

(5) Federal Register Notice of Proposed Finding

- December 23, 1980

Because the current RHC cost report does not indicate the proportion of various types of services a clinic furnishes, we were unable to use actual clinic data to develop these factors. Therefore, we assigned these relative weights based on assumptions drawn from a review of the utilization experience of Federally funded health centers, and from other ambulatory care utilization data.

Because we assume that one of every five RHC patient visits will be an initial comprehensive visit of a new patient, we used 20 percent of each State's average prevailing charge for this type of visit in computing the national average prevailing charge for the model visit. We also assume that seven of every ten RHC patient visits will be routine followup visits for established patients; therefore, we used 70 percent of each State's average prevailing charge for this type of service. To account for the fact that some RHC services are furnished in a hospital setting, we used ten percent of each State's average prevailing charge for an initial comprehensive hospital visit. We believe the routine laboratory procedure selected, blood sugar, is typical of laboratory services furnished by RHCs both because of its frequency and its midrange prevailing charge. We used 100 percent of the prevailing charge for this laboratory procedure in calculating the payment limit because Federally funded health center visits average slightly less than one routine laboratory procedure per visit.

4. For each State, we then multiplied the average prevailing charge for each type of service by the weighting factor assigned to the service, and summed the resulting four amounts to arrive at the State average (mean) prevailing charge for our "model visit".

5. We then summed the individual State averages and divided by 52 (for purposes of this calculation, we included the District of Columbia and Puerto Rico) to calculate the national mean prevailing charge for the model visit.

6. We set the payment limit at the national mean, plus one standard deviation from the national mean, of the prevailing charges for the model visit. We have included an explicit allowance of one standard deviation from the mean to include a margin for any factors not explicitly recognized under our methodology.

7. The amount of this limit, as calculated by applying the methodology described above to data from the 1980 Directory, is \$32.10 per visit.

The proposed new limit would apply only to payments for RHC services, and not to payments for ambulatory

services, other than RHC services, that clinics furnish. This point is important because States may, under Medicaid, pay independent clinics that furnish both other ambulatory services and RHC services at a single rate per visit that is based on the costs of both types of services (see 42 CFR 447.371(c)(1)). In these circumstances, the proposed limit would apply only to the part of the per visit rate that represents payment for the costs of RHC services.

We plan to make the new limit effective under both Medicare and Medicaid on March 1, 1980.

We are continuing to study the patterns and frequency of services furnished in rural health clinics, and to evaluate the appropriateness of our payment limit methodology. We welcome comments on that methodology, and will consider all comments we receive in preparing the final notice.

(Sections 1102, 1833, 1861(aa), 1871, 1902(a) and 1905(a) of the Social Security Act (42 U.S.C. 1302, 1395l, 1395hh, 1395x(aa), 1396a and 1396(d)))
(Catalog of Federal Domestic Assistance Program No. 13.774, Medicare-Supplementary Medical Insurance; No. 13.761 (Medical Assistance Program))

Dated: December 19, 1980.

Howard Newman,
Administrator, Health Care Financing Administration.

[FR Doc. 80-40014 Filed 12-22-80; 8:45 am]
BILLING CODE 4110-35-M

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service 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 Heritage Conservation and Recreation Service before December 12, 1980. Pursuant to § 1202.13 of 36 CFR Part 1202, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, DC 20243. Written comments should be submitted by January 7, 1981.

Carol Shull,
Acting Chief, Registration Branch.

INDIANA

Tippecanoe County
Lafayette, *Mars Theatre*, 111 N. 6th St.

MASSACHUSETTS

Bristol County

Fairhaven, *Fairhaven High School*,
Huttleston Ave.
Fairhaven, *Fairhaven Town Hall*, Center St.

OHIO

Darke County

Versailles, *Versailles Town Hall and Wayne Township House*, 4 W. Main St.

[FR Doc. 80-39567 Filed 12-22-80; 8:45 am]

BILLING CODE 4310-03-M

National Register of Historic Places

Commencing with this proposed nomination, the National Register of Historic Places, under the authority of the National Historic Preservation Act of 1966, as amended, has interpreted its regulations to permit the listing of properties located outside the United States and its territories. Such actions shall be limited to properties currently or formerly under United States ownership, jurisdiction, or control. The National Register invites the comments of interested parties. Written comments should be sent to the Keeper, National Register of Historic Places, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, D.C. 20240.

Written comments should be received by the Keeper of the National Register on or before January 7, 1981

Carol Shull,
Acting Chief, Registration Branch.

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Tangier, *American Legation Building*, 8
Zankat America (Rue d'Amerique).

[FR Doc. 80-39601 Filed 12-22-80; 8:45 am]

BILLING CODE 4310-03-M

Bureau of Indian Affairs

Proposed Findings for Federal Acknowledgement of the Tunica-Biloxi Indian Tribe of Louisiana

December 5, 1980.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 54.9(f) notice is hereby given that the Assistant Secretary proposes to acknowledge that the

Tunica-Biloxi Indian Tribe
c/o Mr. Earl J. Barbry, Sr.
P.O. Box 2182
Mansura, Louisiana 71350

exists as an Indian tribe. This notice is based on a determination that the group satisfies the criteria set forth in 25 CFR 54.7.

Under § 54.9(f) of the Federal regulations, a report summarizing the evidence for the proposed decision is available to the petitioner and other parties upon written request.

Section 54.9(g) of the regulations, provides that any individual or organization wishing to challenge the proposed findings may submit factual or legal arguments and evidence to rebut the evidence relied upon. This material must be submitted on or before April 22, 1981. Comments and requests for a copy of the report should be addressed to: Assistant Secretary—Indian Affairs, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20242, Attention: Federal Acknowledgment Project.

Within 60 days after the expiration of the response period, the Assistant Secretary will publish his determination regarding the petitioner's status in the Federal Register as provided in Section 54.9(h).

Philip S. Deloria,
Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 80-39742 Filed 12-22-80; 8:45 am]

BILLING CODE 4310-02-M

Rosebud Sioux Indian Tribe, Rosebud Reservation, South Dakota, Transfer of Federally Owned Lands

December 12, 1980.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.1.

On October 27, 1980, pursuant to authority contained in the Federal Property and Administrative Services Act of 1949, as amended by Public Law 93-599 dated January 2, 1975 (88 Stat. 1954), the below-described property was transferred by the Administrator of General Services to the Secretary of the Interior, without reimbursement, to be held in trust for the use and benefit of the Rosebud Sioux Tribe, Rosebud Reservation, South Dakota:

Lots 5, 6 and 7, Block 7, Town of St. Francis, Todd County, South Dakota, containing 0.39 acres, more or less, together with all improvements thereon.

These lands are to be treated as and receive the same benefits and protection as other trust lands held for the benefit and use of the Rosebud Sioux Tribe. Appropriate notation will be made in

the land records of the Bureau of Indian Affairs.

Philip S. Deloria,
Deputy Assistant Secretary—Indian Affairs.
[FR Doc. 80-39741 Filed 12-22-80; 8:45 am]
BILLING CODE 4310-02-M

Skokomish Indian Reservation, Washington; Resolution and Ordinance Regulating the Sale and Possession of Intoxicating Beverages

December 17, 1980.

This Notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 18 U.S.C. 1161 (1976). I certify that the following Resolution and Ordinance relating to the application of Federal Indian Liquor Laws on the Skokomish Indian Reservation, Washington, were adopted on September 12, 1980, by the Skokomish Tribal Council which has jurisdiction over the area of Indian country included in the Ordinance, reading as follows:

Thomas W. Fredericks,
Acting Deputy Assistant Secretary—Indian Affairs.

Skokomish Tribal Council

Resolution No. 80-51

Whereas, the Skokomish Tribal Council is the duly constituted governing body of the Skokomish Indian Reservation by the authority of the Constitution of the Skokomish Indian Tribe, approved by the Commission of Indian Affairs of March 17, 1980; and

Whereas, the Skokomish Tribal Council has the duty and responsibility of regulating the possession, use, consumption, and sale of alcoholic beverages on the Skokomish Indian Reservation; now therefore,

Be it resolved that the Skokomish Tribal Council does hereby adopt the attached Liquor Ordinance; and

Be it further resolved that the Chairman is authorized and directed to execute this resolution and any documents connected herewith; and the Secretary is authorized and directed to execute the following certification.

Certification

I, Harriet Carrington, Secretary of the Skokomish Tribal Council, certify that the above resolution was adopted at a regular meeting of the Skokomish Tribal Council on September 12, 1980, at which

a quorum was present, by a vote of 4 for and 1 against.

Harriet Carrington,
Secretary, Skokomish Tribal Council.

Attest:

James Byrd, Sr.,
Chairman, Skokomish Tribal Council.

Volume 3. Tribal Enterprises

Section 200. Liquor Control

Section 201. Title

This ordinance shall be known as the Skokomish Liquor Ordinance.

Section 202. Findings and Purpose

a. The introduction, possession, and sale of liquor on Indian reservations have, since Treaty time, been clearly recognized as matters of special concern of Indian tribes and the United States Federal Government. The control of liquor on reservations remains exclusively subject to their legislative enactments.

b. Federal law currently prohibits the introduction of liquor into Indian country (18 U.S.C. 1154), and expressly delegates to tribes the decision regarding when and to what extent liquor transactions shall be permitted (18 U.S.C. 1161).

c. Present day circumstances make a complete ban on liquor within the Skokomish Indian Reservation ineffective and unrealistic. However, a need still exists for strict regulation and control over liquor transactions within the Reservation because of the many potential problems associated with the unregulated or inadequately regulated sale, possession and consumption of liquor. The Tribal Council finds that exclusive tribal control and regulation of liquor is necessary to achieve maximum economic benefit to the Tribe, to protect the health and welfare of tribal members, and to address specific tribal concerns relating to alcohol use on the Reservation.

d. The enactment of a tribal ordinance governing liquor sales on the Skokomish Indian Reservation and providing for exclusive purchase and sale through a tribally owned and operated establishment will enhance the ability of the tribal government to control Reservation liquor distribution and possession, and, at the same time, will provide an important source of revenue for the continued operation of the tribal government and the delivery of essential tribal social services.

e. Tribal regulation of the sale, possession, and consumption of liquor on the Skokomish Indian Reservation is necessary to protect the health, security, and general welfare of the Skokomish

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Philip S. Deloria,
Deputy Assistant Secretary—Indian Affairs.

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BILLING CODE 4310-02-M
