of sitters and making it available to members of the community. Issues such as hours of work, amount of payment, and the method by which the services are performed are all resolved between the sitter and parent. A, a parent, used the list to hire B to sit for A's child. B performs the services four days a week in A's home and follows specific instructions given by A. Under § 31.3121(d)–1, B is the employee of A rather than the employee of the neighborhood association. Consequently, this section does not apply and B remains the employee of A.

(f) *Effective date.* This section shall apply to remuneration received after December 31, 1974.

[FR Doc. 80–10703 Filed 4–8–80; 8:45 am]

BILLING CODE 4830–01–M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1613

Equal Employment Opportunity in the Federal Government

AGENCY: Equal Employment Opportunity Commission.

ACTION: Interim revised regulations with comments invited for consideration in final rulemaking.

SUMMARY: The Equal Employment Opportunity Commission is revising its regulations on equal employment in the Federal government (29 CFR Part 1613) to allow agencies to award attorney's fees and costs to complainants pursuing complaints under section 717 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e–16. The purpose of this proposal is to effectuate the policies of Title VII by permitting full remedial relief during the administrative processing of complaints by agencies and the Commission.

DATES: The interim regulations are effective as of April 11, 1980, and will remain effective until final regulations are issued. Written comments on the interim regulations must be received on or before June 9, 1980. The Commission proposes to consider the submissions and thereafter to adopt final regulations.

ADDRESSES: Interested persons are invited to submit written comments regarding the revisions to Marie Wilson, Executive Secretariat, Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20506. Copies of the comments submitted by the public will be available for review at the Social Sciences Library, Room 2003, EEOC, 2401 E Street, N.W., Washington, D.C. 20506, between the hours of 9:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Constance L. Dupre, Associate General Counsel, Legal Counsel Division, Office of the General Counsel, Room 2254, 2401 E Street, N.W., Washington, D.C. 20506, (202) 634–6595.

SUPPLEMENTARY INFORMATION: Pursuant to Reorganization Plan No. 1 of 1978, the responsibility for enforcement of equal employment opportunity in federal employment was transferred to the Equal Employment Opportunity Commission. The Commission adopted most of the regulations previously promulgated by the Civil Service Commission and moved the regulations to 29 CFR Part 1613, effective January 1, 1979. (43 FR 60900). Amendments to 29 CFR 1613.233(a) approved by the Commission on May 1, 1979, are reflected in these amendments.

The amendments provide that an agency or the Commission may award a complainant reasonable attorney's fees and costs when an allegation of discrimination prohibited by Section 717 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e–16, is resolved in favor of the complainant, including a settlement under § 1613.217(a). The regulation will apply to all pending or future complaints. When discrimination covered by Title VII is found, the final agency decision must contain a determination of whether the complainant is entitled to attorney's fees and/or costs.

As made applicable to federal employment by Section 717(d) of Title VII, Section 706(k) of Title VII provides:

> In any action or proceeding under this subchapter, the court, in its discretion, may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee as part of the costs, and the Commission of the United States shall be liable for costs the same as a private person.

Several recent court decisions have held that attorney's fees are to be awarded to a prevailing federal employee for work done during the administrative processing of a complaint. If agencies are unable to grant reasonable attorney's fees and costs as part of the administrative remedy, parties will be encouraged to circumvent the administrative process in order to recover attorney's fees and costs and, thus, undermine the intent of Congress that complaints be handled at the administrative level. Accordingly, the Commission has determined that the regulation is necessary and appropriate to carry out the policies of section 717 of Title VII of the Civil Rights Act of 1964, as amended.

It is, however, important to note that any award of attorney's fees or costs made pursuant to these regulations will have to be paid out of the agency's own budget. Fees awarded pursuant to a court order, on the other hand, are payable out of the fund created by 31 U.S.C. § 724a. Thus, the existing system may act as a disincentive to administrative resolution of the question of attorney's fees. Agencies may, in many cases, conclude that it is ultimately less costly to take the issue to court. The Commission directs attention to this problem and solicits comments.

Because of differences in statutory language, the current proposal is limited to complaints under Title VII. The handicap discrimination regulations were promulgated by the Civil Service Commission under the Back Pay Act, 5 U.S.C. 7153, and section 501 of the Rehabilitation Act, 29 U.S.C. 791, neither of which provided for the award of attorney's fees or costs. A recent amendment to the Rehabilitation Act may provide for such an award. See Act of Nov. 6, 1978, Pub. L. No. 95–602, § 120, 92 Stat. 2955. Title VII complaints against agencies funded under the Legislative Branch Appropriation Act of 1979 and complaints of age discrimination were also excluded from this proposal because recent enactments may preclude the award of attorney's fees and costs in such instances. See Act of Sept. 30, 1978, Pub. L. No. 95–391, § 308, 92 Stat. 763 and the Age Discrimination in Employment Act Amendments of 1978, Pub. L. No. 95–256, section 5, 92 Stat. 189. The Commission will be reviewing these statutes and determining their applicability during the comment period.

Therefore, the Commission encourages comments on the applicability of these regulations to handicap and age discrimination complaints and complaints against legislative agencies.

Additionally, the Commission will be consulting with the Merit Systems Protection Board in the development of its standards for awarding attorney's fees in Title VII complaints under the authority granted the Board pursuant to 5 U.S.C. 7701(g)(2). After such consultation, the Commission may issue separate regulations dealing with appeals from the award of attorney's fees under section 7701(g)(2).

Section 1613.213 has been revised to make clear that any time the aggrieved person is dissatisfied with the attempted resolution of the dispute by the EEO counselor, the aggrieved person must be provided with written notice of the right to file a formal complaint and the duty to inform the agency when complainant retains a representative. It is essential that the complainant be notifed of this responsibility since under

§ 1613.271(a)(1), the complainant is not entitled to attorneys fees unless the complaint is formally filed and the agency is on notice that the complainant has a representative. Note that the duty to inform the agency of the representation is merely to protect the agency from unwarranted fee claims. Thus, § 1613.271 provides that written submissions to the agency which are signed by the representative shall constitute adequate notice.

Section 1613.217 permits an agency to award attorney's fees and costs when a Title VII allegation is settled in favor of the complainant prior to an agency decision. Section 1613.221 permits an agency to award attorney's fees and costs in an agency decision finding discrimination.

Sections 1613.231 and 1613.233 provide that an agency's determination not to award attorney's fees may be appealed to the Commission. Similarly, when an agency determines that fees will be awarded, the sufficiency of the amount awarded by the agency will be appealable to the Commission.

Sections 1613.233 and 1613.281 provide that decisions of an agency are not final until the agency has made a determination on both the entitlement to and the amount of any attorney's fee awards. This interpretation will make the administrative process less complex than other alternatives since complainants will not have matters pending before an agency and the Commission at the same time. Under the proposed change, the entire matter will go forward on appeal to the Commission or for *de novo* trial to the district court.

Section 1613.271(c) contains the procedures for determining the amount of the award. A verified statement of costs and attorney's fees must be submitted within 20 days of the determination that attorney's fees will be awarded. The agency, complainant and complainant's representative will then attempt to agree on the amount of the award within 20 days of receipt of the submission, and if they cannot agree on the amount, the agency will issue its decision within 30 days of the receipt of the submission. The Commission has adopted the standards for awarding attorney's fees enunciated in *Evans* v. *Sheraton Park Hotel*, 503 F.2d 177 (D.C. Cir. 1974) and *Johnson* v. *Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974). The Commission believes that the *Evans* and *Johnson* standards are equitable and appropriate in the administrative process.

Attorney's fees are limited to services of members of the Bar, and law clerks, paralegals or law students working under their supervision. However, no award of attorney's fees can be allowed for the services of federal employees. The costs which may be awarded are contained in 28 U.S.C. 1920 and 28 U.S.C. 1821.

These regulations have been reviewed in accordance with Executive Order 12044. They do not require regulatory analysis under Section 3 of that Order. Pursuant to 5 U.S.C. 553(d)(3), the Commission finds that good cause exists for making these revised regulations effective in less than 30 days, in order to provide continuity of operation in the processing of Federal EEO complaints. The interim revised regulations appear below.

By virtue of the authority vested in the Commission under Section 717 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e–16, Reorganization Plan No. 1 of 1978 (43 FR 19807) and Executive Order 12106 (44 FR 1053), the Equal Employment Opportunity Commission hereby publishes the following amendments to its regulations on Equal Employment Opportunity in the Federal Government.

Signed at Washington, D.C. this 2nd day of April, 1980. For the Commission.

Eleanor Holmes Norton,

Chair.

PART 1613—EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

1. Section 1613.213—is amended by revising paragraph (a) as follows:

§ 1613.213 Precomplaint processing.

(a) An agency shall require that an aggrieved person who believes that he or she has been discriminated against because of race, color, religion, sex, or national origin consult with an Equal Employment Opportunity Counselor to try to resolve the matter. The agency shall require the Equal Employment Opportunity Counselor to make whatever inquiry he or she believes necessary into the matter; to seek a solution of the matter on an informal basis; to counsel the aggrieved person concerning the issues in the matter; to keep a record of the counseling activities so as to brief, periodically, the Equal Employment Opportunity Officer on those activities; and, when advised that a complaint of discrimination has been accepted from an aggrieved person, to submit a written report to the Equal Employment Opportunity Officer, with a copy to the aggrieved person, summarizing the counselor's actions and advice both to the agency and the aggrieved person concerning the issues in the matter. The Equal Employment Opportunity Counselor shall, insofar as is practicable, conduct the final interview with the aggrieved person not later than 21 calendar days after the date on which the matter was called to the counselor's attention by the aggrieved person. If, within 21 days, the matter has not been resolved to the satisfaction of the aggrieved person, that person shall be immediately informed in writing, at the time of the final interview, of his or her right to file a complaint of discrimination. The notice shall inform the complainant of his or her right to file a discrimination complaint at any time up to 15 calendar days after receipt of the notice of the appropriate official with whom to file a complaint and of complainant's duty to assure that the agency is immediately informed if the complainant retains counsel, or any other representative. The Counselor shall not attempt in any way to restrain the aggrieved person from filing a complaint. The Equal Employment Opportunity Counselor shall not reveal the identity of an aggrieved person who consulted the counselor, except when authorized to do so by the aggrieved person, until the agency has accepted a complaint of discrimination from that person.

2. Section 1613.217 is amended by revising paragraph (a) as follows:

§ 1613.217 Adjustment of complaint and offer of hearing.

(a) The agency shall provide an opportunity for adjustment of the complaint on an informal basis after the complainant has reviewed the investigative file. For this purpose, the agency shall furnish the complainant and the complainant's representative a copy of the investigative file promptly after receiving it from the investigator, and provide opportunity for the complainant to discuss the investigative file with appropriate officials.

If an adjustment of the complaint is arrived at, the terms of the adjustment shall be reduced to writing and made part of the complaint file, with a copy of the terms of the adjustment provided the complainant. An informal adjustment of a complaint may include an award of back pay, attorney's fees or other appropriate relief. Where the parties agree on an adjustment of the complaint, but cannot agree on whether attorney's fees or costs should be awarded or on the amount of attorney's fees or costs, the issue of the award of attorney's fees or costs or the amount which should be awarded may be severed and shall be the subject of a final decision under 1613.221(d). The decision of whether to award attorney's fees or costs or of the amount to be awarded may be the subject of an appeal to the Commission

under the provisions of §§ 1613.231 through 1613.236. If the agency does not carry out, or rescinds, any action specified by the terms of the adjustment for any reason not attributable to acts or conduct of the complainant, the agency shall, upon the complainant's written request, reinstate the complaint for further processing from the point processing ceased under the terms of the adjustment.

3. Section 1613.221 is amended by revising paragraph (c), redesignating the present paragraph (d) as paragraph (e), and adding a new paragraph (d) as follows:

§ 1613.221 Decision by head of agency or designee.

* * * * *

(c) The decision of the agency shall require any remedial action authorized by law determined to be necessary or desirable to resolve the issue of discrimination and to promote the policy of equal opportunity, whether or not there is a finding of discrimination. When discrimination is found, the agency shall (1) advise the complainant and his or her representative that any request for attorney's fees or costs must be documented and submitted within 20 calendar days of receipt, (2) require remedial action to be taken in accordance with § 1613.271, (3) review the matter giving rise to the complaint to determine whether disciplinary action against alleged discriminatory officials is appropriate, and (4) record the basis for its decision to take, or not to take, disciplinary action but this decision shall not be recorded in the complaint file.

(d) When the final agency decision provides for an award of attorney's fees or costs, the amount of these awards shall be determined under § 1613.271(c). In the unusual situation in which the agency determines not to award attorney's fees or costs to a prevailing complainant, the agency shall set forth in its decision the specific reasons for denying the award.

(e) The decision letter shall inform the complainant of his or her right to appeal the decision of the agency to the Commission, and shall include the text of 29 CFR 1613.233 (a) and (b). The decision letter shall also inform the complainant of his or her right to file a civil action in accordance with § 1613.281, and of the time limits applicable thereto.

4. Section 1613.231 is amended by revising paragraph (a)(3) as follows:

§ 1613.231 Entitlement.

(a) * * *

(3) On the merits of the complaint under § 1613.217(c) or § 1613.221, or on the award of attorney's fees or costs, but the decision does not resolve the complaint to the complainant's satisfaction.

5. Section 1613.233 is amended by revising paragraph (a) as follows:

§ 1613.233 Time limit.

(a) Except as provided in paragraph (b) of this section, a complainant may file a notice of appeal at any time up to 20 calendar days after receipt of the agency's notice of final decision on his or her complaint. An appeal shall be deemed filed on the date it is postmarked, or in the absence of a postmark, on the date it is received by the Commission. Any statement or brief in support of the appeal must be submitted to the Commission and to the defendant agency within 30 calendar days of filing the notice of appeal. For purposes of this Part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorneys fees or costs. If a determination to award attorneys fees or costs is made, the decision will not be final until the procedure is followed for determining the amount of the award as set forth in §1613.271(c).

(6) Section 1613.271 is amended by adding a new paragraph (c) as follows:

§ 1613.271 Remedial actions.

* * * * *

(c) *Attorney's Fees or Costs.—*

(1) Awards of Attorney's Fees or Costs.

The provisions of this Subpart relating to the award of attorney's fees or costs shall apply to allegations of discrimination or retaliation prohibited by section 717 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e–16, except that no award of attorney's fees shall be made with funds appropriated under Pub. L. 95–391, the Legislative Branch Appropriation Act of 1979. In a decision by an agency, under § 1613.217, §1613.220 (d) §1613.221 or §1613.612 or by the Commission, under §1613.234 or §1613.262 or §1613.631(a)(3), the agency or Commission may award the applicant or employee reasonable attorney's fees or costs incurred in the processing of the complaint or charge. (i) A finding of discrimination raises a presumption of entitlement to an award of attorney's fees. (ii) Any award of attorney's fees or costs shall be paid by the agency. (iii) Attorney's fees are allowable only for the services of members of the Bar and law clerks, paralegals or law students under the supervision of members of the Bar, except that no award is allowable for the services of any employee of the Federal Government. (iv) Attorney's fees shall be paid only for services performed after the filing of the complaint required in § 1613.214 and after the complainant has notified the agency that he or she is represented by an attorney, except that fees are allowable for a reasonable period of time prior to the notification of representation for any services performed in reaching a determination to represent the complainant. Written submissions to the agency which are signed by the representative shall be deemed to constitute notice of representation.

(2) *Amount of awards.* When a decision of the agency, under § 1613.217(c), § 1613.220(d), § 1613.221 or § 1613.612 or of the Commission, under § 1613.234, § 1613.262 or § 1613.631(a) (3) provides for an award of attorney's fees or costs, the complainant's attorney shall submit a verified statement of costs and attorney's fees, as appropriate, to the agency within 20 days of receipt of the decision. A statement of attorney's fees shall be accompanied by an affidavit executed by the attorney of record itemizing the attorney's charges for legal services and both the verified statement and the accompanying affidavit shall be made a part of the complaint file. The amount of attorney's fees or costs to be awarded the complainant shall be determined by agreement between the complainant, the complainant's representative and the agency. Such agreement shall immediately be reduced to writing. If the complainant, the representative and the agency cannot reach an agreement on the amount of attorney's fees or costs within 20 calendar days of receipt of the verified statement and accompanying affidavit, the agency shall issue a decision determining the amount of attorney's fees or costs within 30 calendar days of receipt of the statement and affidavit. Such decision shall include the specific reasons for determining the amount of the award.

(i) The amount of attorney's fees shall be made in accordance with the following standards: the time and labor required, the novelty and difficulty of the questions, the skill requisite to perform the legal service properly, the preclusion of other employment by the attorney due to acceptance of the case, the customary fee, whether the fee is fixed or contingent, time limitations imposed by the client or the circumstances, the amount involved and the results obtained, the experience,

reputation, and ability of the attorney, the undesirability of the case, the nature and length of the professional relationship with the client, and the awards in similar cases.

(ii) The costs which may be awarded are those authorized by 28 U.S.C. 1920 to include (A) fees of the reporter for all or any of the stenographic transcript necessarily obtained for use in the case; (B) fees and disbursements for printing and witnesses; and (C) fees for exemplification and copies of papers necessarily obtained for use in the case. Witness fees shall be awarded in accordance with the provisions of 28 U.S.C. § 1821, except that no award shall be made for a federal employee who is in a duty status when made available as a witness.

7. Section 1613.281 is revised as follows:

§ 1613.281 Statutory right.

An employee or applicant is authorized by section 717(c) of the Civil Rights Act, as amended, 84 Stat. 112, to file a civil action in an appropriate United States district court:

(a) Within thirty (30) calendar days of receipt of notice of final action taken by the agency on a complaint,

(b) After one hundred and eighty (180) calendar days from the date of filing a complaint with the agency if there has been no decision,

(c) Within thirty (30) calendar days after receipt of final action taken by the Commission on the complaint, or

(d) After one hundred and eighty (180) calendar days from the date of filing an appeal with the Commission, if there has been no Commission decision.

For purposes of this Part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney's fees or costs. If a determination to award attorneys fees is made the decision will not be final until the procedure is followed for determining the amount of the award as set forth in § 1613.271(c).

8. Section 1613.602 is amended by revising paragraph (c) as follows:

§ 1613.602 Precomplaint processing.

* * * * *

(c) The Counselor shall conduct a final interview and terminate counseling with the aggrieved person not later than 30 calendar days after the date on which the allegation of discrimination was called to the attention of the Counselor. During the final interview, the Counselor shall inform the aggrieved person in writing that counseling is terminated, that he/she has the right to file a class complaint of discrimination with appropriate officials of the agency, and that he/she has a duty to assure that the agency is immediately informed if legal representation is obtained.

9. Section 1613.609 is amended by revising paragraph (c) as follows:

§ 1613.609 Opportunities for resolution of the complaint.

* * * * *

(c) If resolution of the complaint is arrived at, the terms of the resolution shall be reduced to writing, and signed by the agent and the agency head or his/her designee. A resolution may include a finding on the issue of discrimination, an award of attorney's fees or costs, and must include any corrective action agreed upon. Corrective action in the resolution must be consistent with law, Executive order, and Civil Service regulations, rules, and instructions. A copy of the resolution shall be provided to the agent.

10. Section 1613.612 is amended by redesignating the present paragraphs (a) through (c) as paragraphs (a)(1) through (a)(3), redesignating present paragraph (d) as paragraph (b) and adding new paragraphs (c) and (d) as follows:

§ 1613.612 Agency decision.

* * * * *

(c) The decision of the agency shall require any remedial action authorized by law determined to be necessary or desirable to resolve the issue of discrimination and to promote the policy of equal opportunity, whether or not there is a finding of discrimination. When discrimination is found, the agency shall (1) advise the agent and his or her representative that any request for attorney's fees must be documented and submitted within 20 calendar days of receipt, (2) review the matter giving rise to the complaint to determine whether disciplinary action against alleged discriminatory officials is appropriate, and (3) record the basis for its decision to take, or not to take, disciplinary action but this decision shall not be recorded in the complaint file.

(d) When the final agency decision provides for an award of attorney's fees and/or costs, the amount of these awards shall be determined under § 1613.271(c). When the agency determines not to award attorney's fees or costs, the agency shall set forth in its decision the specific reasons for denying the award.

* * * * *

11. Section 1613.614 is amended by revising paragraph (a) as follows:

§ 1613.614 Corrective action.

(a) When discrimination is found, an agency must eliminate or modify the personnel policy or practice out of which the complaint arose, and provide individual corrective action, including an award of attorney's fees and costs, to the agent in accordance with § 1613.271 of this Part. Corrective action in all cases must be consistent with law, Executive order, and Civil Service regulations, rules and instructions.

12. Section 1613.631 is amended by revising paragraphs (a) and (b) as follows:

§ 1613.631 Appeal to the Office of Review and Appeals.

(a) An agent may appeal to the Office of Review and Appeals the decision of the head of the agency or his/her designee: (1) To reject or cancel his/her complaint, or a portion thereof; for reasons covered by § 1613.604; (2) to refuse to reinstate the complaint for further processing in accordance with the provisions of § 1613.609(e); and (3) on the merits of the complaint, the issue of attorney's fees and costs and/or corrective action.

(b) A claimant may appeal to the Office of Review and Appeals from a decision of the head of the agency or his/her designee: (1) To cancel or reject a claim for individual relief in accordance with § 1613.614(f) and (g); and (2) on the merits of his/her claim for individual relief including attorney's fees or costs.

§ 1613.641 [Amended]

13. Section 1613.641 is amended by adding the following at the end of paragraph (a):

(a) * * *

For purposes of this Part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney's fees and costs. If a determination to award attorneys fees is made the decision will not be final until the procedure is followed for determining the amount of the award as set forth in § 1613.271(c).

[FR Doc. 80-10775 Filed 4-8-80; 8:45 am]
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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 222

Grazing and Livestock Use on the National Forest System: Wild Free-Roaming Horses and Burros

AGENCY: USDA, Forest Service.

ACTION: Final rule.

SUMMARY: This rule amends the regulations for the National Forest System relating to the Wild Free-Roaming Horses and Burros Act of 1971 as amended by Public Rangelands Improvement Act of 1978. This rule will facilitate management programs directed toward protecting and controlling populations of wild free-roaming horses and burros and their habitats.

EFFECTIVE DATE: April 9, 1980.

ADDRESSES: Chief, Forest Service, USDA, P.O. Box 2417, Room 610 RPE, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Robert M. Williamson, Range Management Staff, Forest Service, P.O. Box 2417, Room 610 RPE, Washington, D.C. 20013, 703–235–8139.

SUPPLEMENTARY INFORMATION: The Public Rangelands Improvement Act of 1978 (92 Stat. 1803, 43 U.S.C. 1901) amended the Wild Free-Roaming Horses and Burros Act of 1971 (85 Stat. 649, 16 U.S.C. 1331 et seq.). As a result of the legislative change, the following significant changes are being made in 36 CFR Part 222:

1. Not more than four animals per year may be adopted for maintenance and care by one individual, organization, or government agency, unless determined, in writing, that such individual, organization, or government agency is capable of humanely caring for more than four animals.

2. Title may be granted to not more than four animals per year to a qualified applicant after the applicant, through adoption for maintenance and care, has provided humane treatment for the animal for one year.

3. Wild free-roaming horses and burros or their remains shall lose their status as such and no longer be considered as falling within the purview of the Act when: (a) Title is passed to an individual; (b) upon transfer for private maintenance and care they die of natural causes before passage of title; (c) the animal is destroyed under the provisions of the Act; (d) upon death by natural causes on the National Forest System or on private lands where maintained, and disposal is authorized by a Forest Officer; or (e) upon destruction or death for purposes authorized by the Act.

4. Priorities have been established for removal of excess animals and provides for humane and cost-efficient disposal of unadoptable excess animals.

5. Provision has been made for consulting and cooperating with other agencies, organizations, and individuals in managing wild horses, burros, and their habitat.

7. Carcasses of animals that have lost their status as wild free-roaming horses or burros may be disposed of in any manner acceptable under State sanitary statutes. Previous regulations provided that the carcasses of wild free-roaming horses and burros could not be sold or processed into commercial products.

The Wild Free-Roaming Horses and Burros Act of 1971 is successful in its goal to protect the animal from capture, branding, and harrassment. It does not deal sufficiently with the social and economic consequences of management of the species, nor the biological requirements for the perpetuation of the species and its habitat, including inter-relationships of other wild animal species requiring and occupying the same habitat as that of wild horses and burros. This rule will alleviate these problems and provide a greater opportunity to protect and care for their perpetuation.

The Bureau of Land Management is publishing similar information regarding their rule for wild free-roaming horses and burros management.

Public Participation

Proposed rulemaking was published on pages 40355–40349 in the **Federal Register** of July 10, 1979, and invited comments for 60 days ending September 10, 1979. Comments were received from 10 sources including individuals, State governments, humane societies, user organizations, and environmentalists. These comments have been reviewed, analyzed, and considered in preparation of the final regulations. Comments are summarized as follows:

Section 222.20 Definitions.

Some commented that they felt it was unacceptable to use a wild free-roaming horse or burro for any kind of commercial gain. It would seem that the use of wild free-roaming horses or burros for commercial purposes that do not exploit their wild characteristic is an acceptable alternative to destroying the animals. A definition of "commercial exploitation" has not been included in the regulations. Legislation as amended does not reference the term commercial exploitation. It is felt that restrictions now contained in 36 CFR 261.21 cover the intent of that suggestion.

There were requests to define the words "old," "sick" and "lame." Definitions of the three words have been added to these regulations and should help alleviate some of the concerns expressed about the fate of these animals.

It was suggested that the definition of "inhumane practices" be revised by using an expression such as "not using humane practices or procedures." Using the positive term, "humane," to describe the negative term, "inhumane," is not acceptable.

It was suggested that the regulations define "qualified applicant." The term has not been defined as qualifications are set out in the regulations. The definition of "commercial product" is being eliminated from this part and will be placed in 36 CFR 261—Prohibitions. This is done to achieve continuity in rulemaking, and to clarify the language in the proposed regulation. This will put all material related to prohibited acts in the National Forest System in one part of Title 36.

Section 222.21 Administration.

Although there were many suggestions to identify additional persons or groups to be consulted about the actions necessary to protect, manage and control wild free-roaming horses and burros, only one change has been made in this section. The change will allow consulting with anyone who has special expertise, knowledge or experience in the field of wild free-roaming horses or burros.

Section 222.24 Motorized vehicles.

A comment expressed concerne about humane transportation and suggested detailed standards for this subpart. These suggestions will be considered in revising the Forest Service Manual which provides detailed instructions for implementing the program. Regulations provide for following State laws in transporting animals and maximum time limit that animals can be transported unless waived in writing.

Section 222.25 Protection when on other than National Forest System.

One comment suggested that § 222.25 be deleted as it was an attempt to broaden Federal authority by the Secretary. Section 222.25 is left intact as it is within the intent of Congress.

Section 222.29 Relocation and Disposal of Animals.

There were suggestions that the paragraph on "capture" specify a time limit for holding animals pending their disposal. A time limit has not been specified because of the differing numbers of applicants, availability of transportation and other variables that are involved in adoption.

It was recommended that the expression "destroyed in the most humane manner possible" be clarified. The need to destroy an animal can occur

under such a wide variety of circumstances and times that a set of guidelines for destruction is impractical. An animal could be found at a location or under weather conditions that would preclude the use of a veterinarian to provide the most humane method. It is possible also that there could be disagreement among veterinarians themselves as to what method is most humane. This is further complicated by the continual development of new and improved drugs. The regulations stress that humane destruction is the primary consideration and that cost effectiveness is secondary.

It was suggested that title not be transferred if animals are adopted prior to the effective date of these regulations. The apparent concern here was that title to large numbers of animals might be granted to someone who would sell them to a slaughter house upon receipt of title. Since title cannot be granted for more than four animals per year to any qualified adopter, the potential for making a business of selling animals is limited.

There were recommendations as to which drugs to use, and not to use, in performing an act of mercy. This is considered impractical because of the possible variations in the opinions of veterinarians and the continual development of new drugs.

Question was raised on how to distinguish between an animal that is a wild free-roaming horse and burro and one that has become the legal property of an adopter. The legal status of a former wild free-roaming horse or burro can be confirmed by a certificate of title. Records are also kept on each animal for this purpose.

There were comments about adopting more than four animals per year as provided in § 222.29. There were also suggested actions to follow to ensure that these animals would receive humane treatment and not be commercially exploited or sold by adopters. The requirement to justify additional adoptions in writing should in itself, be sufficient to ensure humane treatment and protection. An adopter cannot gain title to more than four animals in any one year regardless of the total number adopted. This limitation should ensure that selling so few animals for conversion to commercial products would limit the potential for making this a business operation.

It was suggested that the Forest Service make systematic inspections of all adopted animals. The logistics involved in such an endeavor would make it difficult. There will be inspections of adopted animals whenever possible.

There were some questions as to whether titles could be granted to horses that were adopted prior to the effective date of these regulations. The regulations have been amended to show that they apply to all animals adopted after December 15, 1971.

Section 222.30 Disposal of carcasses

The second sentence of the proposed § 222.30, addressing the disposal of carcasses, was deleted to make the section clear.

Other Changes

Sections 222.27 and 222.28 have been revised to eliminate the word "Cooperative" wherever it occurs in the term "Cooperative Agreement." This change is to conform with Pub. L. 95–224, Federal Grants and Cooperative Agreements Act of 1977. The intent of the regulation remains the same. In accordance with exceptions to rulemaking procedures in 5 U.S.C. 553 and Department of Agriculture policy (36 FR 13804), it has been determined that advance notice and request for comments on this change are unnecessary.

Note.—This final rule has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations" and has been classified "significant" under those criteria. An approved final Environmental Assessment Report (including cost analysis) has been prepared and is available from: Range Management Staff, Forest Service, P.O. Box 2417, Rm 610 RPE, Washington, D.C. 20013.

Dated: April 3, 1980.

Bob Bergland,

Secretary.

Under the authority of the Wild Free-Roaming Horses and Burros Act (85 Stat. 649), as amended (16 U.S.C. 1331 et. seq.), 36 CFR Part 222, Subpart B, is revised as set forth below.

PART 222—RANGE MANAGEMENT

* * * * *

Subpart B—Management of Wild Free-Roaming Horses and Burros

Sec.

222.20 Authority and definitions.
222.21 Administration of wild free-roaming horses and burros and their environment.
222.22 Ownership claims.
222.23 Removal of other horses and burros.
222.24 Use of helicopters, fixed-wing aircraft and motor vehicles.
222.25 Protection of wild free-roaming horses and burros when they are upon other than the National Forest System or the public lands.
222.26 Removal of wild free-roaming horses and burros from private lands.
222.27 Maintenance of wild free-roaming horses and burros on privately-owned lands.
222.28 Agreements.
222.29 Relocation and disposal of animals.
222.30 Disposal of carcasses.
222.31 Loss of status.
222.32 Use of non-Forest Service personnel.
222.33 Management coordination
222.34 National Advisory Board.
222.35 Studies.
222.36 Arrest.

Authority: 85 Stat. 649, as amended (16 U.S.C. 1331–1340); Sec. 1, 30 Stat. 35, as amended (16 U.S.C. 551); Sec. 32, 50 Stat. 522, as amended (7 U.S.C. 1011); 92 Stat. 1803 (43 U.S.C. 1901 note).

PART 222—RANGE MANAGEMENT

§ 222.20 Authority and definitions.

(a) *Authority.* The Chief, Forest Service, shall protect, manage, and control wild free-roaming horses and burros on lands of the National Forest System and shall maintain vigilance for the welfare of wild free-roaming horses and burros that wander or migrate from the National Forest System. If these animals also use lands administered by the Bureau of Land Management as a part of their habitat, the Chief, Forest Service, shall cooperate to the fullest extent with the Department of the Interior through the Bureau of Land Management in administering the animals.

(b) *Definitions.*

(1) "Act" means the Act of December 15, 1971 (85 Stat. 649, as amended, 16 U.S.C. 1331–1340)

(2) "Captured animal" means a wild free-roaming horse or burro taken and held in the custody of an authorized officer, his delegate, or agent. This term does not apply to an animal after it is placed in private custody through a Private Maintenance and Care agreement.

(3) "Excess animals" means wild free/roaming horses and burros which have been removed by authorized personnel pursuant to applicable law or which must be removed from an area in order to preserve and maintain a thriving natural ecological balance in coordination with other resources and activities.

(4) "Herd" means one or more stallions and their mares, or jacks and their jennies.

(5) "Humane treatment" means kind and merciful treatment, without causing unnecessary stress or suffering to the animal.

(6) "Inhumane treatment" means causing physical stress to an animal through any harmful action or omission that is not compatible with standard animal husbandry practices; causing or allowing an animal to suffer from a lack

of necessary food, water, or shelter; using any equipment, apparatus, or technique during transportation, domestication, or handling that causes undue injury to an animal; or failing to treat or care for a sick or injured animal.

(7) "Lame" means a wild free-roaming horse or burro with malfunctioning muscles, ligaments or limbs that impair freedom of movement.

(8) "Malicious harassment" means any intentional act demonstrating deliberate disregard for the well-being of wild free-roaming horses and burros and which creates a likelihood of injury or is detrimental to normal behavior pattern of wild free-roaming horses or burros including feeding, watering, resting, and breeding. Such acts include, but are not limited to, unauthorized chasing, pursuing, herding, roping, or attempting to gather wild free-roaming horses or burros. It does not apply to activities conducted by or on behalf of the Forest Service or the Bureau of Land Management in implementation or performance of duties and responsibilities under the Act.

(9) "National Advisory Board" means the Advisory Board as established jointly by the Secretary of Agriculture and the Secretary of the Interior under the provisions of the Act.

(10) "National Forest System" includes the National Forests, National Grasslands, and other Federal lands for which the Forest Service has administrative jurisdiction.

(11) "Old" means a wild free/roaming horse or burro characterized by inability to fend for itself because of age, physical deterioration, suffering or closeness to death.

(12) "Sick" means a wild free-roaming horse or burro with failing health, infirmness, or disease from which there is little chance of recovery.

(13) "Wild free-roaming horses and burros" mean all unbranded and unclaimed horses and burros and their progeny that have used lands of the National Forest System on or after December 15, 1971, or do hereafter use these lands as all or part of their habitat, but does not include any horse or burro introduced onto the National Forest System on or after December 15, 1971, by accident, negligence, or willful disregard of private ownership. Unbranded, claimed horses and burros for which the claim is found to be erroneous, are also considered as wild and free-roaming if they meet the criteria above.

(14) "Wild-horse and burro range" means an area of National Forest System specifically so designated by the Chief, Forest Service, from wild horse and burro territory, for the purpose of sustaining an existing herd or herds of wild free-roaming horses and burros, provided the range does not exceed known territorial limits and is devoted principally, but not necessarily exclusively, to the welfare of the wild horses and burros, in keeping with the multiple-use management concept for the National Forest System.

(15) "Wild horse and burro territory" means lands of the National Forest System which are identified by the Chief, Forest Service, as lands which were territorial habitat of wild free-roaming horses and/or burros at the time of the passage of the Act.

§ 222.21 Administration of wild free-roaming horses and burros and their environment.

(a) The Chief, Forest Service, shall:

(1) Administer wild free-roaming horses and burros and their progeny on the National Forest System in the areas where they now occur (wild horse and burro territory) to maintain a thriving ecological balance considering them an integral component of the multiple use resources, and regulating their population and accompanying need for forage and habitat in correlation with uses recognized under the Multiple-Use Sustained Yield Act of 1960 (70 Stat. 215; 16 U.S.C. 528–531);

(2) Provide direct administration for the welfare of wild free-roaming horses and burros that are located on the National Forest System by use of the Forest Service organization rather than by the granting of leases and permits for maintenance of these animals to individuals and organizations;

(3) Establish wild horse and burro territories in accordance with the Act and continue recognition of such territories where it is determined that horses and/or burros will be recognized as part of the natural system, and designate areas within these territories as a specific wild horse and burro range in those situations where he determines such designation as especially fitting to meet the purposes of the Act and the Multiple Use Sustained-Yield Act, after consultation with the appropriate State agencies where such range is proposed and with the National Advisory Board;

(4) Analyze each wild horse or burro territory and, based on the analysis, develop and implement a management plan, which analysis and plans will be updated, whenever needed, as determined by conditions on each territory;

(5) Maintain a current inventory of wild free-roaming horses and burros on each territory to determine whether and where excess animals exists;

(6) Based on paragraphs (a) (4) and (5) of this section, determine appropriate management levels, whether action should be taken to remove excess animals and what actions are appropriate to achieve the removal or destruction of excess animals; and

(7) In making determinations cited in this section, the authorized officer shall consult with the U.S. Fish and Wildlife Service, wildlife agencies in the State, individuals and organizations independent of Federal or State Government recommended by the National Academy of Sciences, and any other individual or organizations determined to have scientific expertise or special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to range management.

§ 222.22 Ownership claims.

(a) Any person claiming ownership under State branding and estray laws of branded or unbranded horses or burros within a wild horse or burro territory or range on the National Forest System where such animals are not authorized must present evidence of ownership to justify a roundup before permission will be granted to gather such animals. Claims of ownership with supporting evidence were required to be filed during a claiming period which expired November 15, 1973. Unauthorized privately owned horses or burros entering the National Forest System after November 15, 1973, which become intermingled with wild horses or burros, may be claimed by filing an application with the District Ranger. All authorizations to gather claimed animals shall be in writing in accordance with instructions as the Chief, Forest Service, may prescribe. After such public notice as an authorized officer deems appropriate to inform interested parties, gathering operations may be authorized. The authorization shall provide that the gathering or roundup be consistent with regulations, and will (1) establish a specific reasonable period of time to allow the gathering of claimed animals and (2) stipulate other conditions, including visual observation by Forest Service personnel deemed necessary to ensure humane treatment of associated wild free-roaming horses and burros and to protect other resources involved.

(b) Prior to removal of claimed animals which have been captured from the National Forest System, claimants shall substantiate their claim of ownership in accordance with whatever criteria are cooperatively agreed to between the Forest Service and the State agency administering the State

estray laws. In the absence of an agreement, ownership claims shall be substantiated in accordance with State law and subject to approval of the Forest Service.

§ 222.23 Removal of other horses and burros.

Horses and burros not within the definition in § 222.20(b)(13) which are introduced onto Wild Horse and Burro Territories or ranges after December 15, 1971, by accident, negligence, or willful disregard of private ownership, and which do not become intermingled with wild free-roaming horses or burros shall be considered as unauthorized livestock and treated in accordance with provisions in 36 CFR 261.7 and 262.2.

§ 222.24 Use of helicopters, fixed-wing aircraft and motor vehicles.

The Chief, Forest Service, is authorized to use helicopters, fixed-wing aircraft, and motor vehicles in a manner that will ensure humane treatment of wild free-roaming horses and burros as provided by the following paragraphs:

(a) Prior to using helicopters in capture operations and/or using motor vehicles for the purpose of transporting captured animals, a public meeting will be held in the proximity of the territory where the capture operation is proposed.

(b) Helicopters may be used in all phases of the administration of the Act including, but not limited to, inventory, observation, surveillance, and capture operations. In capture operations, helicopters may be used to locate the animals involved to assist ground crews in moving the animals and for related purposes, such as, to transport personnel and equipment. The condition of the animals shall be continuously observed by the authorized officer and, should signs of harmful stress be noted, the source of stress shall be removed so as to allow recovery. Helicopters may be used in roundups or other capture operations subject to the following procedures.

(1) Helicopters shall be used in such a manner that bands or herds will tend to remain together.

(2) Horses or burros will not be moved at a rate which exceeds limitations set by the authorized officer who shall consider terrain, weather, distance to be traveled, and condition of the animals.

(3) Helicopters shall be used to observe the presence of dangerous areas and may be used to move animals away from hazards during capture operations.

(4) During capture operations, animals shall be moved in such a way as to prevent harmful stress or injury.

(5) The authorized officer shall supervise all helicopter uses as follows:

(i) Have means to communicate with the pilot and be able to direct the use of the helicopter; and

(ii) Be able to observe effects of the use of the helicopters on the well-being of the animals.

(c) Fixed-wing aircraft may be used for inventory, observation, and surveillance purposes necessary in administering the Act. Such use shall be consistent with the Act of September 8, 1959, as amended (18 U.S.C. 41 et seq.). Fixed-wing aircraft shall not be used in connection with capture operations except as support vehicles.

(d) Motor vehicles may be used in the administration of the Act except that such vehicles shall not be used for driving or chasing wild horses or burros in capture operations. Motor vehicles may also be used for the purpose of transporting captured animals subject to the following humane procedures.

(1) Such transportation shall comply with appropriate State and Federal laws and regulations applicable to humane transportation of horses and burros.

(2) Vehicles shall be inspected by an authorized officer prior to use to ensure vehicles are in good repair and of adequate rate capacity.

(3) Vehicles shall be carefully operated to ensure that captured animals are transported without undue risk or injury.

(4) Where necessary and practical, animals shall be sorted as to age, temperament, sex, size, and condition so as to limit, to the extent possible, injury due to fighting and trampling.

(5) The authorizing officer shall consider the condition of the animals, weather conditions, type of vehicle, and distance to be traveled when planning for transportation of captured animals.

(6) Unless otherwise approved by the authorized officer, the transportation of wild free-roaming horses and burros shall be limited in sequence, to a maximum of 24 hours in transit followed by a minimum of 5 hours of on-the-ground rest with adequate feed and water.

§ 222.25 Protection of wild free-roaming horses and burros when they are upon other than the National Forest System or public lands.

Individual animals and herds of wild free-roaming horses and burros will be under the protection of the Chief, Forest Service, even though they may thereafter move to lands of other ownership or jurisdiction as a part of their annual territorial habitat pattern or for other reasons. The Chief will exercise surveillance of these animals through the use of cooperative agreements and as otherwise authorized by law and act immediately through appropriate administrative or criminal and civil judicial procedures to provide them the protective measures of the Act at any time he has cause to believe its provisions are being violated.

§ 222.26 Removal of wild free-roaming horses and burros from private lands.

Owners of land upon which wild free-roaming horses and burros have strayed from the National Forest System may request their removal by calling the nearest office of either the Forest Service or Federal Marshall.

§ 222.27 Maintenance of wild free-roaming horses and burros on privately-owned lands.

Owners of land who wish to maintain wild free-roaming horses and burros which have strayed onto their lands from the National Forest System may do so by notifying the nearest office of the Forest Service in a timely fashion and providing such information on a continuing basis as the Chief, Forest Service, may require. Such owners shall protect the wild free-roaming horses and burros on their lands. They may not, in so maintaining these animals, impede their return to National Forest System lands unless authorized by agreement with the Forest Service.

§ 222.28 Agreements.

The Chief, Forest Service, may enter into agreements as he deems necessary to further the protection, management, and control of wild free-roaming horses and burros.

§ 222.29 Relocation and disposal of animals.

(a) The Chief, Forest Service, shall, when he determines over-population of wild horses and burros exists and removal is required, take immediate necessary action to remove excess animals from that particular territory. Such action shall be taken until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from deterioration associated with over-population.

(b) No person except an authorized Forest Service officer or his agent shall destroy, remove, or relocate any wild free-roaming horse or burro located on the National Forest System.

(c) Wild horses and burros shall be relocated or removed in the following order of priority:

(1) In the most humane manner possible, sick, lame, or old animals shall be destroyed;

(2) Relocate animals to other National Forest System lands which were identified as 1971 wild horse or burro territory, providing suitable habitat exists and relocation of animals will not jeopardize vegetation condition;

(3) Relocate animals to other Federally-owned lands which were identified as 1971 wild horse or burro occupied lands, providing suitable habitat exists and relocation of animals will not jeopardize vegetation condition and animals are requested by the appropriate land manager having jurisdiction;

(4) Place animals under private maintenance and care agreements where there is an adoption demand by qualified individuals, groups, or Government agency, and for which there is assurance of humane treatment and care, provided not more than four animals are placed under private maintenance and care agreements per year to any individual, organization, or government agency unless there is a determination expressed otherwise in writing, by an authorized Forest Service Officer; and

(5) Excess animals, for which an adoption demand by qualified applicants does not exist, shall be destroyed in the most humane manner possible, and if several methods are equally humane, select the most cost efficient.

(d) Where excess animals have been placed under private maintenance and care agreements after December 15, 1971, as provided for in paragraph (c)(4) of this section, and animals have been provided humane conditions, treatment, and care, for a period of one year, the Chief, Forest Service, may grant title to not more than four animals per year to each individual, organization, or government agency.

(6) The applicants must make written application for title and/or adoption and must be of legal age in the State in which they reside. Humane conditions treatment and care must have been provided for no less than one year preceding the filing of the application for title. Unless waived *in writing* the application for title shall include a written statement by a licensed veterinarian attesting that the animal is in good condition.

§ 222.30 Disposal of carcasses.

Carcasses of animals that have lost their status as wild free-roaming horses or burros may be disposed of in any customary manner acceptable under applicable State sanitary statutes including disposal through a rendering plant.

§ 222.31 Loss of status.

Wild free-roaming horses and burros or their remains shall lose their status under the 1971 Wild Horses and Burros Act.

(a) Upon passage of title pursuant to § 222.29 (d) and (e).

(b) Upon transfer to private maintenance and care pursuant to § 222.29(c)(4) and die of natural causes before passage of title;

(c) Upon destruction by an authorized Forest officer pursuant to § 222.29(c)(5).

(d) Upon death by natural causes or accident on the National Forest System or on private lands where maintained thereon pursuant to § 222.27 and disposal is authorized by a Forest officer; and

(e) Upon destruction or death for purposes of or incident to the program authorized in § 222.20(a).

§ 222.32 Use of non-Forest Service personnel.

The Chief, Forest Service, may authorize the use of non-Forest Service personnel to assist in specific situations of short duration.

§ 222.33 Management coordination.

All management activities by the Chief, Forest Service, shall be carried out in consultation with the appropriate agencies of the State involved. The expert advice of qualified scientists in the fields of biology and ecology shall also be sought in administering wild free-roaming horses and burros. The advice and suggestions of agencies, qualified scientists, and other qualified interest groups shall be made available to the National Advisory Board for their use and consideration. Actions taken in connection with private ownership claims shall be coordinated to the fullest extent possible with the State agency responsible for livestock estray law administration.

§ 222.34 National Advisory Board.

The Chief, Forest Service, shall appoint a representative to attend meetings of the National Advisory Board for Wild Free-Roaming Horses and Burros and to function as prescribed by the Memorandum of Agreement between the Department of the Interior and the Department of Agriculture and the Joint Charter issued by the Secretary of the Interior and the Secretary of Agriculture. Policies and guidelines relative to proposals for the establishment of ranges, adjustments in number, relocation and disposal of animals, and other matters relating generally to the protection, management, and control of wild free-roaming horses and burros shall be presented to the National Advisory Board for recommendations.

§ 222.35 Studies.

The Chief, Forest Service, is authorized and directed to undertake those studies of the habits and habitat of wild free-roaming horses and burros that he may deem necessary. In doing so, he shall consult with the appropriate agencies of the State(s) involved and the National Academy of Sciences.

§ 222.36 Arrest.

Any employee designated by the Chief, Forest Service, shall have the power to arrest without warrant, any person committing in the presence of the employee a violation of the Act and to take such person immediately for examination or trial before an officer or court of competent jurisdiction. Any employee so designated shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of the Act.

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VETERANS ADMINISTRATION

38 CFR Part 36

Loans for the Acquisition of a Mobile Home and a Suitable Lot and/or Necessary Site Improvements

AGENCY: Veterans Administration.

ACTION: Final regulations with request for comments.

SUMMARY: The VA (Veterans Administration) is amending its regulations to delete the requirement that in combination mobile home loans; (loans to simultaneously purchase a mobile home plus lot and/or the cost of site preparation) the loan carry one rate for the mobile home portion of the loan and a lower rate for the portion of the loan attributable to land. In lieu thereof a single maximum interest rate for such loans is prescribed of 14½ percent per annum. VA believes that this amendment will increase lender participation in the program and thereby increase the opportunity for veterans to obtain loans for such purpose if they choose.

DATES: Effective date: April 1, 1980. Comments on or before May 9, 1980.

ADDRESSES: Comments to Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW, Washington, D.C. 20420.

FOR FURTHER INFORMATION CONTACT: