 or this Part 2953.

Subpart 2953.1—General

2953.103 Exceptions.

(a) Requests for exceptions to standard forms in FAR Part 53 shall be submitted, as prescribed in FAR 53.103, to the Director, Directorate of Procurement and Grant Management, for further action.

(b) Requests for exceptions to Department of Labor (DL) forms in Part 2953 shall be handled as deviations (see Subpart 2901.4).

2953.108 Recommendations concerning forms.

Recommendations concerning forms (see FAR 53.108) shall be made as prescribed in 2901.304(e).

2953.170 Forms for collection of information.

In accordance with the Paperwork Reduction Act of 1980 and 5 CFR Part 1320, DOL Agencies/Offices imposing forms under contracts or subcontracts requiring the collection of information on identical items from 10 or more members of the public must obtain approval from the Office of Management and Budget.

Subpart 2953.2—Prescription of Forms

2953.200 Department of Labor forms.

This subpart prescribes Department of Labor (DL) forms for use in acquisition. Consistent with the approach used in FAR Subpart 53.2, this subpart is arranged by subject matter, in the same order as, and keyed to, the parts of the DOLAR in which the form usage requirements are addressed.

Subpart 2953.3—Illustrations of Forms

2953.300 Scope of subpart.

This subpart contains illustrations of Department of Labor (DL) forms used in acquisition.

2953.303 Agency forms.

This section illustrates Department of Labor (DL) forms specified by the DOLAR for use in acquisitions. The forms are illustrated in numerical order. The subsection numbers correspond with the DL form numbers.

BILLING CODE 4510-23-M

2953.303–DL 1–1 Department of Labor Form DL 1–1, Requisition for Equipment, Supplies, or Services.

U.S. DEPARTMENT OF LABOR REQUISITION FOR EQUIPMENT, SUPPLIES, OR SERVICES (Note General Instructions for Preparation on Reverse Side of Part 1.)	1. REQUISITION NO.	2. BUREAU
	3. PAGE NO. OF_____PAGES	4. DATE
5. ALLOTMENT AND APPROPRIATION	6. DELIVER TO: *(Specify if inside delivery is required)*	
7. FOR INFORMATION CALL *(Name, Ext.)*		
8. SIGNATURE AND TITLE OF APPROVING OFFICER		

9. ITEM NO.	10. STOCK NO.	11. DESCRIPTION OF ARTICLES OR SERVICES *(Double space between items)*	12. QUANTITY	13. UNIT OF ISSUE	14. UNIT PRICE	15. AMOUNT	

TO BE COMPLETED BY SUPPLY ACTIVITY

16. SHIPPED VIA ☐ Freight ☐ Parcel Post ☐ Mail	17. FILLED BY_____ DATE_____	18. PACKED BY_____ DATE_____	19. CHECKED BY_____ DATE_____

20. DATE OF SHIPMENT	21. BILL OF LADING NUMBER	22. ESTIMATED COST OF SHIPMENT

TO BE COMPLETED BY RECEIVING ACTIVITY (Optional – See Instruction No. 6 on Reverse)

23.

SIGNATURE_____ TITLE_____ DATE_____

DL FORM 1-1, REV. OCTOBER 1968

2953.303–DL 1–90 Department of Labor Form DL 1–90, Purchase Order.

Purchase Order

U.S. Department of Labor

Method of Purchase
Form Approved
Budget Bureau No. 48-R101

(See F.S.S. Cir. Ltr. No. B-89)

1. Federal Supply Schedule
2. Federal Supply Service Stock
3. Excess Property Transfer
4. Advertising (P.L. 1709)
5. War Powers Negotiations
6. Other Exemptions from P.L. 1709
7. Miscellaneous

This number must appear on all packages and papers relating to this order!

Order No. (33-40)

Date

Requisition No. | Agency | Form 1099 Required ..... No ☐ Yes ☐ | Page | of

Soc. Sec. #

To

Ship To

Invitation No. | Contract No. | Time for Delivery | Discount Terms

FOB Point | Ship Via | Gov't B/L No.

Item No.		Quantity	Unit	Unit Price	Amount
				Total	

22-DIGIT ACCOUNTING CODE
10-31

Payment will be made after receipt of articles ordered and upon proper completion and submission of invoice in triplicate to:

Signature

Name

Title

(Authorized Purchasing Officer)

Original

DL Form 1-90
(Rev. Jan. 1976)

PURCHASE ORDER TERMS AND CONDITIONS

52.252-2 CLAUSES INCORPORATED BY REFERENCE (Apr 1984) - This contract incorporates the following clauses by reference with the same force and effect as if they were given in full text. Upon request the Contracting Officer will make their full text available:

FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

52.203-1 Officials Not to Benefit (Apr 1984)

52.203-3 Gratuities (Apr 1984)

52.203-4 Covenant Against Contingent Fees (Apr 1984)

52.212-9 Variation in Quantity (Apr 1984) (In the preceding clause, the permissible variations are stated in the schedule)

52.215-1 Examination of Records by the Comptroller General

52.219-13 Utilization of Women-Owned Small Businesses

52.222-3 Convict Labor (Apr 1984)

52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation - General (Apr 1984)

52.222-20 Walsh-Healey Public Contracts Act

52.222-26 Equal Opportunity (Apr 1984)

52.222-36 Affirmative Action for Handicapped Workers (Apr 1984)

52.222-40 Service Contract Act of 1965 - Contracts of $2,500 or Less (Apr 1984)

52.222-41 Service Contract Act of 1965 (Apr 1984)

52.225-3 Buy American Act - Supplies (Apr 1984)

52.232-1 Payments (Apr 1984)

52.232-8 Discounts for Prompt Payment (Apr 1984)(With Alternate 1)

52-233-1 Disputes (Apr 1984)

52.243-1 Changes - Fixed Price (Apr 1984)

52.249-1 Termination for Convenience of the Government (Fixed Price)(Short Form)(Apr 1984)

2953.303–DL 1–194 Department of Labor Form DL 1–194, Certification Prior to Acquisition of Filing Equipment.

Certification Prior to Acquisition of Filing Equipment

U.S. Department of Labor

1. Requisition Number

Instructions

For standards and procedures pertaining to the disposition of records and utilization of filing equipment, refer to DLMS Chapter 1-Records Management.

Prepare original and attach to requisition. Requests originating in the National Office will be routed to Division of Information Storage and Dispositon Policy, DMPS, OASAM. Field locations will route requests to the RA-OASAM.

To:

3. From: (Requesting Office)

This request pertains to: (Check One) ☐ A. Acquisition of filing cabinets

☐ B. Acquisition of other filing equipment

Certification

I hereby certify that actions prerequisite to requesting excess, rehabilitated, or new filing equipment have been completed as indicated below:

☐ a. Agency records have been disposed of in accordance with the General Records Schedules or approved Agency Records Schedules.

☐ b. Retention periods for records no longer required have been reduced to the absolute minimum.

☐ c. Inactive records have been retired to the Federal Records Centers.

☐ d. Contents of filing cabinets have been rehoused in more economical equipment where appropriate. (For example: shelf filing for records; shelving, storage cabinets, and similar equipment for stocks of forms, publications and office supplies.)

☐ e. Filing cabinets are being fully utilized, including top and bottom drawers, for housing records. (Drawers filled to optimum extent - usually 3/4 full to permit ready filing and finding; contents of cabinets that are less than half full have been consolidated.)

☐ f. Filing cabinets have been redistributed within the Agency to meet needs for special types and sizes of cabinets.

☐ g. Stocks of filing cabinets have been reduced to immediate needs and any unneeded cabinets have been reassigned to points of shortage within the Agency or reported as excess to OASAM.

☐ h. The requested equipment will not be used to house records that are eligible for disposition or retirement.

Signature of Agency Records Officer (or Agency Regional Administrator)

Date

Approved:

Signature of Departmental Records Officer or Regional Administrator—OASAM

Date

DL Form 1-194 (Rev. June 1983)

2953.303–DL 1–2004 Department of Labor Form DL 1–2004, Small Business Procurement Determination.

Small Business
Procurement Determination

U.S. Department of Labor

Procurement Office

Name and address of Contracting Officer — Telephone Number

Number and Date of Requisition

Procurement Control Number

1. Description of proposed product and/or service

3. Estimated Cost

4. Proposed period of performance

2. Proposed method of procurement

(a) ____ 8(a) Procedures
(b) ____ 100% Small business/labor surplus area set-aside
(c) ____ 100% Small business set-aside
(d) ____ Partial small business/labor surplus area set-aside
(e) ____ Partial small business set-aside
(f) ____ 100% Labor surplus area set-aside/large business
(g) ____ Unrestricted—proprietary item (explain below)
(h) ____ Unrestricted—Insufficient small business competition (explain below)
(i) ____ Other (specify)

Comments:

5. Has exact item/service been procured previously?

6. Previous contract number:

7. Date of previous award:

8. Previous method of procurement:

9. Total number of responses received:

10. Number of responses from small business:

11. Name and location of previous contractor: ☐ Small business ☐ Large business

12. Total price:

Signature of Contracting Officer — Date

Review by Small and Disadvantaged Business Specialists

____ I concur with the recommendations of the Contracting Officer

____ I do not concur with the recommendations of the Contracting Officer

Comments:

Signature of Small and Disadvantaged Business Specialist — Date

Review by the Small Business Administration's Procurement Center Representative

____ I concur with the recommendations

____ Please solicit additional sources attached

____ I do not concur with the recommendations and request suspension of this procurement action pending an appeal under FPR 1-1.706-2 (a) (1). SBA Form 70 is attached.

Signature of Small Business Administration's Procurement Center Representative — Date

[FR Doc. 85–5060 Filed 3–4–85; 8:45 am]
BILLING CODE 4510-23-C

DL 1-2004
7/82

federal register

Tuesday
March 5, 1985

Part V

Department of Transportation

Federal Aviation Administration

14 CFR Part 23

Airworthiness Standards; Crash-Resistant Fuel Systems; Proposed Rule

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. 24494; Notice No. 85-7]

Airworthiness Standards; Crash-Resistant Fuel Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: This advance notice (1) announces the FAA's intent to incorporate airworthiness standards for crash-resistant fuel systems into Part 23 of the Federal Aviation Regulations (FAR), and (2) invites interested persons to submit specific comments, suggestions, and recommendations to assist the FAA in determining the future course of action regarding this rulemaking activity.

DATE: Comments must be received on or before July 3, 1985.

ADDRESS: Comments on this notice may be mailed in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-204), Docket No. 24494, 800 Independence Avenue, SW., Washington, D.C. 20591, or delivered in duplicate to: Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591. Comments delivered must be marked Docket No. 24494. Comments may be inspected in Room 916 between 8:30 a.m. and 5:00 p.m. on weekdays, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Oscar E. Ball, Aerospace Engineer, Regulations and Policy Office (ACE-110), Aircraft Certification Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. Commercial telephone (816) 374-5688, or FTS 758-5688.

SUPPLEMENTARY INFORMATION:

Comments Invited

This ANPRM is issued under the FAA's policy of soliciting early public participation in rulemaking proceedings. Interested persons are invited to participate in these preliminary rulemaking procedures by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address above. All communications received on or before the closing date for comments will be considered by the Administrator before taking further rulemaking action. Persons wishing the FAA to acknowledge receipt of their comments submmitted in response to this notice must submit with those comments a pre-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 24494." The postcard will be date stamped and returned to the commenters. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket. If it is determined to be in the public interest to proceed with further rulemaking after considering the available data and comments received in response to this advance notice, a Notice of Proposed Rulemaking will be issued.

Availability of ANPRM

Any person may obtain a copy of this ANPRM by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center (APA-430), 800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 426-0858. Communications must identify the notice number of this ANPRM. Persons interested in being placed on the mailing list for future ANPRMs and NPRMs should also request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

This action is taken in the continuing pursuit of improved aviation safety through advances in modern technology and in response to safety recommendations A-80-90 through -95 of the National Transportation Safety Board (NTSB). The NTSB recommended that the FAA:

(1) "Amend the airworthiness regulations to incorporate the latest technology for flexible, crash-resistant fuel lines and self-sealing, frangible fuel line couplings at least equivalent in performance to those used in FAA tests and described in Report No. FAA-RD-78-28 for all newly certificated general aviation aircraft (A-80-90)."

(2) "Amend the airworthiness regulations to incorporate the latest technology for light weight, flexible, crash-resistant fuel cells at least equivalent in performance to those used in FAA tests and described in Report No. FAA-RD-78-28 for newly certificated general aviation aircraft having nonintegral fuel tank designs (A-80-91)."

(3) "Require after a specified date that all newly manufactured general aviation aircraft comply with the amended airworthiness regulations regarding fuel system crashworthiness (A-80-92)."

(4) "Fund research and development to develop the technology and promulgate standards for crash-resistant fuel systems for general aviation aircraft having integral fuel tank designs equivalent to the standards for those aircraft having nonintegral fuel tank designs (A-80-93)."

(5) "Assess the feasibility of requiring the installation of selected crash-resistant fuel system components, made available in kit form from manufacturers, in existing general aviation aircraft on a retrofit basis and promulgate appropriate regulations (A-80-94)."

(6) "Continue to fund research and development to advance the state-of-the-art with the view toward developing other means to reduce the incidence of post-crash fire in general aviation aircraft (A-80-95)."

Report No. FAA-RD-78-28, entitled "Tests of Crash-Resistant Fuel Systems for General Aviation Aircraft," dated March 1978, is available to the public from the National Technical Information Service, Springfield, Virginia 22161.

The U.S. Army has crash-resistant fuel systems in some helicopters and small airplanes, and has been using crash-resistant fuel systems in such aircraft since 1970, apparently with considerable success. Army Document USARTL-TR-79-22E, "Aircraft Crash Survival Design Guide, Volume V—Aircraft Post-Crash Survival", provides information and data pertinent to aircraft crashworthiness and recommends applicable design conditions and criteria.

The FAA Technical Center, Atlantic City, New Jersey, has conducted full-scale crash tests which have demonstrated that fuel system installations with improved crash-resistant bladder cells with crash-resistant flexible hose assemblies and frangible fittings will provide improved crash protection for small airplanes. This testing resulted in the report referenced in the NTSB Recommendations.

Discussion

Based on the foregoing background information and preliminary investigations, the FAA is considering amending Part 23 of the Federal Aviation Regulations (FAR) to require

that airplanes for which new or amended type certificate application is received after the effective date of the amendment, comply with new crash-resistant fuel system airworthiness type certification requirements. The desirability of proposing these new rules results from independent FAA research and testing and in response to NTSB safety recommendations numbered (1), (2), and (3) in the preceding Background paragraph of this ANPRM. In the future, separate rulemaking action may be undertaken to implement NTSB recommendation number (5) on those individual airplane designs determined to require modifications and where those modifications are justified on a cost-benefit basis. The results of ongoing research and development may lead to further rulemaking designed to implement NTSB recommendation numbers (4) and (6).

However, before issuing a Notice of Proposed Rulemaking (NPRM) which would implement NTSB safety recommendations numbered (1), (2), and (3), the FAA has concluded that additional technical and economic data are necessary. Comments are requested concerning a proposed rule or rules based upon the safety recommendations previously cited in this ANPRM.

As the Aviation community is aware, the FAA is considering initiating rulemaking to require improved cabin environment for occupants of small airplanes. It is the intent of any rulemaking to be developed from this ANPRM to improve the fuel system safety to match the crashworthiness of the improved cabin environment. An occupant who survives a crash impact by virtue of an improved cabin environment should not subsequently perish because of inadequate fuel system crash resistance. Comments should consider those fuel system improvements necessary to increase fuel system crash resistance to at least the same level that will result from the improved cabin environment.

After an impact survivable crash, the fuel system should not release a hazardous quantity of fuel which could contact an ignition source. A hazardous quantity of fuel has been defined in specific locations as one quart; however, in cabin areas, the permissible quantity may be reduced.

Economic Impact

It is important to estimate the probable benefits and costs of adopting new rules for fuel systems crash resistance. The FAA requests any estimates available in these areas.

The anticipated benefits will be realized through a reduction in loss of life and property due to post-crash fires. A general study conducted by the NTSB has indicated that the likelihood of fatalities when fire follows a crash is four times greater than if there is no fire.[1] FAA invites submission to the docket of any studies of fatalities and injuries caused by fire occurring after crashes of airplanes which were certificated under Part 23 of the FAR.

The anticipated costs of compliance with a crashworthiness rule for fuel systems would involve five basic areas: certification engineering and testing; actual hardware and material requirements; any incremental labor costs; penalties associated with increased weight, if applicable; and finally, any incremental maintenance expense associated with new fuel systems. These costs for newly type certificated airplanes will differ from the cost for currently certificated airplanes that will need to incorporate fuel system changes on the production line. At this time FAA does not contemplate a general retrofit requirement for aircraft in the present general aviation fleet. However, FAA expects that aircraft produced after a date to be determined will have to satisfy a crash resistance requirement identical to, or similar to, any basic rule adopted for newly certificated aircraft.

The three likely components of crash-resistant fuel system technology to be considered in complying with possible rulemaking are (1) flexible, crash-resistant fuel lines; (2) self-sealing frangible fuel line couplings; and (3) lightweight, flexible, crash-resistant fuel cells. Comments are requested on costs, benefits, and likely effectiveness of these and any other component of such systems. In complying with any rule in this area, it is likely that all will be used in some combination. No determination has been made of specific components of fuel systems that will be required, for either newly certificated aircraft or previously certificated aircraft. It is likely that any rule adopted will set performance standards, rather than specify system components that must be used.

The economic impact of a rule is measured in the net cost of compliance. Net cost is the difference between design, parts, and installation cost for a fuel system meeting any higher certification standard, compared to a system which meets present certification requirements.

In summary, the FAA invites the public to submit information, views, etc., on the following:

1. Cost estimates pertaining to the design, manufacture, and installation of proposed crash-resistant fuel system installations.

a. Commenters should identify whether the cost estimates relate to new type certification programs or to amendments to type certificates for aircraft in production.

b. Each estimate should identify the aircraft engine type and number installed, the number and type of fuel cells, the number of hoses, fittings, and valves which make up the fuel system.

c. Cost estimates should isolate net costs of compliance. For example, a currently produced aircraft may cost the manufacturer $20,000 to install fuel cells, lines, fittings, valves and other elements of the fuel system. The net cost of compliance would be any increment above this amount, rather than the gross cost of a fuel system which complies with a higher crash-resistant standard.

d. Commenter should assume the maximum use of analysis with specific testing of fuel cell designs (such as a drop test).

e. Cost should be detailed and show their relationship to the total cost for testing and certification, as well as a projection of the aircraft unit impact, giving the number of aircraft units over which the cost is amortized.

f. Commenters should indicate any changes they foresee in maintenance expense as a result of a proposed higher fuel system standard.

2. Total annual costs of complying with an improved fuel system proposal should be provided.

3. Availability of crash-resistant components to comply with an improved fuel system rule.

4. Estimates of weight increase penalties, if any, that may result from new fuel system requirements.

5. Suggestions concerning specific requirements to be proposed in the subsequent rulemaking proceeding.

6. Crash resistance limits to be met, such as crash impact speeds, deceleration forces, etc.

7. Information derived from private studies of fatalities and injuries caused by fires occurring after crashes of Part 23 airplanes.

8. Other means available for achieving the objective of the proposed rulemaking that would be potentially less costly than crash-resistant fuel systems.

CONCLUSION: The FAA has determined that this advanced notice of proposed rulemaking action is not considered significant under DOT

[1] *General Aviation Accidents: Post-crash Fires and How to Prevent or Control Them*, NTSB-AAS-80-2, August 1980.

Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). It is premature at this time for the FAA to accurately evaluate the costs and benefits of complying with a proposed airworthiness standard for crash-resistant fuel systems in small airplanes. A full regulatory evaluation will be prepared with the assistance of comments received as a result of this advance notice in conjunction with any notice or proposed rulemaking that may be issued on this subject.

List of Subjects in 14 CFR Part 23

Aviation safety.

(Secs. 313(a) and 601, Federal Aviation Act of 1953, as amended (49 U.S.C. 1354(a) and 1421), 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983))

Issued in Kansas City, Missouri on January 22, 1985.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 85-5308 Filed 3-4-85; 8:45 am]

BILLING CODE 4910-13-M

federal register

Tuesday
March 5, 1985

Part VI

The President

Department of Transportation

Office of the Secretary

Uniform Relocation Assistance and Real Property Acquisition

Presidential Memorandum

DOT Final Rule and Proposed Rule

Federal Register
Vol. 50, No. 43
Tuesday, March 5, 1985

Presidential Documents

Title 3—

The President

Memorandum of February 27, 1985

Memorandum for the Heads of Executive Departments and Agencies

The purpose of this Memorandum is to improve administration and implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Specifically, I hereby direct the following actions:

1. The Presidential Memorandum of September 6, 1973 on this subject is superseded.

2. As with other Administration management improvement initiatives, a lead agency, the Department of Transportation (DOT), is designated to coordinate and monitor implementation of the Act, and consult periodically with State and local governments and other organizations and interest groups affected by administration of the Act.

3. DOT, jointly with the Department of Housing and Urban Development, shall interact with the principal executive departments and agencies affected by the Act in developing Administration policy.

4. Within 90 days of the date of this Memorandum, all affected executive departments and agencies shall propose common regulations under the Act. Within one year of the date of this Memorandum, such departments and agencies shall issue common regulations under the Act. Such regulations shall be consistent with the model policy promulgated by DOT, in consultation and coordination with other affected agencies, and published in final form in the **Federal Register** simultaneously with this Memorandum.

5. DOT shall report annually to the President's Council on Management Improvement, through the Office of Management and Budget, on implementation of the Act.

Ronald Reagan

THE WHITE HOUSE,
Washington, February 27, 1985.

[FR Doc. 85-5298
Filed 2-28-85; 4:14 pm]
Billing code 3195-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 25

[OST Docket No. 79; Amdt. 25-3 (Ref. Notice No. 83-11)]

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act); Acquisition for Federal and Federally-Assisted Programs

AGENCY: Department of Transportation, Office of the Secretary.

ACTION: Final rule.

SUMMARY: This regulation establishes uniform cost-effective policies and procedures governing the implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) (42 U.S.C. 4601) for all programs within the Department of Transportation. This regulation is applicable to both direct Federal programs and projects and to federally-assisted programs and projects undertaken by State and local governments. This regulation also simplifies existing policies and procedures and reduces costs. Further, this rule increases the latitude of State and local government agencies in carrying out the policies set forth in the Uniform Act.

DATES: This regulation is effective July 3, 1985. At the option of the displacing agency, this regulation may be made effective at an earlier date which is not prior to the date of publication in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Mr. Wayne Kennedy, Director, Office of Right-of-Way, FHWA, (202-426-0342); Mr. Reid Alsop, Office of Chief Counsel, FHWA, (202-426-0800); or Mr. Joseph F. Canny, Acting Director, Office of Transportation Regulatory Affairs, OST, (202-426-4220); Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590. Office hours (FHWA) Monday through Friday from 7:45 a.m. to 4:15 p.m., ET. Office hours (OST) Monday through Friday 9:00 a.m. to 5:30 p.m., ET.

SUPPLEMENTARY INFORMATION: In May 1982, the Office of Management and Budget (OMB) formed a Uniform Act Interagency Regulatory Review Working Group to review existing Federal Agency regulations and to develop recommendations for uniform regulations to be issued by each covered agency to implement the Act. In addition to the Working Group, the OMB also established a policy level Interagency Regulatory Review Steering Group. The Steering Group and the Working Group, both chaired by OMB, included representatives from the Department of Housing and Urban Development, the Department of Transportation, the Department of the Interior and the Department of the Army (Corps of Engineers). The Working Group also included the Environmental Protection Agency.

Following its review of the Working Group's recommended model regulation, the policy-level Steering Group recommended that it be published as a proposed regulation for public comment. The Department of Transportation, at the request of the Office of Management and Budget, published the proposed regulation in the Federal Register on Thursday, April 14, 1983, at 48 FR 16197.

One hundred thirty one (131) submissions to the docket were received. Commenters represented Federal, State and local agencies, consultants, State highway agencies, private citizens, and professional organizations.

Comments received were reviewed by the Working Group and a recommended final rule was submitted to the policy-level Steering Group. The Steering Group reviewed this proposed final rule and recommended that it be published.

This regulation is being published by DOT to be used as a model regulation by all other affected agencies. The ultimate goal is to eliminate the present inconsistencies in the treatment of persons whose property is acquired for a Federal or federally-assisted project and ensure that persons displaced by such a project will be treated equitably.

Two appendices are attached to this regulation. Appendix A provides a statement of the Department's intention or interpretation for certain sections of this regulation. Appendix B contains instructions for reporting statistical data.

A Subpart-by-Subpart discussion of comments on the April 14, 1983 notice of proposed rulemaking follows:

Subpart A—General

General Comments.

Two commenters recommended that § 25.10, Definitions, be renumbered and placed immediately following § 25.1, Purpose. This action would place the definition of terms in a more logical order and facilitate the use of the regulations. This recommendation has been adopted. Section 25.10 in the proposed rule has been renumbered as § 25.2 and the remainder of Subpart A renumbered accordingly.

Section 25.2(b) Business.

Several comments were received on the definition of a "business". One commenter suggested that the definition be deleted since it duplicated the definition in the Uniform Act. The other commenters generally favored tightening the definition. The Department believes there is no basis for the suggested changes to the definition as it parallels section 101(7) of the Uniform Act and that the agencies have sufficient latitude within the existing definition to determine whether an "activity" qualifies as a business.

Section 25.2(c) Comparable replacement dwelling.

Numerous comments recommended changes in various parts of this definition. Each of these parts is discussed individually. A number of commenters indicated that defining a comparable replacement dwelling as one which "meets or exceeds" certain requirements was too expensive and would lead to confusion and excessive payments. While the Department intended the language in the proposed rule to cover situations in which housing meeting those requirements is not available, it agrees that confusion might result. Therefore, the Department has deleted reference to housing which exceeds requirements in the final rule.

Other commenters suggested that the use of the "make whole" approach to replacement housing payments makes unnecessary the use of a financial means criterion for comparable replacement housing in § 25.2(c)(6). The Department believes this reflects a slight misunderstanding. The "make whole" approach is the *method* this rule uses to meet the Act's *requirement* that replacement housing must be within a displaced person's financial means in order to be comparable. Other methods are conceivable, e.g., replacement housing cost as a percentage of the displaced person's income. However, the Department has chosen the "make whole" approach. This reflects its view that if a displaced person is made whole, then the replacement housing is within his/her financial means.

A number of comments revolved around the proposed requirement that replacement dwellings must be "functionally equivalent" to the displacement dwelling. These comments both supported and opposed this concept. Those who opposed it indicated that it would result in excessive requirements for comparable replacements housing, (e.g., as in the case of an elderly person living alone in

a large house), or that it would make finding comparable replacement housing very difficult since it would require replacement housing identical to the displacement dwelling.

This latter interpretation was not the Department's intention. Accordingly, it has revised this provision to read, "Functionally similar to the displacement dwelling with particular attention to the number of rooms and living space." (See also Appendix A, Subpart A, § 25.9(c)(2).)

The former objection is based on the view that comparable replacement housing need be only adequate in size to accommodate the displaced person. The Department cannot support this view in light of the statutory provision that the purpose of relocation assistance is that displaced persons "* * * shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole."

Commenters also objected on a closely related matter—whether replacement housing for tenants must meet the standard of comparability, or a standard that it be decent, safe, and sanitary and adequate in size to meet their needs. The Department believes that it was the intent of Congress that the former standard be adopted for both tenants and owners and the regulation reflects this position in § 25.2(c)(2).

Numerous commenters objected to the use of the term "currently available" in § 25.2(c)(5) as a requirement for a comparable replacement dwelling. The intent of the word "currently" is merely to require that replacement housing actually be available to a displaced person when it is presented as a referral. Thus, a unit available prior to referral but not available at the time of referral does not meet this requirement.

A large number of commenters indicated that the reference to adverse environmental conditions in § 25.2(c)(3) should be dropped because they considered the requirement to be administratively burdensome. The Department carefully considered these comments, but it decided to retain this language. The Department believes that this is consistent with Congresssional intent that factors beyond the physical condition of the dwelling itself should be considered when determining the acceptability of a replacement dwelling. One purpose of the requirement is to provide the opportunity to ameliorate minority concentrations.

Section 25.2(d) Contributes materially.

Numerous commenters expressed concern about the meaning and application of this term. Therefore, the Department has provided a definition of the term which includes a method for determining material contribution.

Section 25.2(e) Decent, safe, and sanitary dwelling.

A number of commenters suggested changes to the definition of a decent, safe, and sanitary dwelling. One commenter suggested that the definition include a requirement that the dwelling be checked for any possible lead-based paint problems. This had been considered by the Department at the time the proposed rule was being prepared, and it was determined that such a specific requirement was not necessary as it would typically be covered by applicable local housing and occupancy code requirements. Upon further review, it was again decided not to include any specific requirement for checking for lead-based paint problems.

One commenter recommended that the regulation indicate that an Agency's inspection of a dwelling unit is made in connection with determining a displaced person's eligibility for a replacement housing payment and not to assure or guarantee that there will not be deficiencies in the dwelling which may develop at a later date. It has been the position of most Agencies that their inspection does not guarantee that a dwelling has no deficiencies. The Department recognizes that the primary purpose of the inspection concerns eligibility for payment, but it does not believe it is necessary to make such a declaration in the regulations. It does recommend, however, that an Agency should include in its relocation material provided to displaced persons information that clearly describes the nature and purpose of its inspection.

Three comments were received concerning the provision at § 25.2(e)(3) that requires a heating system capable of maintaining a temperature of approximately 70 degrees. It was proposed that the provision be revised to exclude specific reference to a degree level and should be based on normal requirements of the area. The Department believes that there is sufficient flexibility in the regulation to adequately cover the concerns of the commenters and the provision is not changed.

One commenter suggested that the wording "adequate in size" is indefinite and that a more definite criteria be used, such as the square foot requirements in accepted codes. This change was not considered necessary as a "decent, safe, and sanitary dwelling" must meet applicable housing and occupancy codes which normally provide the criteria sought by the commenter.

There were three comments concerning the means of egress from a dwelling unit in a multi-story building. The commenters believed that the provision in the regulation was too restrictive. In the final rule, the Department has revised this provision to require only one means of egress in multi-story buildings, where access is from a common corridor that has at least two means of egress.

Section 25.2(f) Displaced person.

A large number of comments were received concerning the extent of eligibility of a "displaced person" (particularly, a displaced business) for relocation payment when there is a partial acquisition of the real property for the project. The commenters suggested that the regulations be modified to permit an Agency to determine the extent of eligibility of displaced persons for relocation payments when there is a partial acquisition. The Department has considered these comments and agrees with them. The final rule has been modified to adopt the suggestion by addition of a parenthetical sentence at the end of § 25.2(f)(i).

Several comments were received which questioned the need for identifying persons not displaced in § 25.2(f)(2). After consideration, the Department decided to retain the provision stated in the proposed rule in order to avoid confusion, and maximize consistent application of eligibility requirements.

Section 25.2(k) Initiation of negotiations

The definition of "initiation of negotiations" has been revised to accommodate the considerations of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Pub. L. 96-510, "Superfund"). Under Executive Order 12316 (45 FR 42237, August 20, 1981), the Federal Emergency Management Agency (FEMA) is charged with responsibility for providing for the permanent relocation of residents, business, and community facilities where, due to the presence of a hazardous substance, such relocation is necessary to protect the public health or welfare.

It is not at all unusual for those whose property will be purchased under Superfund to have moved from such property once the presence of a hazardous substance is formally identified or a Federal permanent

relocation (buyout) is announced. The Federal Government may well encourage these individuals to leave and will probably provide temporary relocation for them. At the time of enactment of the Uniform Relocation Act of 1970, Superfund had not been passed and the prospect of permanent relocation by the Federal Government in connection with the presence of a hazardous substance was not specifically contemplated. However, it would be inconsistent with both Superfund and the Uniform Act to deny relocation assistance to such individuals for failure to satisfy Uniform Act occupancy requirements solely because they evacuated an area prior to the Agency's develivery to the owner of the initial written offer to purchase real property.

In circumstances where a permanent relocation under Superfund has been formally announced or there has been a Federal or federally coordinated health advisory, and a permanent relocation is later undertaken by the Federal Government, "initiation of negotiations" occurs at the time of such announcement or health advisory. As a result of so defining "initiation of negotiations" owners and tenants will not be prevented from satisfying the 180 day (for owners) and the 90 day (for tenants) occupancy requirements necessary to be eligible for relocation assistance. These occupancy requirements appear at §§ 25.401(a)(1) and 25.402(a)(1) for conventional housing and §§ 25.503(a) and 25.504(a) for mobile homes.

Section 25.2(1) Owner of displacement dwelling.

In reponse to several comments and to increase consistency within the rule, we have moved the definition of an owner of a displacement dwelling from § 25.403(c) to the definitions section. This parallels the inclusion of a definition for a tenant found in the proposed rule.

Other Definitions

A number of commenters suggested that additional definitions in the rule, such as 180-day homeowner, replacement dwelling, displacement dwelling, etc. be included. The Department believes that these terms are self-explanatory and do not require definitions.

Section 25.3 No duplication of payments.

The word "or" has been changed to "and" to be consistent with statutory language. Also, there were Federal Agency comments on this section (formerly numbered § 25.2) Please note a supplemental notice of proposed rulemaking, published elsewhere in today's **Federal Register**, that requests public comment on a change to this section that would preclude duplicate payments under any Federal, state, or local law that would have the same purpose and effect as payments under the Uniform Act.

Section 25.4 Assurances, monitoring and corrective action.

(a) *General.* Six comments were received recommending that assurances of compliance with the Uniform Act only be required on a one time basis rather than on a project basis. This recommendation was adopted in part to permit a one time assurance if, in the judgment of the Federal funding agency, such an assurance will serve to assure compliance with the Uniform Act.

(b) *Prevention of fraud, waste, and mismanagement.* Several commenters noted that this paragraph did not indicate the type of controls considered adequate to prevent waste, fraud, and mismanagement, and they recommended that specific controls be included. The Department believes that the selection and implemention of such controls should be left to the displacing agencies to administer in accordance with applicable State law. Therefore, no change was made in this provision.

Section 25.5 Manner of notices.

Many commenters objected to the need for this section. In recognition of the crucial role of notices in assuring successful relocation of displaced persons, and as an additional source of documentation for agency files, the Department decided to retain this requirement.

Section 25.6 Administration of jointly funded projects.

A number of commenters questioned the reference to policies and procedures in addition to these regulations. They felt that the reference was not needed since these regulations were intended to have government-wide application. While these regulations implement the Uniform Act, agency activities are affected by other statutory and administrative requirements, and, therefore, the reference to them has been retained.

It also was suggested that any agreement between Federal agencies designating a cognizant Federal agency should be made in consultation with the acquiring agencies. While it is expected that this will be done to insure coordination and consultation among involved agencies, the Department has determined that the final designation of a cognizant agency should be done by the involved Federal agencies.

Section 25.9 Recordkeeping and reports.

A number of commenters questioned the requirement to maintain separate files for each acquisition of real property and for each person displaced. The Department is in agreement and it has modified paragraph (a) to require only such records as are sufficient to demonstrate compliance with these regulations.

It was pointed out that § 25.9(b) apparently conflicts with § 25.10(e) regarding confidentiality of records. The wording of § 25.9(b) has been changed to provide that the subject records are confidential only in that they are not to be considered public information.

It also was suggested that § 25.9(c) should be deleted because there is no statutory basis for requiring reports. In order to minimize the reporting burden on agencies implementing the Act, we have limited this requirement so that a report may be required no more frequently than every three years. In addition, we have provided (in Appendix B) a standard report form. This form involves only the basic information needed for effective program management. With only minor modifications, all agencies will be able to use this form for reporting activities under the Uniform Act.

Section 25.10 Appeals.

The final language reflects the following actions taken regarding the wording of the proposed rule:

(a) The consensus of those commenting on this section was that it was unduly restrictive by not allowing agencies with established, workable procedures to continue to use them in an objective review that is an administrative rather than a judicial process. The Department agrees and it has changed the regulation to allow this.

(b) Commenters were virtually unanimous in their objections to including as appealable, issues not so identified in Section 213(b)(3) of the Uniform Act. The Department agrees and, in the final rule, has limited the actions which may be appealed to the eligibility for, or the amount of, a payment.

(c) In response to numerous comments, the minimum time limit for filing appeals has been reduced from 180 days to 60 days after the Agency's determination on the claim. The Department made this change to expedite the appeals process and the

disposition of cases. It believes this allows sufficient time for displacees to prepare appeals. If circumstances make compliance with this timetable unreasonable, the Agency may allow additional time.

(d) A number of commenters objected to the requirements contained in § 25.10(d) through (o) as burdensome and unnecessary. The Department has considered these objections and, in general, agrees. Therefore, it has either eliminated these provisions or substantially simplified them in order to reduce the administrative burden of the regulation.

Section 25.10(b) Actions which may be appealed.

Four commenters specifically questioned if payments made under § 25.106, Expenses Incidental to Transfer of Title to the Agency, and § 25.107, Certain Litigation Expenses, were appealable as indicated in former § 25.9(b), because they relate to compensation under Title III of the Uniform Act, and not Title II.

The Department has made no change. Under Section 303 of the Uniform Act, the displacing agency is required to reimburse the owner for incidental title transfer expenses "to the extent the head of such agency deems fair and reasonable." Similarly in Section 304(c) of the Uniform Act, when the displacing agency attempts to effect a settlement of an inverse condemnation suit outside of court, it is required to include reimbursement for "reasonable attorney, appraisal and engineering fees actually incurred." In both situations, a displacing agency has the discretion to determine what is reasonable under the facts and circumstances of an individual case.

Since section 213(b)(3) of the Uniform Act provides for an appeal as to the eligibility for or the amount of "a payment authorized by this *Act*" (emphasis supplied), and not just Title II of the Act, the Department could not adopt the change proposed.

Subpart B—Real Property Acquisition

Section 25.101(a) General.

Of the 15 parties who commented, 13 opposed and 2 supported the provision which stated that Subpart B (and thus Title III of the Uniform Act) would not apply where the Agency informed an owner that the Agency would not exercise its power of eminent domain and would not acquire the property if a mutually satisfactory agreement could not be reached. Some expressed concern for uninformed property owners. The Department of Interior objected because the national parks contain many private holdings which are purchased on a voluntary basis, and such owners should be entitled to the benefits and protections of Subpart B.

It was apparent from the comments that the Department had not adequately conveyed its intention regarding this provision. As a consequence, § 25.101(a) has been amended to state that Subpart B applies to any acquisition for a Federal or federally-assisted project, except for voluntary transactions. The Appendix to this regulation addresses this matter at length, including criteria for voluntary transactions.

Subpart B clearly applies to acquisitions carried out under the threat of eminent domain, including amicable agreements under such threat. It is the Department's position that Subpart B also applies where there is an intended, planned, or designated project area, and all or substantially all of the property in that area is eventually to be acquired. In this situation, the absence or presence of the threat to use the power of eminent domain is not relevant. The primary determinant is the intention to acquire all or most of the property within a project area.

Where no particular property is required because of the availability of alternative sites, where there is no intention to acquire all or most of the property within a project area, and the owner (or owners) voluntarily reaches an amicable settlement with the acquiring Agency, the Department intends that an Agency may determine, at its option, that the requirements of this Subpart do not apply. In such situations, an owner is free to sell or not to sell, as in the case of a private sector transaction. If an agency wishes to purchase more than one property in a general geographic area on a "voluntary transaction" basis, the Department intends that all owners be treated similarly with respect to eligibility for benefits under the Uniform Act.

Section 25.101(b) Less-than-full-fee interest in real property.

Several comments were made about the use of a specific 50-year or longer term where an Agency is, in effect, acquiring a property through a long-term lease arrangement (in contrast to an acquisition in fee or other permanent interest). Some recommended a shorter time period, and others were, in essence, concerned about setting a specific time limit in this context. It was also apparent that the intent of this paragraph, as written, was not clear.

The Department believes that it is advisable to address the matter of acquisition by leasing in fairly specific terms, and that a specified time period is essential. It is the Department's intention that the 50-year time period be interpreted as a minimum point beyond which the provisions of these regulations are clearly applicable. Fifty years was chosen because that figure was used in a House Report, No. 91–1656, in a related context.

The Department further intends that good judgment be used in dealing with long-term leases which fall short of the 50-year minimum. Generally, it would not be in the public interest to determine that these regulations do not apply solely because the terms of the lease fell marginally short of the 50-year point.

There were two objections to the application of Subpart B to acquisition of easements for rural water systems and other utility systems in low density areas because of the cost impact. One party estimated a 60 to 80 percent increase in the cost of many water system projects.

The Department does not have the authority under the Uniform Act to exempt such projects from the requirements of these regulations and the Uniform Act. However, we would point out that § 25.108, Donations, is designed to deal with such situations. A property owner may decide that the benefits of a new water system far outweigh the damages to his or her property caused by acquisition of an easement to lay the necessary pipe and, as a consequence, could release the Agency from its obligation to either make an appraisal or pay just compensation, or both. The Department emphasizes that this is a property owner option, and not that of the Agency. The United States Constitution guarantees the right to payment of just compensation for the taking of private property for a public purpose.

Section 25.101(c) Federally-assisted projects.

This paragraph addresses the effect of State law on the provisions of Subpart B in the context of federally-assisted projects. The recommendation was made that the Title III assurances to be submitted by a State agency (see § 25.4(a)) include specific reference to State law on which an exception to these requirements is based.

The Department agrees with the intent of the comment. An assurance from a State agency must contain reference to the authority which the State agency believes provides an exemption from the requirements of section 301 and section 302 of the Uniform Act in order to be complete and acceptable. However, the Department believes this is inherent in

the assurance requirement, and that it is not necessary to include a specific regulatory requirement on the point.

Section 25.102(b) Notice to owner.

There were a large number of objections to this paragraph which would require that an owner be given written notice of the Agency's interest in acquiring the owner's real property. Some recommended deletion of the entire paragraph, and others suggested deletion of the "in writing" provision. The most frequently given reason was that the mandatory public hearings, other written notices, and personal contacts by Agency personnel made this requirement redundant, administratively burdensome, and costly.

The Department believes that an owner of real property to be acquired should be informed of that probability as early as is feasible, and should further be informed of the protections provided by law and these regulations.

However, the Department also recognizes that there are several ways of providing this information, and that this will vary depending on the type and size of the project and other circumstances particular to a given situation.

As a consequence, the basic requirement to provide such information has been retained, but the "in writing" proviso has been deleted. This provides an Agency the discretion to determine how it will provide the intended notice.

Section 25.102(c) Appraisal and invitation to owner.

A few commenters expressed the concern that, as written, this action required the Agency to make extraordinary efforts to accommodate an uncooperative owner by providing that owner an opportunity to accompany the appraiser during the inspection of the property.

The Department does not intend that this provision be interpreted in this manner. The statutory requirement is that an owner or designated representative "shall be given an opportunity to accompany the appraiser * * *." The Department does not intend that this opportunity be presented to the owner on a one-time, take-it-or-leave-it basis by the Agency or the appraiser. Nor is it intended to impose an unreasonable burden on the Agency or the appraiser in order to accommodate an owner. Because there is an obligation on the part of both the Agency and the owner to act in a reasonable manner, the Department has decided to retain the wording proposed.

Section 25.102(d) Establishment of offer of just compensation.

One commenter recommended that this paragraph be reworded to require that the offer be in writing and may not be less than the Agency's approved "Report of Review Appraiser."

The Department believes that the intent of this comment has been accomplished by the reference to § 25.104, Review of Appraisals. In addition, the wording used better accommodates those agencies which utilize a multi-level review process. The review process establishes the approved appraisal, and the offer to the owner may not be less than that amount. The offer may exceed the amount of the approved appraisal if, in the judgment of Agency officials, the higher offer reflects just compensation for the property.

Section 25.102(e) Summary statement.

In paragraph (e)(1), it was suggested that the words "if any" should be added between "damages" and "to the remaining real property" to avoid misunderstanding of this requirement. The Department agreed, and made the revision.

Regarding paragraph (e)(3), the question was asked why it was necessary to identify to the fee owner items which he or she has already disclaimed as belonging to a tenant-owner. Another related comment concerned identifying separately held interests in residential property.

The Department believes that it is essential that an Agency's formal offer make it very clear what is included and what is not included in the offer. The example used in paragraph (e)(3) is just one of several that could have been used. The purpose of this requirement is to assure that an owner is adequately informed and has a clear understanding of the Agency's offer. The Department does not intend that minute detail be provided where this would serve no reasonable purpose.

Section 25.102(f) Basic negotiation procedures.

It was noted that this paragraph strongly implies that negotiation contacts must be face-to-face and should be revised to permit negotiations by mail, particularly when an owner lives out-of-State.

While the Department believes that a personal contact is often the most effective way of presenting an offer and answering an owner's questions, it was not intended that negotiation contacts always be limited to a personal, face-to-face conversation. The Department is aware that, on occasion, some Agencies first mail out a written offer and explanatory information, and later follow up with telephone calls or personal visits. Further, it would be unreasonable to require a personal visit to an owner who lives a great distance from the property being acquired. The Department recognizes that there are many ways to assure that the offer is adequately presented and that the owner is properly informed.

One commenter stated that the concept of requesting owners to suggest modifications in the terms and conditions of the purchase will extend most negotiations interminably.

It is not the Department's intention that the Agency solicit suggestions for modification of the terms and conditions of the purchase. However, where the owner volunteers information which he or she believes is important under the circumstances, it is only reasonable and equitable that the Agency give it the consideration it warrants. Further, it is important that an owner be given a reasonable period of time to consider the offer. What is reasonable will obviously depend on a number of things such as the value and complexity of the acquisition, the purpose of the project (which might be of an emergency nature), or the need for an owner to seek assistance because of age or health.

Section 25.102(g) Updating offer of just compensation.

Two commenters recommended that a "significant delay," (following which the appraisals would have to be updated) should refer to a definite 6-month time period.

The Department has not adopted the use of any specific time period following which appraisals would automatically have to be updated or new appraisals obtained. The reasons which cause changes in property value are so varied, and the speed with which they affect value are so different, that any one time period cannot be suitable for all occasions. This is a matter best left to the discretion of Agency officials, with the objective being to offer the full amount of just compensation due at the time the offer is presented to the owner.

Section 25.102(i) Administrative settlement.

Four commenters supported the idea of a management level decision to settle a case at a higher amount, if circumstances warrant, rather than go to court. One opposed it on the basis that this was a judicial function.

The Department believes that this provision will serve to avoid litigation and relieve congestion in the courts.

judicial resolution of a value question is time-consuming and expensive for both the property owner and the Agency. It should be reserved for matters of substance and importance, such as when the dollar differences are substantial or an important principle or precedent is involved in order to minimize litigation costs and limit court caseloads. Provided that it is reasonable, prudent, and in the public interest in a given situation, the Department advocates nonjudicial settlements.

The Department intends that such decisions be made at the Agency management level. Appraisers and review appraisers must not be pressured to adjust their value estimates for the purpose of justifying a settlement.

Several commenters recommended that the requirement for a written justification for the settlement should apply only where Federal funds participate in acquisition costs.

The Department has adopted this recommendation. There are situations where the Uniform Act and this regulation apply because there is Federal participation in some phase of project costs, even though there is no participation in the cost of acquiring the real property for the project. In such situations, a property owner is entitled to a full offer, summary statement, etc., as specified in the Uniform Act. The written justification for an administrative settlement provides a basis for Federal participation in the costs over and above the Agency's original offer. Thus, such an explanation need not be a Federal requirement if a Federal agency is not sharing in additional costs.

However, the Department observes that any public agency should be in a position to justify the expenditure of its funds.

There was also a concern expressed over how detailed the written justification should be. The Department intends that an Agency explain why it is reasonable, prudent, and in the public interest to settle a case at a certain figure over its offer of just compensation rather than go to court. The length of the explanation will depend on the complexity of the issues. A short paragraph may well suffice in a simple situation. In a manner of speaking, this is very similar to the apprisal process. The brief list of items which should be considered in arriving at a decision to settle or not is not all-inclusive.

Section 25.102(j) Payment before taking possession.

Two commenters noted that the language used appeared to preclude a voluntary agreement between the Agency and the landowner for possession by the Agency prior to payment (often called a right-of-entry).

The Department agrees that there are exceptional circumstances where it may be desirable for an Agency to obtain immediate possession of property. Section 301(4) of the Uniform Act makes it clear that payment is to be made to an owner, or made available by deposit with the court, before an Agency takes possession "to the greatest extent practicable" (from the opening sentence of § 301). Thus, there is recognition given to the exceptional case.

The Department has incorporated a provision for use of the right-of-entry process in exceptional circumstances such as for an emergency project. However, unless applicable law provides otherwise, this is at the option of the property owner under this regulation.

One commenter stated that paragraph (j)(2) of this section was inappropriately written, and should simply say that the Agency is to deposit its estimate of just compensation with the court. The concern was that the proposed language would encourage project delays and court backlogs.

The Department does not agree. The intent here is for the Agency to pay the agreed purchase price, or if agreement cannot be reached and a condemnation suit must be initiated, to deposit an amount not less than the Agency's approved appraisal (which sets the floor for the Agency's offer to the property owner) or such other amount as a court has established as a condition for the Agency to obtain possession. This language is very close to that in section 301(4) of the Uniform Act, and should not cause project delays.

Section 25.102(k) Uneconomic remnant.

The comment was made that the definition is arbitrary in that the determination of whether a remainder is uneconomic or not should be a part of the appraisal problem rather than a decision being made by the "Agency."

The Department does not agree with this objection. The intention here is that the Agency, rather than the property owner, have the responsibility to make the final decision on whether a particular remainder is or is not an uneconomic remnant. Since the appraisal process is an Agency activity, an Agency may handle the matter in its appraisals if it prefers.

One commenter stated that, while they agreed with the definition of uneconomic remnant, it would be desirable to make it clear that the test of "little or no utility or value" applies to the highest and best use of the property, and not just to the present use.

The Department believes incorporation of this concept would further complicate an already sufficiently complicated definition. Further, the Department has a greater concern for those owners who must sell an uneconomic remnant to a third party in order to break even, or who must undertake a totally new business in order to take advantage of a changed highest and best use. Both situations described present a significant financial risk to the owner. The Department intends that the Agency offer to assume that risk through an offer to purchase the remainder as an uneconomic remnant.

Section 25.102(m) Fair rental.

There were several objections to this paragraph on the basis that it required two rental value determinations to be made, one based on short-term occupancy, and the other on market rent, which would create additional and unnecessary work.

The Department has revised this paragraph in response to comments received. The thrust of section 301(6) of the Uniform Act is that the rental rate charged a former owner or tenant shall reflect the fact that the Agency can terminate occupancy on short notice. It is fair market rent given those circumstances—thus short-term and market rent would be the same.

Section 25.103 Criteria for appraisals.

One comenter stated that the appraisal standards in this section should provide that the direct benefits to real property from a utility construction project should be offset against the just compensation for the real property acquired, and that such benefits should be established on a simplified basis.

Treatment of project benefits in determining just compensation is controlled by applicable law, either Federal or State. In the case of a direct Federal acquisition, Federal rules of valuation and just compensation apply. In the case of a federally-assisted State project, State law controls. The Uniform Act did not change that. It only provides that the full amount of such just compensation shall be offered the owner.

The level or amount of documentation required for such project benefits is dependent on the complexity of the appraisal problem.

One commenter recommended that existing Agency appraisal criteria which meet the requirements established in

this section should be accepted as fulfilling the requirements. The Department agrees.

Section 25.103(a) Definition of appraisal.

Several commenters recomended incorporation of the concepts of impartial preparation and a defined value. The Department has made these changes.

A question was also raised on whether the independent preparation requirement was intended to affect the use of staff appraisers. The Department does not intend to limit the use of staff personnel in any way.

Section 25.103(b) Standards of appraisal.

Several commenters stated that the wording used implied two different standards of quality—one standard for complex situations, and a lower standard for simple appraisal problems. These commenters believe there should be only one high quality standard, with different requirements for documentation and reporting detail depending upon complexity.

The Department agrees that the language used could be interpreted in this manner and has revised it to clarify the policy.

It was the Department's intention to establish a single, basic quality standard, with different levels of documentation under that standard depending upon the complexity of the appraisal problem. As a part of that process, the Department has established specific requirements for the appraisal of complex acquisitions. The Agency is responsible for setting its own appraisal requirements for noncomplex acquisitions which must be consistent with established and commonly accepted appraisal practice. There were several comments in support of this approach.

A statement was made that it is not clear who is to develop the "Agency" appraisal standards.

"Agency" is defined as the Federal or State agency which acquires the real property (see § 25.2(a)), so generally the acquiring agency would develop its own appraisal requirements. However, other statutory authority may have an impact in this area. For example, under Title 23, United States Code, the State highway agency is responsible for all Federal-aid highway projects, even though they may be carried out at the city or county level. In this case, the State highway agency is the authority responsible for establishing appraisal requirements for Federal-aid highway projects.

Several commenters recommended that the reference to the Uniform Appraisal Standards for Federal Land Acquisition should be deleted.

The Department did not adopt this recommendation. This reference is essential for direct Federal acquisitions because it provides a standard for uniformity in appraisal practice among the Federal agencies which acquire real property directly. With respect to federally-assisted projects, it is applicable to the extent appropriate in the judgment of the Agency.

A comment was received that various items should be added to the listing of required contents of an appraisal. Examples given were legal descriptions, a definition of highest and best use, and a civil rights certification.

The Department believes it has covered the essential core requirements. An Agency may add to these requirements at its discretion.

Section 25.103(b)(2). It was suggested that this paragraph be revised to provide for "at least" a 5-year sales history. The Department has made this suggested change.

Section 25.103(b)(3). There were a significant number of comments expressing concern or opposition to the proposal that the appraisal may be limited to the market approach when there is sufficient market sales data.

The Department has revised this provision. It now places somewhat greater emphasis on inclusion of other approaches to value through reference to "all relevant and reliable approaches to value consistent with commonly accepted professional appraisal practice and the specific appraisal problem." However, the Department believes that in a large number of cases, the market sales approach is sufficient by itself. Utilization of the other approaches adds little if any support to an Agency's offer of just compensation, but may significantly affect the cost of obtaining the appraisal. In order to accommodate this possibility in appropriate circumstances, we have provided that the Agency, at its discretion, may limit the appraisal assignment to the market approach where this approach will reliably support the fair market value, and thus the offer of just compensation.

Section 25.103(b)(4). There were four comments suggesting ways to improve the wording of this paragraph. Three of the four were mainly editorial in nature in that no basic change in approach was recommended. The fourth recommended inclusion of an extensive list of specific items to be covered regarding comparable sales data.

The Department has revised this paragraph along the editorial lines suggested. We did not adopt the suggestion to require inclusion of the 19 specific items of information on the basis that too often many of them would be of marginal significance. Our intent is that comparable sales analysis cover relevant physical, legal, and economic factors, and indicate the parties to the transaction, the party who verified the price and terms of sale, and relevant financing considerations.

Section 25.103(b)(5). Several commenters stated that the requirement for a breakdown between land and improvement values should be deleted. It is the source of many negotiation problems, but is not essential to either the owner or the Agency. The Department has accepted this recommendation.

Section 25.103(c) Influence of projects on just compensation.

It was recommended that "public improvement" should be substituted for "project" in order to conform to the language of the Uniform Act, and to avoid further confusion concerning valuation increases and decreases, since one public improvement may be broken down into several separate projects.

The Department has used the term "project" throughout this regulation. Even though "public improvement" is used in Section 301(3) of the Uniform Act, in the interest of consistency, "project" is used here also and means a public improvement.

The Department agrees with the point being made. For purposes of estimating project related increases and decreases in value, in general, an undertaking which is planned, designed, and intended to operate as a unit should be considered as a project, even though it may be implemented or constructed in segments.

There were objections to use of the phrase "to the extent permitted by applicable law." One commenter suggested it be deleted, and another preferred reference to State law.

The Department has retained the phrase. This provision applies to direct Federal and to federally-assisted State projects. Therefore, reference to State law only is not appropriate. It was not deleted because State law is given precedence by virtue of Section 305 of the Uniform Act.

Section 25.103(d) Owner retention of improvements.

It was stated that this paragraph is difficult to interpret and should be reworded. The Department agrees and has revised it in order to more clearly state the intent.

Section 25.103(e) Qualifications of appraisers.

One commenter recommended that the criteria for minimum qualifications should be more specific to be effective. For example, successful completion of appraisal courses should be stipulated for education requirements.

The Department believes it would be more effective to establish the basic policy that appraiser qualifications be consistent with the difficulty of the appraisal assignment, and leave it to the Agency to establish specific criteria. An Agency will be more knowledgeable of its needs and the general number and quality of the appraisers which are available.

Section 25.103(f) Conflict of interest.

One major Federal Department stated that while it agreed with the objective of prohibiting an appraiser from also acting as the negotiator on the same parcel, it has many low value acquisitions which have been efficiently negotiated by the appraiser who is already familiar with the property and the landowner. Adding a separate negotiator makes the process more difficult and expensive, with no significant additional protection.

It is the Department's objective to minimize the possibility of mismanagement and fraud. Separating appraisals from negotiations serves that end. However, the Department recognizes that this imposes a cost which may not be warranted in all situations, particularly if this risk is adequately dealt with through other means.

In order to respond to what the Department believes to be a valid comment, and at the same time minimize the risks involved, we have revised this paragraph to permit the same person to both appraise and negotiate for a parcel, provided the value is $2,500 or less, and Agency management decides that this is an acceptable method of operation for its program or projects. We also point out that all appraisals must be reviewed under the provisions of § 25.104.

It was also stated that where there are no Federal funds involved in the acquisition (but these regulations apply because of Federal funding in other phases of project costs), an Agency should have the flexibility to utilize the single appraiser/negotiator concept without restriction from these regulations.

While there may be no direct Federal financial involvement in such situations, there is an obligation under the Uniform Act to promote public confidence in those acquisitions of real property which are subject to this regulation. As a consequence, the Department has chosen to adopt one single standard in this area rather than differentiate based on funding.

Section 25.104 Review of appraisals.

One commenter objected to the provision which requires the review of all appraisals on the basis that only those in excess of $2,000 should have to be reviewed in order to reduce costs.

The Department has not adopted that recommendation. The purpose of the appraisal review process is to assure a quality appraisal product so that an offer can be made for the full amount of just compensation. This is a most important function which serves as a check on the appraiser, encourages consistency between offers and, in general, provides Agency management with assurance concerning the soundness of its operations. The benefits significantly outweigh the costs.

One commenter recommended that § 25.104(b) be deleted or revised on the grounds that the reviewer should not become the appraiser. The Department did not adopt this recommendation. We believe it is not advisable in this regulation to place a review appraiser in a position where he or she must either accept in total of otherwise reject an appraisal report in recommending or approving the amount to be offered the owner.

Further, it is not our intent that the reviewer be required to develop a complete new appraisal where circumstances do not dictate. Section 25.103 sets certain standards for various items or components of an appraisal. Where a reviewer finds that an appraiser has a basically sound but imperfect report, and efforts to obtain correction have been unsuccessful, the wisest course of action may well be for the reviewer to make the necessary adjustments rather than obtain a new appraisal or accept a marginal one.

Precisely how such matters are to be handled is something for each Agency to decide. An Agency may give the review appraiser broad authority, or restrict that authority.

One commenter recommended that this regulation should require another review where the first reviewer has arrived at his own independent value estimate (i.e., different than the appraisal).

The Department believes this is an internal Agency management decision. In some cases, a second review is advisable. In others, it may be a needless exercise.

One commenter recommended deletion of § 25.104(c). The Department does not agree. Among other things, this paragraph requires a written explanation of the basis for the reviewer's recommendation or decision. The Department believes the emphasis should be on analysis and explanation, not just a signature. The analysis should be appropriate to the situation. In some cases, a substantial effort would be required. In other cases, only a signature may be appropriate.

Section 25.105(a) Acquisition of improvements.

One commenter stated that he objected if this language was intended to require the acquisition of buildings, structures, or improvements not located on the land being acquired.

The Department does not intend this interpretation. The "adversely affected" reference concerns those situations where a partial interest, such as an easement, is being acquired and a building is located within the easement area. The effect of the easement on the building must be considered.

Section 25.105(c) Appraisal and establishment of just compensation for tenant-owned improvements.

Several commenters stated that value-in-place must be considered if a tenant-owner is to get fair and equitable treatment. The Department considers value-in-place to be a form of contributory value.

Under section 302 of the Uniform Act, a tenant-owner is entitled to the greater of either contributory value or value for removal. Both start from a market value premise—what would someone reasonably pay for the item. One approach assumes removal from the property, and the other approach assumes it will stay in place. The owner is entitled to the higher of the two. The Department believes this is fully consistent with the basic market value/just compensation concept.

Section 25.105(d) Special conditions.

One commenter said the burden seem unfairly skewed toward the tenant since no payment can be made unless the landowner disclaims any interest in the improvements in question. The standard could be whether the owner contests the tenant's interest, rather than a disclaimer.

Section 302(b)(2) of the Uniform Act is quite specific on this point. Further, unless there is agreement between the parties as to the ownership interests of each party, neither party is in a position to independently transfer full title to the Agency, and the Agency must deal with the matter accordingly.

Section 25.106 Expenses incidental to transfer of title to the agency.

One commenter objected to the last paragraph which states that whenever feasible, the Agency shall pay incidental costs directly, rather than reimbursing the owner as is specified in section 303 of the Uniform Act.

The Department believes that the objective of section 303 is to assure that the Agency, as the purchaser of the property, pay these necessary title transfer costs, rather than imposing the burden on the seller (which might be the case where only private parties are involved in a transaction). If it is feasible for the Agency to pay these costs directly, the Department believes the Agency should do so. Otherwise, the owner has to make payment and then submit a claim to the Agency.

One commenter stated that when acquiring property his Agency makes surveys and obtains legal description and evidence of title. Reimbursing an owner for these expenses is simply a duplication of effort and expense.

The Department does not agree with or intend this interpretation. For an expense to be eligible under § 25.106, it must be both necessary and reasonable. If the Agency has already made the required survey of the property to be acquired, and obtained evidence of title and a legal description, it is not "necessary" for a property owner to do so. The type of expense covered by section 303 of the Uniform Act is that which a property owner has no choice but to incur, as in a mortgage prepayment penalty.

One commenter stated that the expenses reimbursed under § 25.106(c) should specifically exclude penalties and interest imposed by the taxing authority.

The Department agrees with the point, but no change in the regulations is necessary. If a property owner had incurred penalty or interest charges because of late payment or underpayment of taxes due, such additional charges are not a necessary and reasonable expense which must be reimbursed by the Agency.

Section 25.108 Donations.

Four commenters stated this section might be more clearly worded since it appears the intent is to permit an owner to donate real property without an appraisal, after having been notified of the right to one.

The Department agrees, and has added a new sentence to this section. The Department intends that the Agency make an appraisal, and offer the full amount of just compensation due, unless the owner releases the Agency from these obligations. The owner may also require the Agency to make an appraisal before making a decision on whether to donate part or all of the property involved.

The Department emphasizes that the Agency acquiring the property always has the obligation to make an appraisal, offer just compensation, and make payment available before taking possession. Anything less than this is at the owner's option.

Subpart C—General Relocation Requirements

Section 25.202 Project development.

A number of commenters suggested deleting the section entirely. The Department, recognizing that displacing agencies, following sound management principles, have demonstrated competence in implementing the Uniform Act, agrees and has deleted this requirement.

The Department believes that early problem identification and resolution are desirable to avoid delays in project advancement, unnecessary litigation and other management difficulties. Therefore, the Department encourages displacing agencies to continue to take appropriate actions to avoid these problems.

Section 25.203 Relocation information and written notices.

Sixteen commenters suggested that proposed § 25.203, Notification of relocation eligibility, and proposed § 25.206, Ninety-day notice, be combined since both are concerned with notices. The two sections have been combined in § 25.203, Relocation information and written notices, and rewritten for clarification. This new section contains all significant relocation notices.

Nine commenters objected to eligibility notification being required too early in the process. This concern was acknowledged and § 25.203(a) was modified to provide for a general information notice informing the person that he or she *may* be displaced by a project.

Five commenters indicated that requiring one comparable replacement dwelling to be available prior to issuing a ninety-day notice would cause difficulties and would not improve relocation assistance. The requirement has been modified so that the notice may be issued ninety days prior to displacement or earlier, but displacement may not be required earlier than ninety days after comparable replacement housing has been made available.

Eight commenters stated that the acquiring agency should be able to determine the kind and timing for the delivery of eligibility notices. This, however, would not accomplish the uniformity which is a goal of the regulation. By combining the two sections and revising the material, the subject of notices has been clarified and simplified to the point where problems for acquiring agencies will be minimal, if not eliminated.

Section 25.204 Availability of comparable replacement dwellings prior to displacement.

(a) *General.* Four commenters indicated that the requirement is either too restrictive or that more flexibility in selecting comparables is desirable. The requirement that at least one comparable replacement dwelling be made available is considered a minimum requirement and complies with section 205(c)(3) of the Uniform Act. The revised definition of a comparable replacement dwelling found in Subpart A, section 25.2(c) should give the aquiring agencies much more flexibility in locating comparables.

Two agencies objected to the requirement that at least one comparable replacement dwelling be made available and one agency objected to the requirement that three or more comparables be made available "where possible." The provision for one comparable is considered a minimum requirement. Since the requirement for three comparables is prefaced by "Where possible", it should not be interpreted as mandatory. A comment was also received that at least two comparable replacement dwellings should be provided in order to give the displacee a choice. The Department agrees that it is very desirable to provide a displacee with a list of two or more available comparables, but there may be times when an agency may be able to locate only one. A minimum of two is judged to be too restrictive. For that reason, the minimum requirement was not changed.

One commenter expressed concern that the omission of a distinction between initial and subsequent occupants in this section, as well as in the definition of "displaced person," would require that comparable replacement housing be provided for both classes of occupants. The commenter recommended that this regulation should provide that a subsequent occupant could be offered less than comparable housing. The

Department concluded that there is not adequate support for such a distinction; the Uniform Act provides specific benefits for any person who meets the eligibility requirements for each specific benefit.

Two commenters objected to the use of the wording "made available" since the Agency cannot *"make available"* any replacement dwelling. Their recommendation was to change this wording to "informed" of the availability. While the comments are technically correct, the present language has long been used in various sections of the regulation without problems. Accordingly, the Department believes the proposed revision is not warranted. There was also an objection to the requirement for providing comparable replacement dwellings prior to displacement because there will be many cases where the displacee has already obtained replacement housing, such as owner retention or new construction. No change was considered necessary because in such cases replacement housing is considered to have been made available. In addition, having current information on replacement housing available is a requirement of the law.

Section 25.205 Relocation assistance advisory services.

Section 25.205(b)(2)(i). Five commenters objected to informing persons to be displaced of the specific comparable replacement dwelling used in determining the replacement housing payment. However, the reason for requiring this is to ensure that the person to be displaced is fully aware of how the payment has been determined.

Section 25.205(b)(2)(iii). Sixteen commenters objected to the provision requiring reasonable opportunities for minorities to relocate in areas which do not have minority concentrations. These commenters felt that such opportunities are provided for in other sections of the regulation. While this is true, the requirement in this section is still considered appropriate. The objective is to emphasize that relocation assistance advisory services include advising minorities that they may relocate to other areas and providing the assistance (but not additional payments) that will help them to do so if they desire. The first part of the first sentence of § 25.205(b)(2)(iii) has been deleted to improve readability.

Section 25.205(b)(2)(iv). Eight commenters objected to being required to offer transportation to certain displaced persons to enable them to inspect referred housing. The intent is to ensure that all displaced persons have the opportunity to make inspections. While many will not ask for assistance of this kind even when they need it, all should enjoy the same opportunity.

Section 25.205(b)(3). Two commenters stated that this section should indicate that businesses will be limited to those payments available to business and commercial enterprises specified in Subpart D of the regulations. Since this section only pertains to services, not monetary payments, no need was seen to include the suggested addition.

Former Section 25.206 Ninety-day notice.

Proposed § 25.206 was combined with § 25.203. (See comments on § 25.203.)

Section 25.206 (former Section 25.207 Eviction for cause.

Fifteen commenters recommended that lawful occupany be required until the date of actual displacement in order to retain eligibility for relocation assistance. This change was not made since eligibility is established on the basis of facts existing on the date of the initiation of negotiations. Once the Agency determines that a person has satisfied the eligibility requirements of the Uniform Act, there is no basis for changing that determination, assuming all remaining conditions for eligibility are met. The example relating to non-payment of rent has been deleted from this section to avoid confusion and is dealt with in §25.207(f).

Pursuant to one commenter's recommendation, the language "is permissible only as a last resort" has been deleted to avoid possible confusion with Subpart G of the regulation.

Section 25.207 (former Section 25.208) General requirements—claims for relocation payments.

(a) *Documentation.* Four commenters recommended that the last sentence be changed from "whatever assistance is necessary" to "reasonable assistance necessary" in order to provide some flexibility. This change was made.

(d) *Time for filing.* Five commenters recommended that the time limit for filing a claim be shortened from 18 months to a lesser period. In order to maintain uniformity among the various agencies, the maximum time limit for filing a claim was kept at 18 months. This limit has been used by all agencies since the inception of the Uniform Act, and the Department considers it consistent with the intent of the Uniform Act. However, the following changes in wording were made to improve accuracy and clarity: "after the move is completed" now reads "after the date of displacement or the date of final payment under these regulations, whichever is later." A waiver "for good cause" was also added at the end.

(e) *Multiple occupants of one displacement dwelling.* A wording change was recommended by one agency in the last sentence regarding the use of "tenancies". This word was eliminated and the entire sentence was revised to eliminate other problem words and to clarify the meaning.

(f) *Deductions from relocation payments.* (Formerly *Direct payment of claim*) Some commenters expressed difficulty in collecting rent owed to the State agency by a displacee and suggested that any relocation payment owed to the displacee be subject to a deduction to cover the rent owed the State agency. Provision is made to permit a State agency to deduct such sums from the relocation payment. If the acquisition is a direct action by a Federal agency, a deduction for rent owed the Federal government must be made. In either case, no deduction is permitted if to do so would prevent relocation into comparable replacment housing.

(g) *Notice of denial of claim.* One comment was received recommending that the last sentence be revised to eliminate any reference to the appeal process. No change was made in this regard because the applicant is entitled under the Uniform Act to have determinations reviewed and must, of necessity, be advised of the procedures involved.

Another commenter suggested changing the word "appealing" to "reviewing". Although this might be technically more accurate, no change was made because the term "appeal" is used throughout § 25.10 of the regulation and is commonly used among the agencies in referring to the review process.

Section 25.208 (formerly § 25.209) Relocation payments not considered as income.

One commenter questioned the tax liability status of non-Federal relocation payments. We assume that the commenter was referring to relocation payments provided on a non-Federal project but that it is beyond the scope of this regulation. The section simply restates the wording of the Uniform Act on this point.

Subpart D—Payment for Moving and Related Expenses

Section 25.301(a) Payment for actual reasonable moving and related expenses—residential moves.

It was suggested that the rule should provide specific criteria which could be used to decide whether to allow moving costs beyond the proposed 50-mile limit. The Department believes that the agencies carrying out displacement are the best judges of when such additional costs are reasonable and necessary and does not wish to limit their ability to manage their programs flexibly. Therefore, the selection of criteria is left to the displacing agencies.

Another commenter suggested that the rule should allow the payment of residential moving costs without additional documentation as long as the payment was limited to the amount of the lowest acceptable bid or estimate. The language in the rule is broad enough to encompass the commenter's interpretation and so no change to the proposed rule is required.

Section 25.301(d). A number of commenters indicated that this provision was unclear because of its prohibitions against storage of personal property in excess of 12 months or on property owned by the displaced person and qualified by the word "generally." The word "generally" in the proposed rule reflected the Department's desire to provide flexibility to displacing agencies. In order to make its intentions clear, the Department has deleted the word "generally" in both places it appears and has added as an ineligible expense, at § 25.305(k), the storage of personal property on real property owned or leased by the displaced person.

Section 25.302(a) Fixed payment for moving expenses—residential moves.

A number of commenters recommended that the schedule used for determining the moving expense allowance be a State-approved schedule rather than one adopted by the Federal funding agency. The Department seriously considered this alternative, but determined that its administration, especially the dissemination of revised schedules to non-highway agencies, would be extremely difficult and complicated. Therefore, the Department has decided to retain the current method for revising and approving these schedules. The word "Agency" in the proposed rule has been changed to the "Federal Highway Administration" to reflect this approach.

Section 25.303(a)(3) Payment for actual reasonable moving and related expenses—nonresidential moves.

This paragraph has been revised for better readability and to make clear that modifications to the personal property is what is intended and not modification to real property.

Section 25.303(a)(4). This parallels the change in § 25.301(d) for residential moves and is made for the purpose of internal consistency.

Section 25.303(a)(10)(11). The words "the reasonable costs incurred in attempting to sell the item plus" have been deleted from lines 4 and 5 of this paragraph. This was done to avoid the implication that a payment for the actual direct loss of tangible personal property could exceed the limitation imposed by the statute (moving expense). Instead, the reasonable cost incurred in attempting to sell an item which is not to be relocated has been identified as a separate eligible moving expense item in paragraph (11) of this subsection. The previous subsection (11) which deals with the purchase of substitute personal property has been renumbered as (12) of this subsection to accommodate this change. The renumbering is for clarification purposes only and is not intended to affect eligibility for these moving expenses. This applies also to new subsections (13) and (14).

Section 25.303(d) Transfer of ownership.

A number of commenters objected to the requirement that a displaced person must transfer to the Agency ownership of personal property not sold or traded in. Their view was that such transfer should not be a prerequisite for eligibility for a moving expense payment. The Department agreed and has changed the paragraph accordingly. The requirement is now optional with the displacing agency.

Section 25.304(a)(1) Fixed payment for moving expenses—nonresidential moves.

A number of commenters strongly recommended that "substantial loss of existing patronage" be documented by the use of the loss of net earnings rather than loss of "clientele." The Department does not wish to eliminate the clientele method of supporting this test, but does agree that net earnings can be a second method. Section 25.304(a)(1) now includes both clientele and net earnings. Two methods or a combination of both methods should make it easier for the displacing Agencies to document a substantial loss, or to demonstrate otherwise if the Agency believes that the business will not suffer a substantial loss of existing patronage.

Several comments were received objecting to the last sentence of (a)(1) beginning "A business is assumed to meet this test * * *" The Department believes that a business move under a Federal or federally-assisted program almost always results in the disruption of business activity and a consequent loss of patronage. In those cases in which this is not so, the Department believes the burden of proof should be on the displacing agency. Therefore, no change has been made in this standard.

It also was recommended that a clear definition of "contributes materially" be included in the regulations. This term is used in § 25.304(a)(3) to describe those businesses that are eligible for this payment. This has been a problem for many agencies, and the Department has decided to adopt this suggestion. A definition of "contributes materially" has been added to the Definitions § 25.2(d).

Section 25.305 Ineligible moving and related expenses.

A number of commenters recommended that "physical changes" to real property at the replacement site should be eligible moving costs under this rule, either in general or in specific situations such as when required by code or ordinance. The Department understands the basis for these recommendations, but they have not been adopted.

First, the experience of Federal agencies who have provided payments for such physical changes is that the cost is prohibitive. Second, the Act treats business moves differently from residential moves. For residential displacees, the Act provides a specific requirement of comparability in a replacement unit and specific payments designed to assure that comparability is attained. The Act provides neither these requirements nor these payments for businesses.

For both of the foregoing reasons, the Department has decided that a prohibition against including physical changes as eligible moving expenses should be included in the rule.

Subpart E—Replacement Housing Payments

Section 25.401 Replacement housing payments for 180-day home owners.

(a) *Eligibility.* Six commenters suggested including a provision, similar to that in § 25.402(a), allowing the Agency to extend for good cause the one

year period within which a person must purchase and occupy a replacement dwelling. This limitation is statutory. (See § 25.403(c) regarding what constitutes the purchase of a dwelling.)

Four commenters stated felt that there should be a requirement that the property be acquired before a displaced person would be eligible to receive payments. The Department does not agree, because such a provision could create an unfair hardship on the displacee.

One commenter felt that the date a displaced person is required to move should be considered as one of the dates which starts the one year period to purchase and occupy a replacement dwelling. However, the Uniform Act clearly specifies the dates to be used.

One commenter was concerned because constructive occupancy was not covered in the regulations. Section 25.403(d) provides the latitude necessary to handle situations where constructive occupancy determinations are required.

One commenter wanted to include the requirement that a displaced person had to mortgage a replacement dwelling before being eligible for a replacement housing payment. It is not felt that this is a necessary requirement.

One commenter wanted to know when the one-year period begins in those instances where a commissioner's award is deposited and later a court award is deposited. The Uniform Act specifies in section 203(a)(2) that the one-year period begins upon "final payment of all costs of the acquired dwelling, or on the date on which he moves from the acquired dwelling, whichever is the later date". The court award in the case of an appeal from a commissioner's award would be the final payment.

One commenter recognized that there was no requirement for a written notification of the replacement housing payment or rental assistance payment. It was urged that this is necessary to assist homeowners and tenants to seek replacement dwellings with knowledge of the amounts due them. The Department agrees that this is necessary to assure that displaced persons are aware of the amounts to which they are entitled and has revised the regulation by the revision of § 25.205(b)(2)(i).

(b) *Amount of total payment.* Two commenters suggested that "comparable" be placed before "replacement dwelling" throughout this paragraph. This is not considered necessary as this is general information and refers to succeeding paragraphs for computation instructions. The word "comparable" is in the other paragraphs.

(c) *Rental assistance payment for 180-day owner who rents.* In response to comments received regarding § 25.402(a) and § 25.403(g) and to correct an omission in the proposed regulation, a new section (c) has been added which provides the 180-day owner an option to receive a rental assistance payment. Proposed paragraphs (c), (d), and (e) become (d), (e), and (f).

(d) *Price differential.* One commenter suggested that the before value of the entire acquisition be used when the determination of replacement housing payment is made. For determining a replacement housing payment a residence must be compared with a residence. In the case of a multi-use property, this necessitates a residential carve-out, as provided in § 25.401(d)(3). Another commenter questioned whether past payments of disaster insurance were to be considered in the sale price of the displacement dwelling under § 25.401(d)(4). Only those insurance proceeds related to the disaster causing a loss of the displacement dwelling are to be included.

Ten commenters pointed out that the retention value of the displacement dwelling had been omitted as a cost in determining a replacement housing payment when the displacee retained the displacement dwelling. The omission has been corrected in § 25.401(d)(4)(i).

One commenter asked if the cost of the replacement site in § 25.401(d)(4)(iii) included the cost of landscaping items. It is intended that normal residential site preparation items be included in the cost of the replacement site. This is included in the definition of "comparable replacement dwelling" at § 25.2(c)(4).

In order to clarify what is meant by retention value of the displacement dwelling, attention is invited to § 25.103(d) and § 25.2(n), which relate to this subject.

(e) *Increased mortgage interest cost.* Six commenters addressed the methods used to calculate increased interest costs; three wanted to use the "buy down" method now permitted by some Agencies only in last resort housing situations, while three others wanted to use only one standardized method in all situations. The Uniform Act sets out how this payment will be computed in other than Last Resort Housing situations. This prevents the use of the "buy down" in the typical situation. The increased interest rates for home purchasing in the last few years were causing many replacement housing payment calculations to exceed the $15,000 limit thus creating last resort housing situations. In order to avoid unnecessarily large payments and still relocate displaced persons into a "make whole" situation, the "buy down" method of calculating the increased interest payment was instituted. While the Department supports the use of the "buy down" method in more than the last resort housing situation, additional legislation would be required to allow use of the method in other than last resort housing situations.

One commenter wanted to specify that the payment would be based on a "similar mortgage." This is not necessary since in § 25.401(e), paragraphs (2), (3), and (6), the payment is limited by the existing mortgage.

Another commenter wanted to use rates other than those paid on savings deposits by commercial banks as noted in paragraph (5). This requirement is taken from the Uniform Act section 203(a)(1)(B).

(f) *Incidental expenses.* Five commenters suggested that only those incidental expenses normally paid by the buyer be reimbursed when a displaced person incurs such expenses. This is the intent, and clarifying language has been added.

Section 25.402 Replacement housing payment for 90-day occupants.

(a) *Eligibility.* Two commenters suggested adding that the occupied property had to be acquired before the determination of "displaced person's" eligibility to receive payments was complete. This is covered by § 25.2(f)(1)(i) which defines "displaced person."

One commenter wanted to begin the one-year period to purchase and occupy replacement housing at the initiation of negotiations. Section 203(a)(2) of the Uniform Act specifies when the one-year period will begin for owners and, to be consistent, a similar time period should be used for tenants. Also, in some cases a period longer than 1-year elapses before acquisition takes place.

One commenter did not want to have to recalculate a replacement housing entitlement when a displaced person relocates to alternative housing within the one-year period. A displaced person is allowed to relocate within the one-year period. If after the initial relocation such person wishes to relocate to another form of occupancy, e.g., from tenant to owner or vice versa, he is still eligible for recalculation of a relocation payment. If such recalculated payment is greater than that received in conjunction with the initial move, the displaced person may claim the difference between the amount already received as the first payment and the recalculated payment. (See § 25.403(f).)

Another commenter wanted to include the date the person was required to move as a beginning date of the one-year occupancy period. This is not provided for in the Uniform Act and would conflict with provisions of the Act at § 203(a)(2) that establish the 1-year occupancy period for 180-day owners.

One commenter wanted to eliminate the provision to extend the 1-year period for good cause. This provision has been eliminated because § 25.403(d) gives the Agency this latitude.

(b) *Rental assistance payment.* Of 22 commenters, 18 opposed the inclusion of utilities in the computation of the payment (§ 25.402(b)(1)) and 19 opposed the 30 percent provision in the Base Monthly Housing Cost (§ 25.402(b)(2)). The majority of the commenters felt this paragraph goes well beyond the purpose and intent of the law. They expressed the opinion that the Uniform Act was never intended to be used as an income or utility subsidy program. Several stated that this requirement imposes another administrative burden on them and increases red tape. One commented that if it were required to compute payments under this formula, a person who chose, for any number of reasons, to pay a disproportionate amount of his or her income for housing, he or she would receive an unnecessary windfall.

In view of the substantive comments on these issues, the Department agreed to adopt the "make whole" approach for computation of the rental assistance payment and to delete the percentage of income test. However, the Department is unable to fully accommodate the wishes of those commenters opposed to inclusion of utilities in the rental assistance payment computation. Therefore, recognizing that increased utility charges at a replacement dwelling often are a real and substantial cost of a move, § 25.402(b) has been modified to permit exclusion of utilities in the payment computation only under limited conditions. The Department believes that this approach is both reasonable and equitable.

Two commenters pointed out the need for being able to make periodic rather than lump sum payments. Paragraph (b)(3) as written provides this flexibility.

Another commenter thought that the rental assistance payment should be discounted to present worth if paid in a lump sum. The Uniform Act does not provide for such a procedure.

(c) *Downpayment assistance payment.* Two commenters pointed out that there was no provision that the displacee match any amount over $2,000 which is provided as a downpayment under section 204(2) of the Uniform Act. This has been added to paragraph (c)(1).

Six commenters felt that paragraph (c)(2) indicated that a displaced person would receive a downpayment based upon what he or she was required to pay regardless of what the Agency determined was necessary. This is not the case. The first sentence indicates that the downpayment will be that amount which is typically required for conventional financing to a qualified buyer. This is usually a percentage amount. The second sentence only indicates that in the case where a displaced person pays more than is typical, the Agency will limit the downpayment amount to what the agency determines is necessary.

Section 25.403 Additional rules governing replacement housing payments.

One commenter suggested adding a rule describing the procedure used to carve out a dwelling located on a tract larger than normal for residential purposes. Section 25.401(d)(3) was revised to include this situation.

An additional rule was suggested which would state that the acquiring agency was not required to provide a different occupancy status for displaced persons, e.g., ownership for a tenant or tenancy for an owner. While it is not a requirement to do so, displacing agencies are encouraged to accommodate a displaced person's desire to change occupancy status by calculating a replacement housing payment based on the displaced person's request and by assisting the displaced person in finding a replacement dwelling for the desired type of occupancy.

Another commenter requested a policy regarding payment for improvements required by law when a business is required to relocate. This comment should have been addressed to § 25.303(a) and not this section. However, these costs are not reimbursable as they are a cost of doing business and are required by various Federal, State and local laws.

One commenter wanted a rule allowing the use of public housing as comparable dwellings. The Department believes that it is reasonable to use public housing as comparable housing only if the displacee is in public housing. Otherwise, the Agency should use comparable housing that is available on the private market.

One commenter wanted a rule requiring claims for payments to be filed within 3 months of displacement. Relocatees have 1-year from the date of displacement to purchase and occupy replacement housing and, in accordance with § 25.207(d), 18 months after displacement to file a claim for payment. In the extreme case, this allows only 6 months after purchasing replacement housing for the filing of a claim. In most cases, claims will be filed shortly after relocation but for those cases where circumstances result in delayed filing it is felt that the 18-month period will prevent the denial of benefits due to relocatees.

(a) *Determining the cost of comparable replacement housing.* Two commenters objected to being required to offer the comparable used to calculate the replacement housing payment to the displaced person. Similar comments were received regarding § 25.206 (now § 25.203) which resulted in a revision to that section. The requirement in § 25.403(a) has been eliminated to conform to the change made in § 25.203.

Nine commenters disagreed with being required to adjust asking prices of comparable replacement dwellings to reflect probable selling prices. Paragraph (a)(1) does not require adjustment unless the Agency considers an adjustment appropriate. The purpose of this paragraph is to provide flexibility where considered necessary.

Two commenters suggested that dwellings which are obviously underpriced should not be considered when computing payments. Although underpriced dwellings may be available on occasion, their comparability may be questionable and they may not be reflective of current market value. Agencies may ignore these dwellings for the same reasons they ignore overpriced dwellings.

Two commenters were dissatisfied with the proposed method for computing a replacement housing payment when the comparable dwelling lacks a major exterior attribute of the displacement dwelling site. While there may be other methods, it is believed that the method described in paragraph (a)(2) is equitable and sufficient. The Department believes a uniform approach to this type of situation is more desirable than providing alternatives.

Two other commenters felt that paragraph (a)(2) could be used to account for differences between the displacement and replacement dwellings. This is not the case. This has been clarified by the addition of "exterior" between "major" and "attribute" in the first sentence. This paragraph relates only to the site attributes.

Another commenter wished to change "value" in paragraph (a)(2) to "contributory value." In different parts of the country, the term "contributory value" may be interpreted narrowly and, thus, penalize the displaced person. The term "value" will allow the displacing agency the flexibility to apply a value to the major exterior attribute which is customary to the area and provides the maximum allowable benefit to the displaced person.

Comments were received which indicated a need to address a problem created by the partial acquisition of a residential property where the dwelling is acquired but the owner is left with the remainder of a residential lot having considerable value, while at the same time, the displacing agency pays for replacing the entire property at the replacement site. The Department agrees that the substantial windfalls may result from this practice and has added language to § 25.403(a)(2) to permit adjustment in the method of computing the replacement housing payment in such cases to correct obvious overpayments.

Three commenters were concerned that paragraph (a)(3) is excessively restrictive and contrary to law. The Department intends that comparable dwellings be as similar or alike as possible. This comparison includes the type of neighborhood. This paragraph is deliberately restrictive to prevent the selection of comparables in neighborhoods where housing costs are less than the displacement neighborhood. Such a practice would be detrimental to the displaced person. The word "similar" has been added after "nearby" to restrict the choice of comparables to neighborhoods which are not less desirable than the displacement neighborhood. If the displacement neighborhood suffers from adverse conditions, comparables from more desirable neighborhoods should be selected. Displaced persons are not restricted in the choice of areas in which to relocate. Displaced persons should be encouraged and assisted in relocating to areas of their choice which they can afford.

The following changes have been made in the order of paragraphs in this section as they appeared in the NPRM:

Paragraph (c) of this section has been moved to § 25.2(e). Paragraphs (d), (e), (f), (g), and (h) have been relettered (c), (d), (e), (f) and (g).

(d) *Purchase of replacement dwelling.* One commenter indicated that paragraph (d) does not contain the requirement to occupy replacement housing. This requirement is covered in § 25.401(a) and § 25.402(a).

(e) *Delay in occupancy after purchase of replacement dwelling.* One commenter felt that the Agency, and not the displaced person, should determine whether the displaced person was prevented from occupying the replacement dwelling within the required time limit. The wording of paragraph (e) has been revised to accomplish this.

(f) *Presidentially declared disaster.* One commenter suggested that the relaxation of occupancy requirements in order to establish eligibility for payments should not be restricted to only Presidentially declared disasters. The Department has determined that section 411 of the Disaster Relief Act of 1974 does not limit application of this concept to only Presidentially declared disasters. Section 201 of the Uniform act provides that displaced persons be afforded fair and equitable treatment. Not all disasters will necessarily be declared by the President, even though similar conditions may exist. The paragraph has been revised to allow the head of the Federal funding Agency to determine when a disaster has occurred, in the absence of such determination by the President. This paragraph has been retitled, *"Payment eligibility in special circumstances".*

(g) *Conversion of payment.* One commenter asked if 90-day occupants should be included in paragraph (g) and another commenter thought the paragraph would be better located in § 25.401. The paragraph has been rewritten to provide for conversion of payment for all displaced persons. A new paragraph (c) has been added to § 25.401 specifically providing eligibility for 180-day owners to receive a rent supplement payment.

(h) *Payment after death.* One commenter suggested that paragraph (h)(1) be clarified as to what a deceased person's actual occupancy was. The Department intended that the amount paid be attributable to the deceased person's period of actual occupancy. Therefore, this paragraph has been revised for clarity.

Another commenter wanted to recover payments from a deceased displaced person's estate. The monetary benefits received by a displaced person are his or hers upon meeting certain requirements. If the displaced person obligated the money prior to his or her death, in connection with the replacement dwelling, the requirements have been met and the Agency has the obligation to pay the estate just as it has the obligation to pay any eligible displaced person.

Subpart F—Mobile Homes

Section 25.502 Moving and related expenses—mobile homes.

(a) *General.* One commenter expressed the need for procedures concerning (a) the displacee who must dispose of a mobile home which is not acquired and cannot be moved, and (b) payments for new skirting when the existing skirting cannot be moved. No action is taken on these concerns because § 25.7 concerning waivers provides the necessary flexibility for equitable resolution of exceptional problems.

Pursuant to a comment received on § 25.203(a), a new § 25.502(a)(3) was added to make it clear that reasonable costs for repairs or modifications to render a mobile home suitable for movement to a replacement site are reimbursable as moving costs.

(b) *Mobile home park entrance fee.* In response to the concerns expressed by several Agencies regarding windfall payments of mobile home park entrance fees, the language of this paragraph has been revised to allow reimbursement for such expenses only when necessary to effect relocation.

A suggestion for extending eligibility for entrance fees to conventional homeowners was not acted upon because the existing benefits for displaced residents of conventional homes are considered sufficient and because this Subpart covers only the subject of mobile homes. A recommendation to include entrance fees in replacement housing payments was not adopted because it does not represent a cost of acquiring replacement housing. Entrance fees are generally charged for the privilege of moving a mobile home into a park.

The problems of reimbursement for "appearance standards" noted by one agency is adequately covered under § 25.502(a)(3).

Section 25.503(c) Replacement housing payment for 180-day mobile homeowner-occupants.

To contain costs, several Agencies recommended reimbursement to mobile home owners who move non-decent, safe, and sanitary or otherwise deficient mobile homes on the basis of the reasonable cost of moving the structure and curing the deficiencies. This subject is addressed in our comments regarding new § 25.505(b)(3).

A suggestion to allow averaging of trade-in and salvage value was not adopted because the question of the value of the non-acquired mobile home

is appealable if the applicant is dissatisfied.

The language has been clarified to better indicate the eligibility of both owners and tenants of mobile homes and the conditions under which a replacement housing payment may be made even though the structure is not acquired.

Section 25.504 Replacement housing payments for 90-day mobile home occupants.

The words "tenant or owner" were inserted after "displaced" in response to a request that the language clearly indicate the eligibility for tenants as well as owners of mobile homes.

Section 25.505 Additional rules governing relocation payments to mobile home occupants.

Section 25.505(b) has been divided into paragraphs (1) and (2) to clarify its meaning. Pursuant to several comments on § 25.503(c), a new paragraph (3) has been added to allow reimbursement of costs to cure existing deficiencies in displaced mobile homes which are not acquired by including them in the calculation of the cost of a comparable replacement dwelling.

The proposed paragraph (d) has been dropped because of objections to the requirements for pads on mobile home sites. Paragraph (b)(1) now includes consideration of the site in the overall determination of comparability of the replacement mobile home.

Although several comments recommended clarification of § 25.505(f) (now (e)), no change is made regarding the displacement attributable to partial acquisition of mobile home parks. Paragraph (e) is considered to be a workable rule which clearly indicates that the determinations are to be made by the Agency.

Subpart G—Last Resort Housing

Section 25.601(a) Basic determination to provide last resort housing.

Several commenters raised the question of coverage for "subsequent" occupants who move onto properties to be acquired after the initiation of negotiations but before acquisition is completed. This stemmed from the absence of occupancy requirements for the last resort housing eligibility in the regulation. No action was taken by the Department on this issue because the language of section 206(a) of the Uniform Act does not specify any occupancy requirements for eligibility for last resort housing.

A comment recommending the substitution of "adequate" for "comparable" with reference to replacement housing is not acceptable under the law. Section 206(a) of the Uniform Act states that the lack of availability of *comparable* housing triggers last resort measures and that *comparable* housing must be provided.

One agency suggested that guidelines for implementation be included in the regulation. No action was taken by the Department on the suggestion because additional requirements would tend to limit the flexibility contemplated in the rule. A number of Agencies expressed support for the elimination of the burdensome requirements in existing regulations of some Federal agencies.

Section 25.601(b) Basic rights of persons to be displaced.

In response to several comments, the redundant reference to the eligibility of the 180-day owner to purchase a replacement dwelling has been eliminated. This guarantee of the displaced homeowner's right to purchase a replacement dwelling is stated elsewhere in the regulation and is implied here. Hence it need not be restated.

Section 25.602 Methods of providing replacement housing.

Several favorable comments regarding the simplification of requirements were received.

One commenter objected to the use of the term "reasonable cost" on the basis that the use of cost effective means of providing replacement housing is implied throughout the regulation. The term "reasonable cost" is retained to underline the fact that while innovative means to provide housing are allowed, they should be used in a cost effective manner.

Section 25.602(c). Two commenters objected to the inclusion of mortgage financing by the agency as an allowable method of providing last resort housing. The option is retained because section 206(a) of the Uniform Act authorizes "such action as is necessary or appropriate to provide such housing * * *".

Section 25.602(d). One commenter raised the question of how this paragraph would be applied to a specific situation. The Department has taken the position that it is impractical to address every individual situation in the regulation. We anticipate that specific examples will be addressed in technical advisories to be issued by each Federal agency.

Regulatory Evaluation

The Department has determined that this document does not constitute a major rule under the criteria of Executive Order 12291 or a significant rule under the Department's Regulatory Policies and Procedures. (44 FR 11034; February 26, 1979). The economic impact of this final rule has been found to be so minimal that a full regulatory evaluation is unnecessary. It merely simplifies and clarifies present Department of Transportation regulations that implement the Uniform Act, and will eventually, when adopted by other agencies operating under the Uniform Act, reduce administrative costs and burdens, to a degree, on State and local governmental agencies that must comply with the Uniform Act on Federally-assisted projects.

Under the criteria of the Regulatory Flexibility Act, the Agency certifies that this action will not have a significant economic impact on a substantial number of small entities. There is no significant effect on the relocation benefits provided to businesses, as the provisions of the Uniform Act which require those benefits have not been changed, and the economic impact on State and local agencies that are subject to the Uniform Act is not expected to be significant. The primary impact on such agencies would be the eventual elimination of current administrative burdens caused by differing or conflicting Federal regulations that implement the Uniform Act. As Federal agencies eliminate separate regulations implementing the Uniform Act and adopt a single government-wide regulation, such burdens will be reduced.

Paperwork Reduction Act Requirements

This rule contains information collection requirements. Those requirements are contained in §§ 25.9(a), 25.9(c), 25.202, 25.206, and 25.303(b)(2). These items have been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). OMB has approved them for use through December 31, 1988. The OMB approval number is *2105–0506*. The Department will apply to OMB for approval of continued use of these reports at the appropriate time.

List of Subjects in 49 CFR Part 25

Transportation, Relocation assistance and real property acquisition, Reporting and recordkeeping requirements.

Issued at Washington, D.C. on February 28, 1985.

Elizabeth H. Dole,

Secretary of Transportation.

For the reasons set forth in the preamble, the Department of Transportation hereby revises Part 25 of Title 49, Code of Federal Regulations to read as follows:

PART 25—UNIFORM RELOCATION AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Subpart A—General

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25.2 Definitions.
25.3 No duplication of payments.
25.4 Assurances, monitoring and corrective action.
25.5 Manner of notices.
25.6 Administration of jointly-funded projects.
25.7 Federal agency waiver of regulations.
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Subpart B—Real Property Acquisition

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25.102 Basic acquisition policies.
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25.202 Applicability.
25.203 Relocation information and written notices.
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25.207 General requirements—claims for relocation payments.
25.208 Relocation payments not considered as income.

Subpart D—Payments for Moving and Related Expenses

25.301 Payments for actual reasonable moving and related expenses—residential moves.
25.302 Fixed payment for moving expenses—residential moves.
25.303 Payment for actual reasonable moving and related expenses—nonresidential moves.
25.304 Fixed payment for moving expenses—nonresidential moves.
25.305 Ineligible moving and related expenses.

Subpart E—Replacement Housing Payments

25.401 Replacement housing payments for 180-day homeowner-occupants.
25.402 Replacement housing payments for 90-day occupants.
25.403 Additional rules governing replacement housing payments.

Subpart F—Mobile Homes

25.501 Applicability.
25.502 Moving and related expenses—mobile homes.
25.503 Replacement housing payments for 180-day mobile home owner occupants.
25.504 Replacement housing payments for 90-day mobile home occupants.
25.505 Additional rules governing relocation payments to mobile home occupants.

Subpart G—Last Resort Housing

25.601 Applicability.
25.602 Methods of providing replacement housing.

Appendix A—Section-by-Section Analysis
Appendix B—Statistical Report Form

Authority: Sec. 213, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894 (42 U.S.C. 4601).

Subpart A—General

§ 25.1 Purpose.

The purpose of these regulations is to promulgate rules to implement the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), in accordance with the following objectives:

(a) To ensure that owners of real property to be acquired for Federal and federally-assisted projects are treated fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize litigation and relieve congestion in the courts, and to promote public confidence in Federal and federally-assisted land acquisition programs; and

(b) To ensure that persons displaced as a result of Federal or federally-assisted projects are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

§ 25.2 Definitions.

(a) *Agency.* The term "agency" means the Federal agency, State or State agency which acquires the real property or displaces a person (see § 25.2(f)).

(b) *Business.* The term "business" means any lawful activity, except a farm operation, that is conducted:

(1) Primarily for the purchase, sale, lease, and/or rental of personal and/or real property, and/or for the manufacture, processing, and/or marketing of products, commodities, and/or any other personal property; or

(2) Primarily for the sale of services to the public; or

(3) Solely for the purpose of § 25.303 of these regulations, conducted primarily for outdoor advertising display purposes, when the display(s) must be moved as a result of the project; or

(4) By a nonprofit organization that has established its nonprofit status under applicable Federal or State law.

(c) *Comparable replacement dwelling.* The term comparable replacement dwelling means a dwelling which is:

(1) Decent, safe, and sanitary as described in § 25.2(e).

(2) Functionally similar to the displacement dwelling with particular attention to the number of rooms and living space.

(3) In an area that is not subject to unreasonable adverse environmental conditions, is not generally less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and is reasonably accessible to the person's place of employment.

(4) On a site that is typical in size for residential development with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings, swimming pools, and greenhouses. (See also § 25.403(a)(2)).

(5) Currently available to the displaced person.

(6) Within the financial means of the displaced person.

(i) A replacement dwelling purchased by a homeowner in occupancy for at least 180 days prior to initiation of negotiations (180-day homeowner) is considered to be within the homeowner's financial means if the homeowner is paid the full price differential as described at § 25.401(d), all increased mortgage interest cost as described at § 25.401(e), and all incidental expenses as described at § 25.401(f).

(ii) A replacement dwelling rented by a displaced person is considered to be within his or her financial means if the monthly rent at the replacement dwelling does not exceed the monthly rent at the displacement dwelling, after taking into account any rental assistance which the person receives under these regulations. If the cost of any utility services is included in either rent, an appropriate adjustment must be made to ensure that like circumstances are compared. For a person who paid little or no rent before displacement, the market rent of the displacement dwelling shall be used when computing costs.

(d) *Contributes materially.* The term "contributes materially" means that during the 2 taxable years prior to the taxable year in which displacement occurs, or during such other period as the Agency determines to be more equitable, a business or farm operation:

(1) Had average annual gross receipts of at least $2,000; or

(2) Had average annual net earnings of at least $1,000; or

(3) Contributed at least 33⅓ percent of the owner's or operator's average annual gross income from all sources.

(4) If the applicant of the above criteria creates an inequity or hardship in any given case, the acquiring agency may approve the use of other criteria as determined appropriate.

(e) *Decent, safe, and sanitary dwelling.* The term "decent, safe, and sanitary dwelling" means a dwelling which meets applicable housing and occupancy codes. However, if any of the following standards are not met by an applicable code, such following standards shall apply, unless waived for good cause by the Federal agency funding the project. The dwelling shall:

(1) Be structurally sound, weathertight, and in good repair.

(2) Contain a safe electrical wiring system adequate for lighting and other electrical devices.

(3) Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person, except in those areas where local climatic conditions do not require such a system.

(4) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. There shall be a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.

(5) Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.

(6) For a handicapped displacee, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by a displaced person who is handicapped.

(f) *Displaced person.*—(1) *General.* The term "displaced person" means any person (defined at § 25.2(m)) who moves from the real property or moves his or her personal property from the real property:

(i) As a direct result of the Agency's acquisition of such real property in whole or in part for a project. This includes any person who moved from the real property as a result of the inititation of negotiations as described at § 25.2(k). In the case of a partial acquisition, the Agency shall determine whether the person is displaced as a direct result of the partial acquisition; or

(ii) As a result of a written order from the acquiring Agency to vacate such real property for the project; or

(iii) As a result of the Agency's acquisition of, or written order to vacate, other real property for a project on which the person conducts a business, farm operation, or is a nonprofit organization. Eligibility as a displaced person under this subparagraph applies only for purposes of obtaining relocation assistance advisory services under § 25.205 and moving expenses under § 25.303.

(2) *Persons not displaced.* The following is a nonexclusive listing of persons who do not qualify as a displaced person under these regulations.

(i) A person who moves before the initiation of negotiations; or

(ii) A person who initially enters into occupancy of the property after the date of its acquisition for the project; or

(iii) A person who is not required to relocate permanently as a direct result of a project. Such determination shall be made by the Agency in accordance with any guidelines established by the Federal agency funding the project; or

(iv) A person who, after receiving a notice of relocation eligibility (described at § 25.203), is notified in writing that he or she will not be displaced for a project. Such notice shall not be issued unless the person has not moved and the Agency agrees to reimburse the person for any expenses incurred to satisfy any binding contractual relocation obligations entered into after the effective date of the notice of relocation eligibility; or

(v) An owner-occupant who voluntarily sells his or her property (as described at § 25.101(a) in Appendix A) after being informed in writing that if a mutually satisfactory agreement of sale cannot be reached, the Agency will not aquire the property. In such cases, however, any resulting displacement of a tenant is subject to these regulations; or

(vi) A person who retains the right of use and occupancy of the real property for life following its acquisition by the Agency; or

(vii) A person who retains the right of use and occupancy of the real property for a fixed term after its acquisition by the Department of Interior under Pub. L. 93–477 or Pub. L. 93–303; or

(viii) A person who is required only to temporarily vacate the premises in order to permit fumigation or other code enforcement work which does not exceed five calendar days.

(g) *Dwelling.* The term "dwelling" means the place of permanent or customary and usual residence of a person, according to local custom or law, including a single family house; a single family unit in a two-family, multi-family, or multi-purpose property; a unit of a condominium or cooperative housing project; a non-housekeeping unit; a mobile home; or any other residential unit.

(h) *Farm operation.* The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

(i) *Federal agency.* The term "Federal agency" means any Department, Agency, or instrumentality in the Executive Branch of the Government, any wholly owned Government corporation, and the architect of the Capitol, the Federal Reserve Banks and branches thereof.

(j) *Federal financial assistance.* The term "Federal financial assistance" means any Federal grant, loan, or contribution, except a Federal guarantee or insurance.

(k) *Initiation of negotiations.* The term "initiation of negotiations" means the delivery of the initial written offer by the Agency to the owner or the owner's representative to purchase real property for a project for the amount determined to be just compensation, unless applicable Federal program regulations specify a different action to serve this purpose. In the case of a permanent relocation to protect the public health and welfare, the "initiation of negotiations" means the formal announcement of such relocation or the Federal or federally-coordinated health advisory where the Federal Government later decides to conduct a permanent relocation, provided that such person

owns the property on the date the permanent relocation is announced. However, in any case where a person moves after the Agency issues a notice of its intent to acquire the real property, but before delivery of the initial written purchase offer, the "initiation of negotiations" means the date the person moves from the property. (See also § 25.505(c)).

(l) *Owner of displacement dwelling.* A displaced person is considered to have met the requirement to own a displacement dwelling if the person holds any of the following interests in real property acquired for a project:

(1) Fee title, a life estate, a 99-year lease, or a lease, including any options for extension, with at least 50 years to run from the date of acquisition; or

(2) An interest in a cooperative housing project which includes the right to occupy a dwelling; or

(3) A contract to purchase any of the interests or estates described in subparagraphs (1) or (2) of this paragraph, or

(4) Any other interest, including a partial interest, which in the judgment of the Agency warrants consideration as ownership.

(m) *Person.* The term "person" means any individual, family, partnership, corporation, or association.

(n) *Salvage value.* The term "salvage value" means the probable sale price of an item, if offered for sale on the condition that it will be removed from the property at the buyer's expense, allowing a reasonable period of time to find a person buying with knowledge of the uses and purposes for which it is adaptable and capable of being used, including separate use of serviceable components and scrap when there is no reasonable prospect of sale expect on that basis.

(o) *State.* The term "State" means any of the several States of the United States, the District of Columbia; the Commonwealth of Puerto Rico, any territory or possession of the United States, the Trust Territories of the Pacific Islands, or a political subdivision of any of these jurisdictions.

(p) *State agency.* The term "State agency" means any Department, Agency or instrumentality of a State or of a political subdivision of a State, or two or more States, or of two or more political subdivisions of a State or States.

(q) *Tenant.* The term "tenant" means a person who has the temporary use and occupancy of real property owned by another.

(r) *Uniform Act.* The term "Uniform Act" means the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et seq.; Pub. L. 91–646), and amendments thereto.

§ 25.3 No duplication of payments.

No person shall receive any payment under these regulations that would have substantially the same purpose and effect as compensation which the person receives under the State law of eminent domain and which is part of the cost of a project.

§ 25.4 Assurances, monitoring and corrective action.

(a) *General.* Before a Federal Agency may approve any grant to, or contract or agreement with, a State agency under which Federal financial assistance will be made available for a project which results in real property acquisition or displacement that is subject to the Uniform Act, the State agency must provide appropriate assurances that it will comply with the Uniform Act and these regulations. If, in the judgment of the Federal agency, Uniform Act compliance will be served, a State agency may provide these assurances at one time to cover all subsequent federally assisted programs or projects. The Federal agency will monitor compliance with these regulations, and the State agency shall take whatever corrective action is necessary to comply with the Uniform Act and these regulations. The Federal agency may also apply sanctions in accordance with applicable program regulations.

(b) *Prevention of fraud, waste, and mismanagement.* The Agency shall take appropriate measures to carry out these regulations in a manner that minimizes fraud, waste, and mismanagement.

§ 25.5 Manner of notices.

Each notice which the Agency is required to provide to a property owner or occupant under these regulations, except the notice described at § 25.102(b), shall be personally served or sent by certified or registered first-class mail, return receipt requested, and documented in Agency files. Each notice shall be written in plain, understandable language. Persons who are unable to read and understand the notice must be provided with appropriate translation and counseling. Each notice shall indicate the name and telephone number of a person who may be contacted for answers to questions or other needed help.

§ 25.6 Administration of jointly funded projects.

Whenever two or more Federal agencies provide financial assistance to an agency or agencies to carry out functionally or geographically related activities which will result in the acquisition of property or the displacement of a person, the Federal agencies may by agreement designate one such agency as the cognizant Federal agency. At a minimum, the agreement shall set forth the federally assisted activities which are subject to its terms and cite any policies and procedures, in addition to these regulations, that are applicable to the activities under the agreement. Under the agreement, the cognizant Federal agency shall assure that the project is in compliance with the provisions of the Uniform Act and these regulations. All federally assisted activities under the agreement shall be deemed a project for the purposes of these regulations.

§ 25.7 Federal agency waiver of regulations.

The Federal agency funding the project may waive any provision in this part that is not required by law when it determines that the waiver does not reduce any assistance or protection available to an owner or displaced person under this part. Any request for a waiver shall be justified on a case-by-case basis.

§ 25.8 Compliance with other laws and regulations.

The implementation of these regulations shall be in compliance with the following, including any implementing regulations:

(a) Section I of the Civil Rights Act of 1866 (42 U.S.C. 1982 et seq.).

(b) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(c) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended.

(d) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(e) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 790 et seq.).

(f) Executive Order 12250—Leadership and Coordination of Non-Discrimination Laws.

(g) Executive Order 11063 as amended by Executive Order 12259—Equal Opportunity and Housing.

(h) Executive Order 11246—Equal Employment Opportunity.

(i) Executive Order 11625—Minority Business Enterprise.

(j) The Flood Disaster Protection Act of 1973 (Pub. L. 93–234).

(k) Executive Order 11988, Floodplain Management.

(l) The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

§ 25.9 Recordkeeping and reports.

(a) *Records.* The Agency shall maintain adequate records of its acquisition and displacement activities

in sufficient detail to demonstrate compliance with these regulations. These records shall be retained for at least 3 years after each owner of a property and each person displaced from a property receives the final payment to which he or she is entitled under these regulations.

(b) *Confidentiality of records.* Records maintained by an Agency in accordance with these regulations are confidential regarding their use as public information, unless applicable law provides otherwise.

(c) *Reports.* The Agency shall submit a report of its real property acquisition and displacement activities under these regulations if required by the Federal Agency funding the project. A report will not be required more frequently than every 3 years, or as the Uniform Act provides, unless the Federal funding Agency shows good cause.

[Approved by the Office of Management and Budget under Control No. 2105-0508]

§ 25.10 Appeals.

(a) *General.* The Agency shall provide an opportunity for the prompt review of appeals in accordance with the requirements of applicable law and these regulations.

(b) *Actions which may be appealed.* A person may file a written appeal with the Agency in any case in which the person believes that the Agency has failed to properly determine the person's eligibility for, or the amount of, a payment required under § 25.106 or § 25.107, or a relocation payment required under these regulations. The Agency shall consider a written appeal regardless of form.

(c) *Time limit for initiating appeal.* The Agency may set a reasonable time limit for a person to file an appeal. The time limit shall not be less than 60 days after the person receives written notification of the Agency's determination on the person's claim.

(d) *Right to representation.* A person has a right to be represented by legal counsel or other representative in connection with his or her appeal, but solely at the person's own expense.

(e) *Review of files by person making appeal.* The Agency shall permit a person to inspect and copy all materials pertinent to his or her appeal, except materials which are classified as confidential by the Agency. The Agency may, however, impose reasonable conditions on the person's right to inspect, consistent with applicable laws.

(f) *Scope of review of appeal.* In deciding an appeal, the Agency shall consider all pertinent justification and other material submitted by the person, and all other available information that is needed to ensure a fair and full review of the appeal.

(g) *Determination and notification after appeal.* Promptly after receipt of all information submitted by a person in support of an appeal, the Agency shall make a written determination on the appeal, including an explanation of the basis on which the decision was made, and furnish the person a copy. If the full relief requested is not granted, the Agency shall advise the person of his or her right to seek judicial review.

(h) *Agency official to review appeal.* The Agency official conducting the review of the appeal shall be either the head of the Agency or his or her authorized designee. However, the official shall not have been directly involved in the action appealed.

Subpart B—Real Property Acquisition

§ 25.101 Applicability of acquisition requirements.

(a) *General.* The requirements of this Subpart apply to any agency acquisition of real property for a Federal or federally assisted project, except for voluntary transactions. (See Appendix A.)

(b) *Less-than-full-fee interest in real property.* The requirements of this Subpart apply to the acquisition of a life estate, or a life use, to acquisition by leasing where the lease term, including option(s) for extension, is 50 years or more, and to the acquisition of permanent easements.

(c) *Federally-assisted projects.* For federally assisted projects the provisions of §§ 25.102, 25.103, 25.104, and 25.105 are applicable to the extent practicable under State law. (See § 25.4(a).)

§ 25.102 Basic acquisition policies.

(a) *Expeditious acquisition.* The Agency shall make every reasonable effort to acquire the real property expeditiously by negotiation.

(b) *Notice to owner.* As soon as feasible, the owner shall be notified of the Agency's interest in acquiring the real property and the basic protections provided to the owner by law and these regulations. (See also information and notice requirements at § 25.203.)

(c) *Appraisal and invitation to owner.* Before the initiation of negotiations, the real property shall be appraised and the owner or the owner's designated representative shall be given an opportunity to accompany the appraiser during the appraiser's inspection of the property.

(d) *Establishment and offer of just compensation.* Before the initiation of negotiations, the Agency shall establish an amount which it believes is just compensation for the real property. The amount shall not be less than the approved appraisal of the fair market value, including damages or benefits to the remaining property. (See also § 25.104.) Promptly thereafter the Agency shall make a written offer to the owner to acquire the property for the full amount believed to be just compensation.

(e) *Summary statement.* Along with the initial written purchase offer, the owner shall be given a written statement of the basis for the offer of just compensation, which shall include:

(1) A statement of the amount offered as just compensation. (In the case of a partial acquisition, the compensation for the real property to be acquired and the compensation for damages, if any, to the remaining real property shall be separately stated.)

(2) A description and location identification of the real property and the interest in the real property to be acquired.

(3) An identification of the buildings, structures, and other improvements (including removable building equipment and trade fixtures) which are considered to be part of the real property for which the offer of just compensation is made. (Where appropriate, the statement shall identify any separately held ownership interest in the property, e.g., a tenant-owned improvement, and indicate that such interest is not covered by the offer.)

(f) *Basic negotiation procedures.* The Agency shall make reasonable efforts to contact the owner or the owner's representative and (1) discuss its offer to purchase the property including the basis for the offer of just compensation, and (2) explain its acquisition policies and procedures, including its payment of incidental expenses in accordance with § 25.106. The owner shall be given reasonable opportunity to consider the offer and present material which the owner believes is relevant to determining the value of the property and to suggest modification in the proposed terms and conditions of the purchase. The Agency shall consider the owner's presentation.

(g) *Updating offer of just compensation.* If the information presented by the owner, or a material change in the character or condition of the property, indicates the need for new appraisal information, or if a significant delay has occurred since the time of the appraisal(s) of the property, the Agency shall have the appraisal(s) updated or obtain a new appraisal(s). If the latest appraisal information indicates that a

change in the purchase offer is warranted, the Agency shall promptly reestablish just compensation and offer the amount to the owner in writing.

(h) *Coercive action.* The Agency shall not advance the time of condemnation, or defer negotiations or condemnation or the deposit of funds with the court, or take any other coercive action in order to induce an agreement on the price to be paid for the property.

(i) *Administrative settlement.* The purchase price for the property may exceed the amount offered as just compensation when reasonable efforts to negotiate on that amount have failed and an authorized agency official approves such administrative settlement as being reasonable, prudent, and in the public interest. When Federal funds pay for or participate in acquisition costs, a written justification shall be prepared which indicates that available information (e.g., appraisals, recent court awards, estimated trial costs, and valuation problems) supports such a settlement.

(j) *Payment before taking possession.* Before requiring the owner to surrender possession of the real property, the Agency shall (1) pay the agreed purchase price to the owner, or (2) in the case of a condemnation, deposit with the court for the benefit of the owner, an amount not less than the Agency's approved appraisal of the fair market value of such property, or the amount of the award of compensation in the condemnation proceeding for the property. In exceptional circumstances, with the prior approval of the owner, the Agency may obtain a right-of-entry before making payment available to an owner.

(k) *Uneconomic remnant.* If the acquisition of only a portion of a property would leave the owner with an uneconomic remnant, the Agency shall offer to acquire the uneconomic remnant along with the portion of the property needed for the project. An uneconomic remnant is a remaining part of the property in which the owner is left with an interest that the Agency determines has little or no utility or value to the owner.

(l) *Inverse condemnation.* If the Agency intends to acquire any interest in real property by exercise of the power of eminent domain, it shall institute formal condemnation proceedings and not intentionally make it necessary for the owner to institute legal proceedings to prove the fact of the taking of the real property.

(m) *Fair rental.* If the Agency permits a former owner or tenant to occupy the real property for a short term or a period subject to termination on short notice, the rent shall not exceed the fair market rent for short term occupancy.

§ 25.103 Criteria for appraisals.

(a) *Definition of appraisal.* An appraisal is a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

(b) *Standards of appraisal.* The format and level of documentation for an appraisal are dependent on the complexity of the appraisal problem. The Agency shall develop minimum standards for appraisals consistent with established and commonly accepted appraisal practice for those acquisitions which, by virtue of their low value or simplicity, do not require the in-depth analysis and presentation necessary in a detailed appraisal. A detailed appraisal shall be prepared for all other acquisitions. A detailed appraisal shall reflect nationally recognized appraisal standards, including, to the extent appropriate, the Uniform Appraisal Standards for Federal Land Acquisition. An appraisal must contain sufficient documentation, including valuation data and the appraiser's analysis of that data, to support his or her opinion of value. At a minimum, the appraisal shall contain the following items:

(1) The purpose and/or the function of the appraisal, a definition of the estate being appraised, and a statement of the assumptions and limiting conditions affecting the appraisal.

(2) An adequate description of the physical characteristics of the property being appraised (and, in the case of a partial acquisition, an adequate description of the remaining property), a statement of the known and observed encumbrances, if any, title information, location, zoning, present use, an analysis of highest and best use, and at least a 5-year sales history of the property.

(3) All relevant and reliable approaches to value consistent with commonly accepted professional appraisal practices. When sufficient market sales data are available to reliably support the fair market value given the specific appraisal problem encountered, the Agency, at its discretion, may require only the market approach. If more than one approach is utilized, there shall be an analysis and reconciliation of value that is sufficient to support the appraiser's opinion(s) of value.

(4) A description of comparable sales, including a description of all relevant physical, legal, and economic factors such as parties to the transaction, source and method of financing, and verification by a party involved in the transaction.

(5) A statement of the value of the real property to be acquired and, for a partial acquisition, a statement of damages and benefits, if any, to the remaining real property.

(6) The effective date of valuation, date of appraisal, signature, and certification of the appraiser.

(c) *Influence of the project on just compensation.* To the extent permitted by applicable law, the appraiser shall disregard any decrease or increase prior to the date of valuation, in the fair market value of the real property, caused by the project for which the property is to be acquired, or by the likelihood that the property would be acquired for the project, other than that due to physical deterioration within the reasonable control of the owner.

(d) *Owner retention of improvements.* If the owner of a real property improvement is permitted to retain it for removal from the project site, just compensation for the interest in the real property to be acquired shall be not less than the difference between the amount determined to be just compensation for the owner's entire interest and the salvage value of the retained improvement.

(e) *Qualifications of appraisers.* The Agency shall establish criteria for determining the minimum qualifications of appraisers. Appraiser qualifications shall be consistent with the level of difficulty of the appraisal assignment. The Agency shall review the experience, education, training, and other qualifications of appraisers, including review appraisers, and utilize only those determined to be qualified.

(f) *Conflict of interest.* No appraiser or review appraiser shall have any interest, direct or indirect, in the real property being appraised for the Agency that would in any way conflict with the preparation or review of the appraisal. Compensation for making an appraisal shall not be based on the amount of the valuation. No appraiser shall act as a negotiator for real property which that person has appraised, except that the Agency may permit the same person to both appraise and negotiate an acquisition where the value of the acquisition is $2,500 or less.

§ 25.104 Review of appraisals.

The Agency shall have an appraisal review process and, at a minimum:

(a) A qualified reviewing appraiser shall examine all appraisals to assure

that they meet Agency appraisal requirements and shall, prior to acceptance, seek correction or revision of those which do not.

(b) If the reviewing appraiser is unable to approve or recommend approval of an appraisal as adequate support for compensation, the reviewing appraiser may develop appraisal documentation in accordance with § 25.103 to support an approved or recommended value if it is determined that it is not practical to obtain additional appraisals.

(c) The review appraiser's certification and the recommended or approved value of the property shall be set forth in a signed written statement which identifies the appraisal reports reviewed and explains the basis for such recommendation. Any damages or benefits to any remaining property shall also be identified in the statement.

§ 25.105 Acquisition of tenant-owned improvements.

(a) *Acquisition of improvements.* When acquiring any interest in real property, the Agency shall offer to acquire at least an equal interest in all buildings, structures, or other improvements located upon the real property to be acquired, which it requires to be removed or which it determines will be adversely affected by the use to which such real property will be put. This shall include any improvement of a tenant-owner who has the right or obligation to remove the improvement at the expiration of the lease term.

(b) *Improvements considered to be real property.* Any building, structure, or other improvement, which would be considered to be real property if owned by the owner of the real property on which it is located, shall be considered to be real property for purposes of this Subpart.

(c) *Appraisal and establishment of just compensation for tenant-owned improvements.* Just compensation for a tenant-owned improvement is the amount which the improvement contributes to the fair market value of the whole property or its salvage value, whichever is greater. (Salvage value is defined at § 25.2(n).)

(d) *Special conditions.* No payment shall be made to a tenant-owner for any real property improvement unless:

(1) The tenant-owner, in consideration for the payment, assigns, transfers, and releases to the Agency all of the tenant-owner's right, title, and interest in the improvement; and

(2) The owner of the real property on which the improvement is located disclaims all interest in the improvement; and

(3) The payment does not result in the duplication of any compensation otherwise authorized by law.

(e) *Alternate payment.* Nothing in this Subpart shall be construed to deprive the tenant-owner of any rights to reject payment under this Subpart and to obtain payment for such property interests in accordance with other applicable law.

§ 25.106 Expenses incidental to transfer of title to the Agency.

The owner shall be reimbursed for all reasonable expenses the owner necessarily incurred for:

(a) Recording fees, transfer taxes, documentary stamps, evidence of title, boundary surveys, legal descriptions of the real property, and similar expenses incidental to conveying the real property to the Agency. However, the Agency is not required to pay costs solely required to perfect the owner's title to the real property; and

(b) Penalty costs and other charges for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property; and

(c) The pro rata portion of any prepaid real property taxes which are allocable to the period after the Agency obtains title to the property or effective possession of it, whichever is earlier. Whenever feasible, the Agency shall pay these costs directly and avoid the need for an owner to pay any such costs and then seek reimbursement from the Agency.

§ 25.107 Certain litigation expenses.

The owner of the real property shall be reimbursed for any reasonable expenses, including reasonable attorney, appraisal, and engineering fees, which the owner actually incurred because of a condemnation proceeding, if:

(a) The final judgment of the court is that the Agency cannot acquire the real property by condemnation; or

(b) The condemnation proceeding is abandoned by the Agency other than under an agreed-upon settlement; or

(c) The court having jurisdiction renders a judgment in favor of the owner in an inverse condemnation proceeding or the Agency effects a settlement of such proceedings.

§ 25.108 Donations

Nothing in these regulations shall prevent a person, after being informed of the right to receive just compensation, from making a gift or donation of real property or any part thereof, or any interest therein, or of any compensation paid therefor, to the Agency. The Agency is responsible for assuring that an appraisal of the real property affected is obtained unless the owner thereof releases the Agency from such obligation.

Subpart C—General Relocation Requirements

§ 25.201 Purpose.

This Subpart prescribes general requirements governing the provision of relocation payments and other relocation assistance under the regulations in this Subpart.

§ 25.202 Applicability.

These requirements apply to the relocation of any displaced person as defined at § 25.2(f).

(Approved by the Office of Management and Budget under Control No. 2105–0508)

§ 25.203 Relocation information and written notices.

(a) *General information notice.* As soon as feasible, a person scheduled to be displaced should be notified about the possibility of his or her displacement. He or she should also be furnished with a general written description of the Agency's relocation program which does at least the following:

(1) Informs the person that he or she may be displaced for the project and generally describes the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s).

(2) Indicates that any person displaced will be given reasonable relocation advisory services including housing referrals, help in filing payment claim(s), and other necessary assistance to help the person successfully relocate.

(3) Informs any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available to the displaced person. No person will be required to move without at least 90 days' advance written notice. (See paragraph (c) of this section.)

(4) Describes the person's right to appeal the Agency's determination as to eligibility for, or the amount of, any relocation payment for which the person is eligible.

(b) *Notice of relocation eligibility.* Eligibility for relocation assistance shall begin on the date of initiation of negotiations for the occupied property. When this occurs, the Agency shall promptly notify all occupants in writing

of their eligibility for applicable relocation benefits.

(c) *Ninety-day notice.*—(1) *General.* No lawful occupant shall be required to move unless he or she has received at least 90 days' advance written notice of the earliest date by which he or she may be required to move.

(2) *Timing of notice.* The displacing agency may issue the notice 90 days before it expects the person to be displaced or earlier.

(3) *Content of notice.* The 90-day notice may include a specific date as the earliest date by which the occupant may be required to move, or it may include a statement that the occupant will receive a further notice indicating, at least 30 days in advance, the specific date by which he or she must move. In any case, the notice must state clearly that the occupant will not have to move earlier than 90 days after either the date of the notice or the date comparable replacement housing was made available, whichever is later. (See § 25.204(a).)

(4) *Urgent need.* In unusual circumstances, an occupant may be required to vacate the property on less than 90 days' advance written notice if the Agency determines that a 90-day notice is impracticable, such as when the person's continued occupancy of the property would constitute a substantial danger to the person's health or safety. A copy of the Agency's determination shall be included in the applicable case file.

§ 25.204 Availability of comparable replacement dwelling prior to displacement.

(a) *General.* No person to be displaced shall be required to move permanently from his or her dwelling unless at least one comparable replacement dwelling (defined at § 25.2(c)) has been made available to the person. Where possible, three or more comparable replacement dwellings shall be made available. A comparable replacement dwelling will be considered to have been made available to a person, if:

(1) The person is informed of its location; and

(2) The person has sufficient time to negotiate and enter into a purchase agreement or lease for the property (not less than 90 days); and

(3) The person is assured of receiving the relocation assistance and acquisition compensation, subject to reasonable safeguards, to which the person is entitled in sufficient time to complete the purchase or lease of the property.

(b) *Circumstances permitting waiver.* The Federal agency funding the project may grant a waiver of the policy in paragraph (a) of this section in any case where it is demonstrated that a person must move because of:

(1) A major disaster as defined in section 102(c) of the Disaster Relief Act of 1974 (42 U.S.C. 5121); or

(2) A presidentially declared national emergency; or

(3) Another emergency which requires immediate vacation of the real property, such as when continued occupancy of the displacement dwelling constitutes a substantial danger to the health or safety of the occupants or the public.

(c) *Basic conditions of emergency move.* Whenever a person is required to relocate for a temporary period because of an emergency as described in paragraph (b) of this section, the Agency shall:

(1) Take whatever steps are necessary to assure that the affected person is temporarily relocated to a decent, safe, and sanitary dwelling;

(2) Pay actual reasonable out-of-pocket moving expenses and any reasonable increases in monthly housing costs incurred in connection with the temporary relocation;

(3) Make available to the displaced person as soon as feasible, at least one comparable replacement dwelling. (For purposes of filing a claim and meeting the eligibility requirements for a relocation payment, the date of displacement is the date the person moves from the temporarily occupied dwelling.)

§ 25.205 Relocation assistance advisory services.

(a) *General.* The Agency shall carry out a relocation assistance advisory program which satisfies the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), and Executive Order 11063 (27 FR 11527), and offers the services described in paragraph (b) of this section. If the Agency determines that a person occupying property adjacent to the real property acquired for the project is caused substantial economic injury because of such acquisition, it may offer the services to such person.

(b) *Services to be provided.* The advisory program shall include such measures, facilities, and services as may be necessary or appropriate in order to:

(1) Personally interview each person to be displaced, determine the person's relocation needs and preferences, and explain the relocation payments and other assistance for which the person may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance.

(2) Provide current and continuing information on the availability, purchase prices, and rental costs of comparable replacement dwellings, and explain that the person cannot be required to move unless at least one comparable replacement dwelling is made available as set forth in § 25.204(a).

(i) The Agency shall inform the displaced person in writing of the specific comparable replacement dwelling and the price or rent used as the basis for establishing the upper limit of the replacement housing payment (see § 25.403(a)) and the basis for the determination in order that the displaced person is made aware of the amount of the replacement housing payment to which he or she may be entitled.

(ii) Where feasible, housing shall be inspected prior to being made available to assure that it meets applicable standards. (See § 25.2(c) and (e).) If such an inspection is not made, the person to be displaced shall be notified that a replacement housing payment may not be made unless the replacement dwelling is subsequently inspected and determined to be decent, safe, and sanitary.

(iii) Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require an Agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

(iv) All displaced persons, especially the elderly and handicapped, shall be offered transportation to inspect housing to which they are referred.

(3) Provide current and continuing information on the availability, purchase prices, and rental costs of comparable and suitable commercial and farm properties and locations. Assist any person displaced from a business or farm operation to obtain and become established in a suitable replacement location.

(4) Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.

(5) Supply persons to be displaced with appropriate information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal and

State programs offering assistance to persons to be displaced.

(c) *Coordination of relocation activities.* Relocation activities shall be coordinated with project work and other displacement causing activities to ensure that, to the extent feasible, persons displaced receive consistent treatment, and the duplication of functions is minimized.

§ 25.206 Eviction for cause.

Eviction for cause must conform to applicable State and local law. Any person who has lawfully occupied the real property, but who is later evicted for cause on or after the date of the initiation of negotiations, retains the right to the relocation payments and other assistance set forth in these regulations. However, the date the person moves establishes the date of the person's displacement.

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§ 25.207 General requirements—claims for relocation payments.

(a) *Documentation.* Any claim for a relocation payment shall be supported by such documentation as may be reasonably required to support expenses incurred, such as, bills, certified prices, appraisals, or other evidence of such expenses. A displaced person must be provided reasonable assistance necessary to complete and file any required claim for payment.

(b) *Expeditious payments.* The Agency shall review claims in an expeditious manner. The claimant shall be promptly notified as to any additional documentation that is required to support the claim. Payment for a claim shall be made as soon as feasible following receipt of sufficient documentation to support the claim.

(c) *Advance payments.* If a person demonstrates the need for an advance relocation payment in order to avoid or reduce a hardship, the Agency shall issue the payment, subject to such safeguards as are appropriate to ensure that the objective of the payment is accomplished.

(d) *Time for filing.* All claims for a relocation payment shall be filed with the Agency within 18 months after the date of displacement or the date of final payment for the displacement dwelling under these regulations, whichever is later. This time period shall be waived by the Agency for good cause.

(e) *Multiple occupants of one displacement dwelling.* If two or more occupants of the displacement dwelling move to separate replacement dwellings, each occupant is entitled to a reasonable prorated share, as determined by the Agency, of any relocation payments that would have been made if the occupants moved together to a comparable replacement dwelling. However, if the Agency determines that two or more occupants maintained separate households within the same dwelling, such occupants have separate entitlements to relocation payments.

(f) *Deductions from relocation payments.* An agency may deduct the amount of any advance relocation payment from the relocation payment(s) to which a displaced person is otherwise entitled. Similarly, when acquiring real property a Federal Agency shall, and a State Agency may, deduct from relocation payments any rent that the displaced person owes to such acquiring agency; provided that no deduction shall be made if it would prevent the displaced person from obtaining comparable replacement housing as required by § 25.204 of these regulations. The Agency shall not withhold any part of a relocation payment to a displaced person to satisfy an obligation to any other creditor.

(g) *Notice of denial of claim.* If the Agency disapproves all or part of a payment claimed or refuses to consider the claim on its merits because of untimely filing or other grounds, it shall promptly notify the claimant in writing of its determination, the basis for its determination, and the procedures for appealing that determination.

§ 25.208 Relocation payments not considered as income.

No relocation payment received by a displaced person under these regulations shall be considered as income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security or any other Federal law.

Subart D—Payment for Moving and Related Expenses

§ 25.301 Payment for actual reasonable moving and related expenses—residential moves.

Any displaced owner-occupant or tenant of a dwelling who qualifies as a displaced person (defined at § 25.2(f)) is entitled to reimbursement of his or her actual moving and related expenses as the Agency determines to be reasonable and necessary, including expenses for:

(a) Transportation of the displaced person and personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless the Agency determines that relocation beyond 50 miles is justified.

(b) Packing, crating, unpacking, and uncrating of the personal property.

(c) Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household applicances, and other personal property.

(d) Storage of the personal property not to exceed 12 months, unless the agency determines that a longer period is necessary.

(e) Insurance for the replacement value of the property in connection with the move and necessary storage.

(f) The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available.

(g) Other moving related expenses that are not listed as ineligible under § 25.305, as the Agency determines to be reasonable and necessary.

§ 25.302 Fixed payment for moving expenses—residential moves.

Any person displaced from a dwelling, or a seasonal residence, is entitled to receive a fixed payment in lieu of a payment for actual moving and related expenses covered under §25.301, that consists of:

(a) A moving expense allowance not to exceed $300 which shall be determined in accordance with the applicable moving allowance schedules approved by the Federal Highway Administration; and

(b) A dislocation allowance of $200.

§ 25.303 Payment for actual reasonable moving and related expenses—nonresidential moves.

(a) *Eligible costs.* Any business or farm operation which qualifies as a displaced person (defined at § 25.2(f)) is entitled to payment for such actual moving and related expenses as the Agency determines to be reasonable and necessary, including expenses for:

(1) Transportation of personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless the Agency determines that relocation beyond 50 miles is justified.

(2) Packing, crating, unpacking, and uncrating of the personal property.

(3) Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and substitute personal property described at § 25.303(a)(11). This includes connection to utilities available nearby. It also includes modifications to the personal property necessary to adapt it to the

replacement structure, the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property. (Expenses for providing utilities from the right-of-way to the building or improvement are excluded.)

(4) Storage of the personal property not to exceed 12 months, unless the agency determines that a longer period is necessary.

(5) Insurnce for the replacement value of the personal property in connection with the move and necessary storage.

(6) Any license, permit, or certification required of the displaced person at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, or certification.

(7) The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available.

(8) Professional services necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing the relocated personal property at the replacement location.

(9) Relettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move.

(10) Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of the lesser of:

(i) The fair market value of the item for continued use at the displacement site, less the proceeds from its sale. (To be eligible for payment, the claimant must make a good faith effort to sell the personal property, unless the Agency determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the fair market value shall be based on the cost of the goods to the business, not the potential selling price.); or

(ii) The estimated cost of moving the item, but with no allowance for storage. (If the business or farm operation is discontinued, the estimated cost shall be based on a moving distance of 50 miles.)

(11) The reasonable cost incurred in attempting to sell an item that is not to be relocated.

(12) Purchase of substitute personal property. If an item of personal property which is used as part of a business or farm operation is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displaced person is entitled to payment of the lesser of:

(i) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or

(ii) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Agency for eligible moving and related expenses, but with no allowance for storage.

(13) Searching for a replacement location. A displaced business or farm operation is entitled to reimbursement for actual expenses, not to exceed $1,000, as the Agency determines to be reasonable, which are incurred in searching for a replacement location including:

(i) Transportation.

(ii) Meals and lodging away from home.

(iii) Time spent searching, based on reasonable salary or earnings.

(iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site.

(14) Other moving related expenses that are not listed as ineligible under § 25.305, as the Agency determines to be reasonable and necessary.

(b) *Notification and inspection.* The following requirements apply to payments under this section:

(1) The Agency shall inform the displaced person, in writing, of the requirements of paragraphs (b) (2) and (3) of this section as soon as possible after the initiation of negotiations. This information may be included in the relocation information provided to the displaced person as set forth in § 25.203.

(2) The displaced person must provide the Agency reasonable advance notice of the approximate date of the start of the move or disposition of the personal property and a list of the items to be moved. However, the Agency may waive this notice requirement after documenting its file accordingly.

(3) The displaced person must permit the Agency to make reasonable and timely inspections of the personal property at both the displacement and replacement sites and to monitor the move.

(c) *Self-moves.* If the displaced person elects to take full responsibility for all or a part of the move of the business, farm operation, or nonprofit organization, the Agency may approve a payment for the person's moving expenses in an amount not to exceed the lowest acceptable bid or estimate obtained by the Agency, or prepared by a qualified staff person, without submission of any additional documentation of moving expenses actually incurred in the move.

(d) *Transfer of ownership.* Upon request and in accordance with applicable law, the claimant shall transfer to the Agency ownership of any personal property that has not been moved, sold, or traded in.

(e) *Advertising signs.* The amount of a payment for direct loss of an advertising sign(s) which is personal property shall be the lesser of:

(1) The depreciated reproduction cost of the sign(s) as determined by the Agency, less the proceeds from its sale; or

(2) The estimated cost of moving the sign(s), but with no allowance for storage.

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§ 25.304 Fixed payment for moving expenses—Nonresidential moves.

(a) *Business.* Any displaced business (other than an outdoor advertising display business described at § 25.2(b)(3) or a nonprofit organization described at § 25.304(d)) is eligible for a fixed payment, in lieu of a payment for actual moving and related expenses, in an amount equal to its average annual net earnings as computed in accordance with paragraph (e) of this section, but not less than $2,500 nor more than $10,000, if the Agency determines that:

(1) The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless the Agency demonstrates that it will not suffer a substantial loss of its existing patronage; and

(2) The business is not part of a commercial enterprise having another establishment, which is not being acquired by the Agency, and which is under the same ownership and engaged in the same or similar business activities. (For purposes of this rule a remaining business facility that did not contribute materially to the income of the displaced person during the 2 taxable years prior to displacement shall not be considered "another establishment."); and

(3) The business contributed materially to the income of the displaced person during the 2 taxable years prior to displacement (see § 25.2(d)). However, the Agency may waive this test for good cause.

(b) *Determining the number of businesses.* In determining whether two or more displaced legal entities constitute a single business which is entitled to only one fixed payment, all

pertinent factors shall be considered, including the extent to which:

(1) The same premises and equipment are shared;

(2) Substantially identical or interrelated business functions are carried out and business and financial affairs are commingled;

(3) The entities are held out to the public, and to those customarily dealing with them, as one business;

(4) The same person, or closely related persons own, control, or manage the affairs of the entities.

(c) *Farm operation.* Any displaced farm operation, defined at § 25.2(h), may choose a fixed payment in lieu of a payment for actual moving and related expenses in an amount equal to its average annual net earnings as computed in accordance with paragraph (e) of this section, but not less than $2,500 nor more than $10,000. In the case of a partial acquisition of land which was a farm operation before the acquisition, the fixed payment shall be made only if the Agency determines that:

(1) The acquisition of part of the land caused the operator to be displaced from the farm operation on the remaining land; or

(2) The partial acquisition caused a substantial change in the nature of the farm acquisition.

(d) *Nonprofit organizations.* Any displaced nonprofit organization may choose a fixed payment in lieu of a payment for actual moving and related expenses in an amount of $2,500, if the Agency determines that it:

(1) Cannot be relocated without a substantial loss of existing patronage (membership or clientele). A nonprofit organization is assumed to meet this test, unless the Agency demonstrates otherwise; and

(2) Is not part of an enterprise having at least one other establishment engaged in the same or similar activity which is not being acquired by the Agency.

(e) *Average annual net earnings of a business or farm operation.* The average annual net earnings of a business or farm operation are one-half of its net earnings before Federal, State, and local income taxes during the 2 taxable years immediately prior to the taxable year in which it was displaced. If the business or farm was not in operation for the full 2 taxable years prior to displacement, net earnings shall be based on the actual period of operation at the displacement site during the 2 taxable years prior to displacement, projected to an annual rate. Average annual net earnings may be based upon a different period of time when the Agency determines it to be more equitable. Net earnings include any compensation obtained from the business or farm operation by its owner, the owner's spouse, and dependents. The displaced person shall furnish the agency proof of net earnings through income tax returns, certified financial statements, or other reasonable evidence which the Agency determines is satisfactory.

§ 25.305 Ineligible moving and related expenses.

A displaced person is not entitled to payment for:

(a) The cost of moving any structure or other real property improvement in which the displaced person reserved ownership. (However, this rule does not preclude the computation under § 25.401(d)(4)(iii).); or

(b) Interest on a loan to cover moving expenses; or

(c) Loss of goodwill; or

(d) Loss of profits; or

(e) Loss of trained employees; or

(f) Any additional operating expenses of a business, farm, or nonprofit organization incurred because of operating in a new location; or

(g) Personal injury; or

(h) Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the Agency; or

(i) Expenses for searching for a replacement dwelling; or

(j) Physical changes to the real property at the replacement location of a business, farm, or nonprofit organization, except as provided in § 25.303(a)(3); or

(k) Costs for storage of personal property on real property owned or leased by the displaced person.

Subpart E—Replacement Housing Payments

§ 25.401 Replacement housing payments for 180-day homeowner-occupants.

(a) *Eligibility.* A displaced person is eligible for the replacement housing payment for a 180-day homeowner-occupant if the person:

(1) Has actually owned and occupied the displacement dwelling for not less than 180 days immediately prior to the initiation of negotiations; and

(2) Purchases and occupies a decent, safe, and sanitary replacement dwelling within 1 year after the later of:

(i) The date the person receives final payment for the displacement dwelling or, in the case of condemnation, the date the required amount is deposited in the court, or

(ii) The date the person moves from the displacement dwelling.

(b) *Amount of total payment.* The total replacement housing payment for an eligible 180-day homeowner-occupant is an amount, not to exceed $15,000, which is the combined sum of:

(1) The amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling, as determined in accordance with paragraph (d) of this section; and

(2) The amount necessary to compensate the displaced person for any increased interest costs and other debt service costs to be incurred in connection with the mortgage(s) on the replacement dwelling, as determined in accordance with paragraph (e) of this section; and

(3) The amount of the reasonable expenses that are incidental to the purchase of the replacement dwelling, as determined in accordance with paragrah (f) of this section.

(c) *Rental assistance payment for 180-day owner who rents.* (1) A 180-day owner eligible for a replacement housing payment under § 25.401(a) who elects to rent a replacement dwelling is eligible for a payment not to exceed $4,000.

(2) The payment shall be computed and disbursed in accordance with § 25.402(b).

(d) *Price differential.*—(1) *Determination of price differential.* The price differential to be paid under paragraph (b)(1) of this section is the amount which must be added to the acquisition cost of the displacement dwelling to provide a total amount equal to the lesser of:

(i) The reasonable cost of a comparable replacement dwelling as determined in accordance with § 25.403(a); or

(ii) The purchase price of the decent, safe, and sanitary replacement dwelling actually purchased and occupied by the displaced person.

(2) *Mixed-use and multifamily properties acquired.* If the displacement dwelling was part of a property that contained another dwelling unit and/or space used for non-residential purposes, and/or is located on a lot larger than typical for residential purposes, only that portion of the acquisition payment which is actually attributable to the displacement dwelling shall be considered its acquisition cost when computing the price differential.

(3) *Insurance proceeds.* To the extent necessary to avoid duplicate compensation, the amount of any insurance proceeds received by a person in connection with a loss to the displacement dwelling due to a catastrophic occurence (e.g. fire, flood, etc.,) shall be included in the acquisition cost of the displacement dwelling when

computing the price differential. (Also see § 25.3).

(4) *Owner retention of displacement dwelling.* If the owner retains ownership of his or her dwelling, moves it from the displacement site, and reoccupies it on a replacement site (see also § 25.103(d) regarding owner retention of improvements), the purchase price of the replacement dwelling shall be considered to be the sum of:

(i) The moving expenses and the cost of restoration to a condition comparable to that prior to the move, including the retention value of the retained dwelling; and

(ii) The costs incurred to make the unit a decent, safe, and sanitary replacement dwelling (defined at § 25.2(e)); and

(iii) The cost of the replacement site, unless the claimant did not own the displacement site and there is a reasonable opportunity for the claimant to rent a suitable replacement site. For purposes of replacement housing computation, the "acquisition cost" of the displacement dwelling will be the total amount determined to be just compensation for the real property. The retention cost of the dwelling will not be deducted from the acquisition cost before the replacement housing computation.

(e) *Increased mortgage interest costs.* The amount to be paid under § 25.401(b)(2) is the sum of the present value of any increase in interest costs resulting because the interest rate on the mortgage financing on the replacement dwelling exceeds that on the displacement dwelling plus other debt service costs, all computed on the basis of the following rules:

(1) The payment shall only be based on bona fide mortgages that were a valid lien on the displacement dwelling for at least 180 days prior to the initiation of negotiations. All such mortgages on the displacement dwelling shall be used to compute the payment.

(2) The payment shall be based on the unpaid mortgage balance on the displacement dwelling or the new mortgage amount, whichever is less.

(3) The payment shall be based on the remaining term of the mortgage on the displacement dwelling or the actual term of the new mortgage, whichever is shorter.

(4) The interest charge on the new mortgage shall not exceed the prevailing interest rate currently charged by mortgage lending institutions in the area in which the replacement dwelling is located.

(5) The present value of the increased cost shall be computed at the prevailing interest rate paid on savings deposits by commercial banks in the area in which the replacement dwelling is located.

(6) Purchaser's points and origination fees, but not seller's points, shall be paid to the extent (i) they are not paid as incidental expenses, (ii) they do not exceed rates normal to similar real estate transactions in the area, and (iii) the Agency determines them to be necessary. The computation of such points and fees shall be based on the unpaid mortgage balance on the displacement dwelling or the new mortgage amount, whichever is less.

(f) *Incidental expenses.* The incidental expenses to be paid under paragraph (b)(3) of this section or § 25.402(c)(1) are those reasonable costs actually incurred by the displaced person incident to the purchase of a replacement dwelling, and customarily paid by the buyer including:

(1) Legal, closing, and related costs, including those for title search and insurance, preparing conveyance instruments, notary fees, preparing surveys and plats, and recording fees.

(2) Lender, FHA, or VA appraisal fees.

(3) FHA or VA application fee.

(4) Certification of structural soundness when required by the lender.

(5) Credit report.

(6) Owner's and mortgagee's evidence or assurance of title.

(7) Escrow agent's fee.

(8) State revenue or documentary stamps, sales or transfer taxes (not to exceed the costs for a comparable replacement dwelling).

(9) Such other costs as the Agency determines to be incidental to the purchase.

§ 25.402 Replacement housing payment for 90-day occupants.

(a) *Eligibility.* A tenant or owner-occupant displaced from a dwelling is entitled to a payment not to exceed $4,000 for rental assistance, as computed in accordance with paragraph (b) of this section, or downpayment assistance, as computed in accordance with paragraph (c) of this section, if such displaced person:

(1) Has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations; and

(2) Has rented, or purchased, and occupied a decent, safe, and sanitary replacement dwelling within 1 year after:

(i) In the case of a tenant, the date he or she moves from the displacement dwelling, or

(ii) In the case of an owner-occupant, the later of:

(A) The date he or she receives final payment for the displacement dwelling, or in the case of condemnation, the date the required amount is deposited in the court; or

(B) The date he or she moves from the displacement dwelling.

(b) *Rental assistance payment.*—(1) *Amount of payment.* An eligible displaced person who rents a replacement dwelling is entitled to a payment up to, but not to exceed $4,000 for rental assistance. Such payment shall be 48 times the amount obtained by subtracting the average monthly cost for rent of the displacement dwelling for a reasonable period prior to displacement, as determined by the Agency (for an owner-occupant or tenant who pays little or no rent, the average cost for rent shall be the fair market rent), from the lesser of:

(i) The monthly rent for a comparable replacement dwelling; or

(ii) The monthly rent for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person.

(2) *Utility services.* If utilities are included in the monthly rent of the displacement dwelling, the monthly rent of the comparable replacement dwelling should include utilities; but if it does not, an appropriate amount shall be added. If utilities are not included in the monthly rent of the displacement dwelling, but are included in the monthly rent of the comparable replacement dwelling, an appropriate amount shall be added to the monthly rent of the displacement dwelling in making the calculations. If utilities are not included in the monthly rent of the displacement dwelling or the monthly rent of the comparable replacement dwelling, then the Agency may compute a rental assistance payment without including utilities.

(3) *Manner of disbursement.* The payment under this section shall be disbursed in a lump sum amount, unless the Agency determines on a case-by-case basis, for good cause, that the payment should be made in installments.

(c) *Downpayment assistance payment.*—(1) *Amount of payment.* An eligible displaced person who purchases a replacement dwelling is entitled to a payment for downpayment assistance up to, but not to exceed, $4,000. Such payment shall be the full amount of the first $2,000 of the required downpayment and incidental expenses (see § 25.401(f)) plus one-half of any amount required over $2,000, provided that the displaced person matches equally any amount in excess of $2,000. However, the total payment by the Agency shall not exceed $4,000. A displaced person eligible to receive a replacement housing payment for a 180-day homeowner occupant

under § 25.401 is not eligible for this payment.

(2) *Required downpayment.* For purposes of this section, the term "required downpayment" means the downpayment ordinarily required to obtain conventional loan financing for the decent, safe, and sanitary dwelling actually purchased and occupied. However, if the downpayment actually required of a displaced person for the purchase of the replacement dwelling exceeds the amount ordinarily required, the amount of the "required downpayment" shall be the amount which the Agency determines is necessary for the downpayment.

(3) *Application of payment.* The full amount of the replacement housing payment for downpayment assistance must be applied to the purchase price of the replacement dwelling and related incidental expenses.

§ 25.403 Additional rules governing replacement housing payments.

(a) *Determining cost of comparable replacement dwelling.* The upper limit of a replacement housing payment shall be based on the cost of a representative comparable replacement dwelling (defined at § 25.2(c)).

(1) If available, at least three representative comparable replacement dwellings shall be examined and the payment computed on the basis of the dwelling most nearly representative of, and equal to, or better than, the displacement dwelling. An adjustment shall be made to the asking price of any dwelling, if such an adjustment is considered justified by the Agency (e.g., local market conditions). An obviously overpriced dwelling may be ignored.

(2) If the site of the comparable replacement dwelling lacks a major exterior attribute of the displacement dwelling site (e.g., the site is significantly smaller or does not contain a swimming pool), the value of such attribute shall be subtracted from the acquisition cost of the displacement dwelling for purposes of computing the payment. If a buildable residential lot or an uneconomic remnant remains after a partial taking and the owner of the remaining property refuses to sell the remainder to the displacing agency, the fair market value of the remainder may be added to the acquisition cost of the displacement dwelling for purposes of computing the payment.

(3) To the extent feasible, comparable replacement dwellings shall be selected from the neighborhood in which the displacement dwelling was located or, if that is not possible, in nearby or similar neighborhoods where housing costs are generally the same or higher.

(b) *Inspection of replacement dwelling.* Before making a replacement housing payment or releasing a payment from escrow, the Agency or its designated representative shall inspect the replacement dwelling and determine whether it is a decent, safe, and sanitary dwelling as defined at § 25.2(e).

(c) *Purchase of replacement dwelling.* A displaced person is considered to have met the requirement to purchase a replacement dwelling, if the person:

(1) Purchases a dwelling; or

(2) Purchases and rehabilitates a substandard dwelling; or

(3) Relocates a dwelling which he or she owns or purchases; or

(4) Constructs a dwelling on a site he or she owns or purchases; or

(5) Contracts for the purchase or construction of a dwelling on a site provided by a builder or on a site the person owns or purchases.

(d) *Delay in occupancy after purchase of replacement dwelling.* If the displaced person initially occupies the replacement dwelling after the date by which occupancy is required, but the delay beyond such date is caused by reasons beyond the person's control, as determined by the Agency, the occupancy requirement shall be considered to be satisfied.

(e) *Payment eligibility in special circumstances.* No person shall be denied eligibility for a replacement housing payment solely because he or she is unable to meet the occupancy requirements set forth in the regulations in this Part due to a disaster, an emergency, or an imminent threat to the public health or welfare, as determined by the President or the Federal agency funding the project.

(f) *Conversion of payment.* A displaced person who initially rents a replacement dwelling and receives a rental assistance payment under § 25.402(b) is eligible to receive a payment under § 25.401 or § 25.402(c) if he or she meets the eligibility criteria for such payments, including purchase and occupancy within the prescribed 1-year period. Any portion of the rental assistance payment that has been disbursed shall be deducted from the payment computed under § 25.401 or § 25.402(c).

(g) *Payment after death.* A replacement housing payment is personal to the displaced person and upon his or her death the undisbursed portion of any such payment shall not be paid to the heirs or assigns, except that:

(1) The amount attributable to the displaced person's period of actual occupancy of the replacement housing shall be paid.

(2) The full payment shall be disbursed in any case in which a member of a displaced family dies and the other family member(s) continue to occupy the replacement dwelling selected in accordance with these regulations.

(3) Any portion of a replacement housing payment necessary to satisfy the legal obligation of an estate in connection with the selection of a replacement dwelling by or on behalf of a deceased person shall be disbursed to the estate.

Subpart F—Mobile Homes

§ 25.501 Applicability.

This Subpart describes the requirements governing the provision of relocation payments for a person displaced from a mobile home or mobile homesite who meets the basic eligibility requirements of these regulations. Except as modified by this Subpart, such a displaced person is entitled to a moving expense payment in accordance with Subpart D and a replacement housing payment in accordance with Subpart E to the same extent and subject to the same requirements as persons displaced from conventional dwellings.

§ 25.502 Moving and related expenses—Mobile homes.

(a) *General.* A tenant or owner-occupant displaced from a mobile home or mobile homesite is entitled to a payment for the cost of moving his or her personal property on an actual cost basis in accordance with § 25.301 or, as an alternative, on the basis of a fixed payment under § 25.302 as described in the applicable Agency schedule.

(1) If a displaced mobile homeowner files a claim for actual moving expenses for moving the mobile home to a replacement site, the reasonable cost of disassembling, moving, and reassembling any attached appurtenances (such as porches, decks, skirting, and awnings) which were not acquired, anchoring of the unit, and utility "hook-up" charges are reimbursable.

(2) If the mobile home is not acquired but the owner obtains a replacement housing payment under one of the circumstances described at § 25.503(c), the owner is not eligible for payment of moving expenses under Subpart D for moving the mobile home.

(3) If a mobile home requires repairs or modifications to enable it to be moved to a replacement site, and the Agency determines that it is practical to do so, payment shall be limited to the

reasonable costs of moving the mobile home and making such repairs or modifications.

(b) *Mobile home park entrance fee.* Nonreturnable entrance fees are reimbursable as part of actual cost moving expenses unless the Agency determines that comparable mobile home parks are available which do not require entrance fees.

§ 25.503 Replacement housing payment for 180-day mobile home owner-occupants.

A displaced owner-occupant of a mobile home is entitled to a replacement housing payment not to exceed $15,000 under § 25.401 if:

(a) The person both owned the displacement mobile home and occupied it on the displacement site for at least 180 days immediately prior to the initiation of negotiations;

(b) The person meets the other basic eligibility requirements at § 25.401(a); and

(c) The Agency acquires the mobile home as real property, or the mobile home is not acquired by the Agency but the owner is displaced because the Agency determines that the mobile home:

(1) Is not decent, safe, and sanitary; or

(2) Cannot be moved without substantial damage or unreasonable cost; or

(3) Cannot be moved because there is no available comparable replacement site; or

(4) Cannot be moved because it does not meet mobile home park entrance requirements.

(When the mobile home is not actually acquired, the acquisition cost of the displacement dwelling used for the purpose of computing the price differential amount, described at § 25.401(d), shall include the salvage value or trade-in value of the mobile home, whichever is higher.)

§ 25.504 Replacement housing payments for 90-day mobile home occupants.

A displaced tenant or owner-occupant of a mobile home is eligible for a replacement housing payment, not to exceed $4,000, under § 25.402 if:

(a) The person actually occupied the displacement mobile home on the displacement site for at least 90 days immediately prior to the initiation of negotiations;

(b) The person meets the other basic eligibility requirements at § 25.402(a); and

(c) The Agency acquired the mobile home as real property, or the mobile home is not acquired by the Agency but the owner or tenant is displaced from the mobile home because of one of the circumstances described at § 25.503(c).

§ 25.505 Additional rules governing relocation payments to mobile home occupants.

(a) *Persons with both an ownership and tenant interest.* A displaced mobile home occupant may have owned the displacement mobile home and rented the site or may have rented the displacement mobile home and owned the site. Also a person may elect to purchase a replacement mobile home and rent a replacement site, or rent a replacement mobile home and purchase a replacement site. In such cases, the total replacement housing payment shall consist of a payment for a dwelling and a payment for a site, each computed under the applicable section in Subpart E. However, the total replacement housing payment to a person shall not exceed the maximum payment (either $15,000 or $4,000) permitted under the section that governs the computation of the dwelling.

(b) *Cost of comparable replacement dwelling.* (1) When computing the amount of a replacement housing payment for a person displaced from a mobile home, the cost of a comparable replacement dwelling is the reasonable cost of a comparable replacement mobile home, including the site. This applies whether the displaced person's actual replacement dwelling is another mobile home or a conventional home.

(2) If a comparable replacement mobile home is not available, the replacement housing payment shall be computed on the basis of the reasonable cost of a comparable conventional dwelling.

(3) If a mobile home requires repairs or modifications to permit its relocation to another site and the Agency determines that it would be practical to move the mobile home and make the repairs or modifications, the cost of a comparable dwelling is the value of the occupants' mobile home plus the cost to make the repairs or modifications.

(c) *Initiation of negotiations.* If a mobile home is not actually acquired, but the occupant is considered displaced under these regulations, the "initiation of negotiations" shall be the date of the initiation of negotiations to acquire the land, or, if the land is not acquired, the date the occupant is notified in writing that he or she is a displaced person for the purposes of these regulations.

(d) *Person moves mobile home.* If the owner is reimbursed for the cost of moving the mobile home under these regulations, he or she is not eligible to receive a replacement housing payment to assist in purchasing or renting a replacement mobile home. The person may, however, be eligible for assistance in purchasing or renting a replacement site.

(e) *Partial acquisition of mobile home park.* The acquisition of a portion of a mobile home park property may leave a remaining part of the property that is not adequate to continue the operation of the park. If the Agency determines that a mobile home occupant located in the remaining part of the property is required to move, such an occupant shall be considered displaced by the project and entitled to the relocation payments and other assistance in these regulations.

Subpart G—Last Resort Housing

§ 25.601 Applicability.

(a) *Basic determination to provide last resort housing.* A person cannot be required to move from his or her dwelling unless at least one comparable replacement dwelling is made available to the person. When a replacement housing payment under Subpart E is not sufficient to provide such housing, additional measures may be needed. An Agency is authorized to take additional measures when it determines that there is a reasonable likelihood that the project will not be able to proceed to completion in a timely manner because no comparable replacement dwelling will be available on a timely basis to a person to be displaced. The Agency's obligation to ensure that a comparable replacement dwelling is available shall be met when such a dwelling, or assistance necessary to provide such a dwelling, is offered under the provisions of this Subpart.

(b) *Basic rights of persons to be displaced.* The provisions of this Subpart do not deprive any displaced person of any rights the person may have under the Uniform Act of any implementing regulations. The Agency shall not require any displaced person, without the person's written consent, to accept a dwelling provided by the Agency under the procedures in this Subpart in lieu of any acquisition payment or any relocation payment for which the person may otherwise be eligible.

§ 25.602 Methods of providing replacement housing.

Agencies shall have broad latitude in implementing this Subpart, but implementation shall be on a reasonable cost basis. The methods of providing last resort housing include, but are not limited to:

(a) Rehabilitation of and/or additions to an existing replacement dwelling.

(b) The construction of a new replacement dwelling.

(c) The provision of a direct loan, which requires regular amortization or deferred repayment. The loan may be unsecured or secured by the real property. The loan may bear interest or be interest free.

(d) A replacement housing payment in excess of the limits set forth in § 25.401 or § 25.402. (A rental assistance subsidy under this Subpart may be provided in installments).

(e) The relocation and, if necessary, rehabilitation of a replacement dwelling.

(f) The purchase of land and/or a replacement dwelling by the displacing agency and subsequent sale or lease to, or exchange with, a displaced person.

(g) The removal of barriers to the handicapped.

Appendix A—Section-by-Section Analysis

This section-by-section analysis describes the provisions of the final rule. This material is normally published in the preamble to the final rule. However, the Department believes that it may be useful to displacing agencies and the public to publish this information in an appendix to the final regulation. As a result, this information will be available to users of the Code of Federal Regulations as well as to persons who have access to the **Federal Register** print of the regulation.

Subpart A—General

Section 25.9(c)(2) Functionally similar.

Section 25.2(c)(2) defines comparable replacement housing. One element of this definition requires that comparable replacement housing be functionally similar to the displacement dwelling, with particular attention to the number of rooms and living space. This means that while the replacement dwelling must perform the same functions as the displacement dwelling, it need not be identical. For example, if a displacement dwelling contains a garage which is used as a laundry room, a replacement dwelling with sufficient space (such as a basement) to perform the same function meets the comparability requirement, if otherwise acceptable. Similarly, a replacement dwelling need not duplicate specialized furnishings such as custom kitchen cabinets in order to be comparable.

Moreover, when evaluating comparability an Agency must pay particular attention to the number of rooms and the amount of living space provided by the displacement and replacement dwellings since these are major factors in determining whether the displaced family or individual will be able to maintain the same lifestyle as before displacement.

Section 25.9(c) Reports.

This regulation allows Federal agencies to require the submission of a report on activities under the Uniform Act no more frequently than once very three years. The report, if required, will cover activities during the Federal fiscal year immediately prior to the submission date. In order to minimize the administrative burden on agencies implementing this rule, a basic report form (see Attachment, Appendix B) has been developed which, with only minor modifications, will be used in all Federal and federally-assisted programs or projects.

Subpart B—Real Property Acquisition

Section 25.101(a) General.

The Department intends that the provisions of this Subpart will apply to real property acquisition for the following types of Federal or federally assisted programs or projects:

(1) Those carried out under the threat of eminent domain, including amicable agreements under the threat of such power.

(2) Where there is an intended, planned, or designated project area, and all or substantially all of the property within that area is eventually intended to be acquired. Such acquisitions are subject to the requirements of this Subpart whether or not the acquiring agency has or intends to use the power of eminent domain.

Provided it does not conflict with the foregoing, an Agency may determine that the requirements of this Subpart do not apply to an acquisition if all of the following conditions are present:

(1) No specific site or property needs to be acquired, although the Agency may limit its search for alternative sites to a general geographic area.

(2) The property to be acquired must not be a part of an intended, planned, or designated project area where all or substantially all of the property within the area is eventually to be acquired.

(3) The Agency will not acquire the property in the event negotiations fail to result in an amicable agreement, and the owner is so informed. Acquisitions meeting the foregoing criteria are classified as voluntary transactions. The essence of a voluntary transaction is the condition surrounding the transaction, not the type of transaction itself. A voluntary transaction may involve a donation, an exchange, or a market sale, if the transaction is without compulsion on the part of the acquiring agency.

In those situations where an Agency wishes to purchase more than one site within a geographic area on a "voluntary transaction" basis, the Department intends that all owners be treated similarly with respect to eligibility for benefits under the Uniform Act and these regulations.

Section 25.101(b) Less-than-full-fee interest in real property.

The intent of this provision is to provide a clear benchmark beyond which the requirements of the regulation clearly apply to leases. However, the Department also intends to allow displacing agencies the flexibility to apply the regulation to those leasehold acquisitions which are marginally short of 50 years but in their judgment should be covered.

Section 25.101(c) Federally-assisted projects.

A State agency's assurances under section 305 of the Uniform Act (see § 25.4(a)) must contain specific reference to the State law which the Agency believes provides an exception to the provisions of sections 301 and 302 of the Act.

Section 25.102(d) Establishment of offer of just compensation.

The initial offer to the property owner may not be less than the amount of the Agency's approved appraisal, but may exceed that amount if the Agency determines that a greater amount reflects just compensation for the property.

Section 25.102(f) Basic negotiation procedures.

The Department intends that an offer to an owner be adequately presented, and that the owner be properly informed. The Department encourages a personal, face-to-face contact, but this section is not intended to require such contact in all cases.

Section 25.102(g) Updating offer of just compensation.

The objective of this section is to assure that the full amount of just compensation due is offered to a property owner at the time the offer is presented to the owner. Appraisals should be updated as warranted so this objective will be achieved.

Section 25.102(i) Administrative settlement.

This section is intended to provide guidance on settlement of a case as an

alternative to judicial resolution of a difference of opinion on the value of a property so as to avoid unnecessary litigation and congestion in the courts. The Department intends that all relevant facts and circumstances be considered by an Agency official delegated this authority. The Department cautions that appraisers or reviewing appraisers should not be pressured to adjust their estimate of value for the purpose of justifying such settlements. Such action would invalidate the appraisal process.

Section 25.102(j) Payment before taking possession.

The right-of-entry process is intended to be used in the exceptional case, such as for emergency projects, where there is no time to make an appraisal and an offer, and the property owner is agreeable to the process.

Section 25.103(b) Standards of appraisal.

In paragraph (b)(3) of this section, the Department intends that all relevant and reliable approaches to value be utilized. However, where an Agency determines that the market approach will be adequate by itself because of the type of property being appraised and the availability of sales data, it may limit the appraisal assignment to the market approach.

Section 25.103(c) Influence of the project on just compensation.

As used in this section, the term "project" is intended to mean an undertaking which is planned, designed, and intended to operate as a unit.

Because of the public knowledge of the proposal, property values may be affected. A property owner should not be penalized because of a decrease in value caused by the proposed project and should not reap a windfall at public expense because of increased value created by the proposed project.

Section 25.103(f) Conflict of interest.

The overall Department objective is to minimize, within reason, the risk of fraud and mismanagement and to promote public confidence in Federal and federally-assisted land acquisition practices. In recognition that the costs may outweigh the benefits in some circumstances, the Department has provided that the same person may both appraise and negotiate an acquisition, provided its value is $2,500 or less. The Department also points out that *all* appraisals shall be reviewed in accordance with § 25.104. This includes appraisals made for the type of acquisition discussed here.

Section 25.104 Review of appraisals.

This section recognizes that agencies differ in the authority delegated to the review appraiser. In some cases the reviewer establishes the amount of the offer to the owner and in other cases the reviewer makes a recommendation which is acted on at a higher level. It is also within Agency discretion to decide whether a second review is needed if the first review appraiser establishes a value different from that in the appraisal report or reports on a property.

With respect to the requirement for a signed, written report by the review appraiser in § 25.104(c), the Department has emphasized explanation and analysis. The Department intends that such analysis be appropriate to the situation. In some cases, a substantial effort is required. At the opposite end of the scale, only a signature may suffice.

Section 25.106 Expenses incidental to transfer of title to the agency.

The Department intends that for a property owner to be entitled to reimbursement for incidental title transfer expenses, the expense must be one that the owner must incur; i.e., it is not optional with the owner and/or duplicative of Agency action to obtain surveys, a legal description, etc. Further, the amount itself must be reasonable given the nature of the expense and other relevant circumstances.

Section 25.108 Donations.

This section is intended to make the point that the agency must obtain an appraisal and offer the full amount of just compensation due unless the owner releases the Agency from these obligations.

Subpart C—General Relocation Requirements

Section 25.204 Availability of comparable replacement dwelling prior to displacement.

The requirement that at least one comparable replacement dwelling be made available is considered a minimum requirement and complies with section 205(c)(3) of the Uniform Act. The revised definition of a comparable replacement dwelling found in Subpart A, § 25.2(c), is intended to give the acquiring agencies flexibility in locating comparables.

Section 25.205(b)(2)(iii). The objective of this provision is to emphasize that, whenever possible, Relocation Assistance Advisory Services includes assisting minorities to relocate to decent, safe, and sanitary dwellings that are not located in an area of minority concentration.

Section 25.205(b)(2)(iv). The intent of this provision is to ensure that all displaced persons have the opportunity to make inspections. While many will not ask for assistance of this kind, all should enjoy the same opportunity.

Section 25.206 Eviction for cause.

Eligibility for assistance is established on the basis of facts existing as of the date of the initiation of negotiations. Once the Agency has determined that a person has satisfied the eligibility requirements of the Uniform Act, there is no basis for changing that determination, assuming all remaining conditions for eligibility are met.

Subpart D—Payments for Moving and Related Expenses

Section 25.301 Payment for actual reasonable moving and related expenses—residential moves.

The language of § 25.207(a) provides the necessary flexibility to allow an Agency, if it so desires, to adopt a procedure to permit payment of residential moving cost without additional documentation as long as the payment was limited to the amount of the lowest acceptable bid or estimate.

Section 25.305 Ineligible moving and related expenses.

The experience of Federal agencies who have allowed physical changes is that the cost is prohibitive. In addition, the Uniform Act treats business moves differently from residential moves. For residential displacements, the Uniform Act provides a specific requirement of comparability in a replacement unit and specific payments designed to assure that comparability is attained. The Act provides neither the requirement nor the payment for business. The Department has decided that the prohibition on physical changes should remain in the rule, except as provided in § 25.303(a)(3).

Subpart F—Mobile Homes

Section 25.502(a)(3) Moving and related expenses—mobile homes.

This paragraph is desinged to make it clear that reasonable costs for repairs or modifications to render a mobile home suitable for movement to a replacement site are reimbursable as moving costs.

Section 25.502(b) Mobile home park entrance fee.

This paragraph is intended to show that reimbursement for mobile home park entrance fees is allowable only when necessary to effect relocation.

Section 25.503(c) Replacement housing payment for 180-day mobile home owner-occupants.

The language is intended to indicate the eligibility of both owners and tenants of mobile homes and the conditions under which a replacement housing payment may be made even though the structure is not acquired.

Section 25.504 Replacement housing payments for 90-day mobile home occupants.

The language clearly indicates that tenants, as well as owners, of mobile homes may be eligible to receive this payment.

Section 25.505 Additional rules governing relocation payments to mobile home occupants.

Paragraph (b)(1) includes consideration of the site in the overall determination of comparability of the replacement mobile home.

Paragraph (b)(3) allows reimbursement of costs to cure existing deficiencies in displaced mobile homes which are not acquired by including them in the calculation of the cost of a comparable replacement dwelling.

Paragraph (e) clearly indicates that determinations regarding displacement attributable to partial acquisition of mobile home parks are to be made by the Agency.

Subpart G—Last Resort Housing

Section 25.601(a) Basic determination to provide last resort housing.

No guidelines for implementation are included in the regulation because additional requirements would tend to limit the flexibility considered necessary for equitable application of this subsection.

Section 25.601(b) Basic rights of persons to be displaced.

A displaced homeowner's right to purchase a replacement dwelling is stated elsewhere in the regulation and is intended to apply here also.

The use of cost effective means of providing replacement housing is implied throughout the regulation. The term "reasonable cost" is used here to underline the fact that while innovative means to provide housing are allowed, they should be used in a cost-effective manner.

Section 26.602(c). The mortgage financing option is mentioned because it is permitted under section 215 of the Uniform Act and because section 206(a) of the Act authorizes "such action as is necessary or appropriate to provide such housing * * *"

Appendix B—Statistical Report Form

The statistical report form required under § 25.9(c) will be published at a later date. The instructions for use and completion of the form are set forth below.

General

1. *Report coverage.* A report is required to be submitted by all agencies carrying out relocation and/or real property acquisition activities under a Federal or a federally assisted project or program subject to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646 (herein called the "Uniform Act").

2. *Report period.* Activities shall be reported on a Federal Fiscal Year basis i.e., October 1—September 30 for the year in which the report is required under paragraph 25.9.

3. *Where and when to submit report.* Submit an original and two copies of this report to (*Name and Address of Federal Agency*) as soon as possible after September 30, but *NOT LATER THAN NOVEMBER 15* of the year in which the report is due.

4. *How to report relocation claims.* A relocation claim shall be reported once the full amount of the claim is approved. If a claim is to be paid in installments or any other type of partial payment is made, only the full amount of the approved claim shall be reported.

5. *How to report dollar amounts.* Round off all money entries in Parts B and C to the nearest dollar.

6. *Statutory references.* Data elements on the report relating to the costs of relocation payments and advisory assistance are identified to indicate the Section of the Uniform Act that authorizes the cost. The references are in parentheses in Part B on the applicable line.

Part A—Persons Displaced

Report in Part A the number of persons ("households," "businesses and nonprofit organizations," and "farms") who were permanently displaced during the report period by project or program activities and moved to their replacement dwelling or location. This includes businesses, nonprofit organizations and farms which, upon displacement, discontinued operations. The category "households" includes all families and individuals. A family shall be reported as "one" household, *not* by the number of people in the family unit. Persons shall be reported according to their status as "owners" or "tenants" of the property from which displaced.

Part B—Relocation Payments and Expenses

Report in Part B the total number of claims, total dollar amounts approved for relocation payments, and total expenses incurred in providing relocation advisory assistance and services during the report period.

Columns (a) and (b). Report in Column (a) the number of claims approved during the report period. Report in Column (b) the total amount represented by the claims reported in Column (a).

Line 10b, Column (b). Report in Column (b) the amount of increased mortgage interest costs that was included in the total amount approved for Replacement Housing Payments for Homeowners on Line 10a, Column (b). Leave Line 10b, Column (a) blank.

Line 13. Report in Column (a) the number of households displaced by project or program activities which were provided assistance in accordance with section 206(a) of the Uniform Act. Report in Column (b) the total financial assistance under section 206(a) allocable to the households reported in Column (a). (If a household received financial assistance under section 203 or section 204 of this regulation as well as under section 206(a) of the Uniform Act, report the household as a claim in Column (a), but in Column (b) report only the amount of financial assistance allocable to section 206(a). For example, if a tenant-household receives a payment of $5,000 to rent a replacement dwelling, the sum of $4,000 shall be included on Line 11, Column (b), and $1,000 shall be included on Line 13, Column (b).)

Line 14. Report on Line 14 all administrative costs incurred during the report period in connection with providing relocation advisory assistance and services under section 205 of the Uniform Act.

Part C—Real Property Acquisition Subject to Uniform Act

Line 16, Columns (a) and (b). Report in Column (a) all parcels acquired during the report period where title or possession was vested in the acquiring agency during the reporting period. (Include parcels acquired without Federal financial assistance, if there was or will be Federal financial assistance in other phases of the project or program.) Report in Column (b) the total of the amounts paid, deposited in court, or otherwise made available to a property owner pursuant to applicable law in order to vest title or possession in the acquiring agency.

Line 17. Report on Line 17 the number of parcels reported on Line 16 that were acquired by condemnation where price disagreement was involved. Leave Line 17, Column (b), blank.

Part D—Relocation Grievances Filed During Report Period

Line 18. Report on Line 18 the total number of formal relocation grievances filed during the report period by persons displaced that pertain to a payment or to the adequacy of replacement housing in accordance with the applicable Federal agency government-wide regulations governing appeal procedures.

[FR Doc. 85-5309 Filed 3-1-85; 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 25

[OST Docket No. 79a; Notice 85-4]

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act); Acquisition for Federal and Federally-Assisted Programs

AGENCY: Department of Transportation, Office of the Secretary.

ACTION: Supplemental Notice of Proposed Rulemaking.

SUMMARY: The Department of Transportation today is publishing in the Federal Register a final rule establishing revised policies and procedures for carrying out the Uniform Act. After the notice of proposed rulemaking for this final rule was published, the question arose of whether the rule should fully protect against the duplication of payments. This supplemental notice of proposed rulemaking requests comment on whether an alternative proposal having this purpose should replace the duplication of payments provision of the final rule.

DATE: Comments should be received in the Department by May 6, 1985.

ADDRESS: Comments should be addressed to Docket Clerk, Docket 79a, Department of Transportation, Room 4107, 400 7th Street, SW., Washington, D.C. 20590. Comments will be available at this address for public inspection from 9:00 a.m. to 5:30 p.m. Monday through Friday. Commenters wishing acknowledgement of their comments should enclose a stamped, self-addressed postcard with their comment. The Docket clerk will time and date stamp the card and return it to the commenter.

FOR FURTHER INFORMATION CONTACT: Wayne Kennedy, Director, Office of Right of Way, Federal Highway Administration (202-426-0342); Reid Alsop, Office of Chief Counsel, Federal Highway Administration (202-426-0800); or Joseph Canny, Director, Office of Transportation Regulations, Office of the Secretary (202-426-4220). Office hours, Monday through Friday, are 7:45 a.m. through 4:15 p.m. (FHWA) and 9:00 a.m. through 5:30 p.m. (OST).

SUPPLEMENTARY INFORMATION: Elsewhere in today's Federal Register, the Department of Transportation (DOT) has published a final rule revising its policies and procedures implementing the Uniform Act. This final rule, developed and in cooperation with an Interagency Working Group and the Office of Management and Budget (OMB), is intended to be a model for rules to be issued by other agencies with responsibilities under the Uniform Act. In the future, these other agencies will publish proposed rules based on the DOT final rule.

Section 25.3 of the final rule, which concerns duplication of payments, provides as follows:

> No person shall receive any payment under these regulations that would have substantially the same purpose and effect as the compensation which the displaced person receives under the state law of eminent domain and which is part of the cost of a project.

This provision closely follows the language of 42 U.S.C. 4631(b), the "no duplication of payment" section of the present Uniform Act, and present FHWA rules and practice. Under this provision, the displaced person's compensation under the Uniform Act and these rules would be reduced by the amount of any payment the individual receives under state eminent domain law that is determined to have the same purpose and effect as the payment under the Uniform Act.

It is possible, however, that payments under laws other than state eminent domain law could also duplicate payments under the Uniform Act. After the notice of proposed rulemaking for today's final rule was published, the question of whether the regulation should attempt to deal with other sources of duplicate payments arose. Therefore, this supplemental notice of proposed rulemaking requests public comment on an alternative proposal that would expand the anti-duplication effect of this section to encompass some of those situations.

Since it is possible that payments other than under state eminent domain law could also duplicate payments under the Uniform Act, we are proposing an alternative. The alternative proposal set forth in this NPRM would expand the anti-duplication effect of this section to encompass some of those situations. Under the alternative proposal, if a displaced person receives a payment under any Federal, state or local law that is determined to have the same purpose and effect as the Uniform Act payment to which the person was entitled, the Uniform Act payment would be reduced by the amount of the other payment.

This approach is consistent with the intent of proposed revisions to the Uniform Act considered in Congress last year. A compromise to the House (HR 5504) and Senate (S. 531) bills took this approach. However, this legislation was not ultimately enacted. We seek comment on whether this proposal would be inconsistent with the existing language of the Act (43 U.S.C. 4631(b)).

The alternative proposal would also encompass other Federal payments, in order to ensure that Federal funds are not expended in a duplicative and wasteful manner. For example, it is possible, in some circumstances, that all or part of Federal housing assistance payment from Department of Housing and Urban Development programs, the Department of Health and Human Services low-income energy block grant program, or Flood Insurance payments administered by the Federal Emergency Management Agency could have the same purpose and effect as Uniform Act payments.

The purpose of this proposal is to ensure that the Uniform Act program is administered in as fiscally responsible a way as possible. If an individual receives a payment under another Federal, state or local legal authority that has the same purpose and effect as a Uniform Act payment, the result is not only a windfall for that individual but also a drain, (unnecessary to the accomplishment of the Act's objectives), on Federal, state and local funds supporting the Uniform Act program. This is as true if the duplicative payment is made under a Federal law or another state or local law as it is if the payment were under state eminent domain law.

We believe that there are a number of considerations related to the alternative proposal. First, a change in this aspect of the regulation could require recipients of Federal financial assistance to have to make procedural changes in their administration of the Uniform Act. This adjustment could be timeconsuming and burdensome.

Second, because the administrative procedures needed to keep track of potentially duplicative payments from a variety of sources could prove burdensome, for the agencies themselves as well as for displaced persons, we intend this alternative proposal to apply only to payments known to be duplicative prior to the disbursement or the Uniform Act payment. Otherwise, problems could arise with respect to subsequent reduction of welfare payments or housing subsidies, a certain level of which was used to calculate the offset from the payment under the Uniform Act.

Third, we seek comment on how the Federal administration of this part of the program might best be structured. If each agency were to make

determinations on "same purpose and effect" issues, there cold be a serious problem of inconsistent determinations among the Federal agencies. If so, what sort of coordination mechanism (e.g., a "lead agency" approach, an interagency committee) would best address the problem?

Finally, we are interested in the experience of grantees and other interested parties concerning the prevalence of duplicative payments, the difficulty of obtaining information about such payments, and the costs versus the savings realized by eliminating the duplication.

Regulatory Process Matters

This rule is not a major rule for purposes of Executive Order 12291 or a significant rule under the Department's Regulatory Policies and Procedures. The only economic effect that the proposed regulation would have is to prevent certain duplicate payments which may now be possible. This effect would be beneficial to the Federal government, and would not significantly harm beneficiaries since it would simply act to prevent windfalls. For these reasons, under the criteria of the Regulatory Flexibility Act, the Department certifies that the proposed rule would not have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Part 25

Transportation, Relocation assistance and real property acquisition, Reporting and recordkeeping requirements.

Issued this 28th day of February, 1985, at Washington, DC.

Elizabeth Hanford Dole,

Secretary of Transportation.

PART 25—[AMENDED]

For the reasons set forth in the preamble, the Department of Transportation proposes to revise § 25.3 of Title 49, Code of Federal Regulations, to read as follows:

§ 25.3 No duplication of payments.

No person shall receive any payment under these regulations if that person receives a payment under Federal, state or local law which is determined to have the same purpose and effect as such payment under these regulations.

Authority: Sec. 211(b), Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894 (42 U.S.C. 4631(b)).

[FR Doc. 85-5310 Filed 3-1-85; 12:32 pm]

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