

ARCHAEOLOGIST[685]

[Prior to 3/9/88, see Archaeologist[70], Transferred to Archaeologist[685] under the "umbrella" of Regents Board[681]]

CHAPTER 1 PURPOSE OF THE AGENCY

- 1.1(263B) Mission
- 1.2(263B) Divisions
- 1.3(263B) Further information

CHAPTER 2 PROCEDURES FOR PETITIONING FOR ADOPTION OF NEW RULES

- 2.1(17A) Procedures

CHAPTER 3 DECLARATORY RULINGS PROCEDURES

- 3.1(17A) Providing declaratory rulings

CHAPTER 4 PROCEDURES FOR INFORMAL SETTLEMENTS IN CONTESTED CASES

- 4.1(17A) Informal settlements

CHAPTER 5 PROCEDURES WITH OTHER STATE AND FEDERAL AGENCIES CONCERNING THE RECOVERY AND SALVAGE OF HISTORICAL OBJECTS

- 5.1(263B) Assumed responsibility

CHAPTER 6 PUBLICATIONS OF THE OFFICE OF STATE ARCHAEOLOGIST

- 6.1(263B) Publications
- 6.2(263B) Procedures

CHAPTER 7
STATE ARCHAEOLOGICAL REPOSITORY

7.1(263B) Definition

CHAPTER 8
ARCHAEOLOGICAL DOCUMENT COLLECTION

8.1(263B) Definition

CHAPTER 9
FIELD SERVICES

9.1(263B) Objective

CHAPTER 10
LIAISON WITH THE DEPARTMENT OF ANTHROPOLOGY

10.1(263B) Definition

CHAPTER 11
ANCIENT HUMAN SKELETAL REMAINS

11.1(263B) Procedures

CHAPTER 12
STATE SITE RECORD AND INVENTORY SYSTEM

12.1(263B) Definition

12.2(263B) Iowa site records

12.3(263B) State site inventory

CHAPTER 13
Reserved

CHAPTER 14
CONFIDENTIALITY OF ARCHAEOLOGICAL SITE INFORMATION

14.1(263B) Objective

14.2(263B) Definition

14.3(263B) Iowa site records and site location maps

14.4(263B) Policy on copying charges

CHAPTER 1
PURPOSE OF THE AGENCY
[Prior to 3/9/88, Archaeologist[70] Ch 1]

685—1.1(263B) Mission. The office of state archaeologist, hereafter referred to as OSA, was organized in 1959 to provide for the location, recovery, restoration and preservation of archaeological materials for the state, and coordinate these activities with other state agencies. The OSA publishes both educational and scientific reports related to these duties and responsibilities.

1.1(1) In order to meet these statutory objectives under section 263B.2 and Acts of the Sixty-seventh General Assembly, Senate File 2200, sections 26 and 50, the OSA is defined as the primary state interagency service organization for archaeological survey and evaluation. In this capacity, the OSA is notified of projects funded by the state, and projects, organizations or other entities requiring state permits, or receiving state funding for archaeological salvage and for adverse impact upon such sites.

1.1(2) In instances where an agency lacks an archaeological program, the OSA will contact appropriate institutions and professional archaeologists to determine their interest in participating in a state-funded project.

1.1(3) If an organization or individual other than the OSA agrees to conduct archaeological investigations, the OSA will establish a direct contact between the pertinent state agency and the institution or professional archaeologist. In such projects the OSA acts primarily to coordinate archaeological studies on state projects and ensures that such studies deemed necessary are completed.

1.1(4) The goal of utilizing the above-mentioned procedures, as they apply to the department of transportation and to any other state agency, is to ensure that neither the state nor any of its legal subdivisions is responsible for the needless destruction of historical objects. If such destruction occurs, or cannot be avoided, the OSA will take proper reasonable action to obtain all possible information concerning such materials prior to destruction.

1.1(5) OSA performs other duties such as expansion and development of professional and public input into the operation of the office via communication with professional organizations, state and federal agencies and private societies.

1.1(6) OSA provides assistance to local and regional groups or individuals throughout the state in the areas of lectures, general assistance on public or private projects, curation of artifacts and offers programs of assistance to public schools.

1.1(7) OSA maintains an archaeological repository for the state and bears the related responsibility of development and maintenance of an archaeological documents collection related to material in the repository.

1.1(8) OSA may perform archaeological contract services for agencies utilizing federal, state-federal, or state funds.

This rule is intended to implement Iowa Code sections 263B.2, 263B.6 and 263B.9.

685—1.2(263B) Divisions. OSA is divided into five divisions: General services, research, contract services, field services and publication.

1.2(1) The state archaeologist carries the overall responsibility of OSA and for all activities developed from or associated with OSA. The state archaeologist shall be the director of the office.

1.2(2) The assistant director is responsible for administration of the office, maintenance of the state repository and documents collection, has functional supervision over the staff and acts in the absence of the director.

1.2(3) The research archaeologist has the responsibility, in part, for producing scientific reports and articles pursuant to Iowa Code section 263B.2 in coordination with the specific requests of the director and submitting reports and articles to the director according to a specific annual timetable developed by the director.

1.2(4) Contract archaeologists working on OSA projects are considered to be members of the OSA staff. They have the responsibility for meeting the terms of contracts in which they are engaged. Reports

prepared for each project undertaken are subject to professional guidelines, federal statutes and the director's approval.

1.2(5) Publication and field services are handled by the staff as assigned.

This rule is intended to implement Iowa Code sections 263B.2 and 263B.5.

685—1.3(263B) Further information. The general public may obtain further information on the rules contained in this section and other information concerning the function and operation of OSA either in writing or calling: Director, OSA, Eastlawn, The University of Iowa, Iowa City, Iowa 52242, (319)353-5175.

This rule is intended to implement section 17A.3 of the Code.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 2
PROCEDURES FOR PETITIONING FOR ADOPTION OF NEW RULES

685—2.1(17A) Procedures.

2.1(1) Petitions requesting the promulgation, amendment, or repeal of a rule are made to the director in writing and include the following information:

- a.* Name and address of petitioner.
- b.* The text of the rule as is, and as proposed.
- c.* A concise statement of the reasons for the adoption, amendment or repeal of the rule.
- d.* The statutes, rules, or orders applicable to the question presented in the petition.

2.1(2) Within 60 days OSA will notify the petitioner of its disposition of the petition.

This rule is intended to implement Iowa Code section 17A.4.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 3
DECLARATORY RULINGS PROCEDURES

685—3.1(17A) Providing declaratory rulings.

3.1(1) Petitions for declaratory rulings are made to the director of the agency in writing. Each petition shall describe the facts or circumstances giving rise to the request for a ruling, shall contain the text or a citation to the statute, rule, statement of law or policy, decision or order to which the petition relates, and shall specify the action requested. The OSA may request additional information if needed.

3.1(2) Within 30 days after submission of a petition the director issues in writing a declaratory ruling on the rule in question, except in cases where the request is outside of the scope of OSA authority.

This rule is intended to implement Iowa Code section 17A.9.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 4
PROCEDURES FOR INFORMAL SETTLEMENTS IN CONTESTED CASES

685—4.1(17A) Informal settlements. Informal settlements of controversies over rules of OSA that may culminate in contested case proceedings, are encouraged.

4.1(1) All such informal settlements or waivers shall be made by the director when possible and by the parties contesting the rule in question.

4.1(2) Both parties to a contested case proceeding may, by written stipulation representing an informed mutual consent, waive any provision of Iowa Code chapter 17A relating to proceedings on contested cases when the following rules are followed:

a. All waivers for settling a controversy over a rule of OSA are made by and between the director and by a representative of the party contesting the rule.

b. All such waiver action can be initiated by either the director or by the representative of the party contesting the rule in question.

c. If the rule, order or regulation over which the controversy was raised, is amended, or repealed as mutually agreed upon by the director and a representative of the party contesting the rule, the procedures of rule adoption pursuant to Iowa Code section 17A.4 are followed.

This rule is intended to implement Iowa Code section 17A.10.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 5
PROCEDURES WITH OTHER STATE AND FEDERAL AGENCIES CONCERNING
THE RECOVERY AND SALVAGE OF HISTORICAL OBJECTS

685—5.1(263B) Assumed responsibility. Pursuant to Iowa Code chapter 263B, OSA assumes that any state agency has the responsibility of notifying OSA should any proposed action of said agency endanger or have the potential of endangering historical objects under its direct or indirect responsibility.

5.1(1) OSA is the appropriate authority for state and such federal agencies as are required by their agency rules to contact regarding actions such agencies may take that have the potential of affecting archaeological remains.

5.1(2) OSA, acting in its capacity as the state's principal agent in the coordination of archaeological matters, shall be advised of such projects early in the planning process in order to facilitate the conduct of any exploratory or salvage work as may be necessary.

5.1(3) OSA is authorized to enter into agreements and cooperative efforts with federal or states agencies concerned with archaeological salvage or the preservation of antiquities.

This rule is intended to implement Iowa Code section 263B.3.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 6
PUBLICATIONS OF THE OFFICE OF STATE ARCHAEOLOGIST

685—6.1(263B) Publications.

6.1(1) OSA publishes the following publications on a regular basis: Research Papers, Reports and Contract Completion Reports. Educational Leaflets and OSA News are published periodically.

6.1(2) Reserved.

685—6.2(263B) Procedures. The following procedures and guidelines for submittal of manuscripts for each publication of OSA are defined below.

6.2(1) The following rules apply for submission and publication of manuscripts to the Reports series.

a. Any individual or organization may submit manuscripts for review. Sample agreement forms are available on request.

b. The editor is a staff member of OSA and is appointed by the director.

c. In addition, the director may appoint an editorial committee to review submitted manuscripts. Selections for the Reports series are made by the editor in concurrence with the director and the editorial committee.

d. OSA prints at least one number of the Reports series annually.

6.2(2) OSA publishes, on an irregular basis, a Research Papers series, that contain scientific reports relating to Iowa Code sections 263B.7 and 263B.8 concerning salvage and reburial of human remains. Other scientific reports produced by OSA may be published in this series.

6.2(3) OSA assists other archaeologists with the preparation and revision of guidelines for contract completion reports. The guidelines are reviewed by the archaeological profession and are utilized as uniform standards in the state.

685—6.3(263B) Rescinded by emergency rule filed 12/22/77 to become effective 3/1/78. Action taken to overcome Committee objection published in IAC Supplement 1/11/78.

These rules are intended to implement Iowa Code section 263B.2.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Filed emergency 12/22/77—published 1/11/78, effective 3/1/78]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 7
STATE ARCHAEOLOGICAL REPOSITORY

685—7.1(263B) Definition. The state archaeological repository is a working collection of materials related to Iowa archaeology.

7.1(1) Individuals shall have access to the collections upon request, providing that necessary staff is available. Users are requested to contact OSA in advance in order to facilitate scheduling.

7.1(2) Research involving the use of materials in the state archaeological repository by qualified individuals is encouraged by the OSA in recognition of the potential contribution of such scholarly activities.

7.1(3) The teaching collection is the artifact collection in the repository developed by OSA to be used for instructional or display purposes. These materials will be loaned upon written request to individuals or institutions. The requester should state in a letter the nature of the project and the time the materials will be needed. Loans do not exceed one calendar year, unless other arrangements are made. Any materials not returned or damaged will result in appropriate charges for replacement or repair.

7.1(4) OSA accepts donations of artifacts or artifact collections provided that explanatory materials accompany collections such as site sheets, site records and all pertinent locational information. Donated specimens are required to be washed and reasonably identified. OSA will not determine the monetary value of artifacts.

7.1(5) OSA is the agent to decide which category donations fall into and which are accepted or rejected. OSA serves a similar function for any other state agency wishing to donate artifacts or information on sites. Donations will be accepted given the following categories listed in order of decreasing priority.

- a.* In-state new site.
- b.* In-state previously reported site, new collections.
- c.* Out of state-midwest or assemblages directly relevant to Iowa archaeology.
- d.* North America-general.
- e.* Mesoamerica-general.
- f.* South America-general.
- g.* Old World-general.

Where applicable, specimens must be accompanied by documentation of their legal acquisition and exportation from the state or county of origin.

This rule is intended to implement Iowa Code section 263B.2.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 8
ARCHAEOLOGICAL DOCUMENT COLLECTION

685—8.1(263B) Definition. The archaeological document collection is part of the repository. It contains records of this agency, supporting notes and written information pertaining to the artifact collections in the repository as well as research materials on Iowa prehistory which are utilized on a regular basis by members of the staff. The archaeological document collection is a working collection.

8.1(1) Individuals shall have access to the collections upon request, providing that necessary staff is available. Users are requested to contact OSA in advance in order to facilitate scheduling.

8.1(2) Donations of materials are accepted in the following priority:

- a.* Iowa archaeology.
- b.* Midwest archaeology.
- c.* North American archaeology.
- d.* Midwest and Plains ethnography.
- e.* North American ethnology.

This rule is intended to implement Iowa Code section 263B.2.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 9
FIELD SERVICES

685—9.1(263B) Objective. OSA continues to expand and develop programs for the public. This is achieved by providing assistance to local and regional groups or individuals throughout the state in the areas of lectures, general assistance on public and private projects as they relate to this agency's mission, curation of artifacts and programs of assistance for public schools. In all cases, requests are granted if appropriate resources are available.

9.1(1) Requests for these services are made in writing and are considered in the order in which they are received.

9.1(2) Trips in a specific area of the state may be delayed until additional appointments in the area can be arranged.

This rule is intended to implement Iowa Code section 263B.2.

[Filed 10/27/77, Notice 8/24/77—published 11/16/77, effective 12/21/77]

[Delayed 12/13/77—published 12/28/77; delay lifted 2/14/78—published 3/8/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 10
LIAISON WITH THE DEPARTMENT OF ANTHROPOLOGY

685—10.1(263B) Definition. By statute the state board of regents shall appoint a state archaeologist, who shall be a member of the department of anthropology of the State University of Iowa. Midwestern archaeological programs of the department of anthropology and the OSA are coordinated through the cooperative efforts of the state archaeologist and the faculty of the department of anthropology. Such programs include, but are not limited to, field, laboratory, and research projects. As a faculty member, the state archaeologist is also involved in routine interaction with the anthropology faculty on departmental business.

10.1(1) In order to facilitate cooperative efforts with the department of anthropology, professors and students under their sponsorship will be granted as free, direct and complete access to the repository and documents collection as OSA staff time will permit. Research projects involving tests which will modify or physically damage specimens in the repository must be cleared with the director.

10.1(2) The OSA staff will cooperate fully with researchers, aiding with the location of materials needed. Work areas will be provided for reasonable lengths of time. All publications or reports resulting in full or in part from the use of OSA collections and facilities will include an appropriate acknowledgment. Two copies of all such publications or reports shall be sent to the OSA for inclusion in the documents collection.

This rule is intended to implement Iowa Code section 263B.1.

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 11
ANCIENT HUMAN SKELETAL REMAINS

685—11.1(263B) Procedures. OSA is the appropriate agency to contact regarding the discovery of human physical remains or suspected human physical remains believed to be over 150 years old. The OSA should be notified of the location of areas believed to represent ancient burial grounds. The director has the authority to deny permission to disinter human physical remains from aboriginal ossuaries, grave sites, cemeteries or any other archaeological deposit that are determined to have state and national significance from the standpoint of history or science.

11.1(1) A site will be judged significant if it has been demonstrated by archaeological excavation and analysis that it possesses one or more of the qualities listed below:

- a. Substantial information bearing on the biology of past populations.
- b. Substantial information bearing on the technology, society or ideology of past populations.
- c. Potential for public interpretation of past lifeways.

11.1(2) The basis for the determination of significance shall be specified in the written report filed with the public health department.

11.1(3) If a site is determined to be significant by these rules and is designated by the director to be preserved, any human physical remains recovered during testing may be reinterred at the original burial site rather than at one of the designated state cemeteries. Sites that are judged not to be significant will be salvaged by the OSA or its designated representative to the degree permitted by state funding and available staff. In such cases, materials recovered will be the subject of a written report and the human remains will be reburied in one of the designated state cemeteries.

11.1(4) The OSA shall maintain records of all known or suspected ancient burial sites in the state. The OSA has the authority to coordinate activities pertaining to ancient burial grounds in order to foster their protection and preservation.

11.1(5) The OSA will not assume financial responsibility for intermediate- to large-scale actions involving the removal of human physical remains from private lands. The OSA must participate, however, in the authorization and coordination of any such action on federal, state, county, municipal or private lands.

11.1(6) The OSA will assist with the ongoing identification of ancient cemetery areas to the degree permitted by state funding and available staff. The OSA will coordinate such actions with appropriate federal, state, county, municipal or private concerns.

11.1(7) The director shall maintain an informal advisory committee composed of osteologists, anthropologists, state agency officials, the lay public, and a minimum of two Native Americans residing in Iowa to consult on matters dealing with ancient human skeletal remains. Individuals appointed will serve on a voluntary basis. Certain travel expenses, authorized by the director in advance, will be paid by the OSA.

This chapter is intended to implement Iowa Code sections 263B.7, 263B.8 and 263B.9.

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

[Filed emergency 2/19/88—published 3/9/88, effective 2/19/88]

CHAPTER 12
STATE SITE RECORD AND INVENTORY SYSTEM

685—12.1(263B) Definition. Pursuant to the statutory responsibilities of locating and recovering archaeological and paleontological remains, the OSA maintains site records and prepares and periodically updates the official site inventory for the state. The OSA is the appropriate agency for the public or other agencies to contact to report sites or to receive information concerning known sites in the inventory. The OSA assigns all official site numbers following written guidelines which are available from the OSA upon request.

685—12.2(263B) Iowa site records. Specific locational and descriptive information on each reported site is placed on official Iowa Site Record sheets. Blank sheets and a packet of information explaining how they are to be completed are available from OSA upon request.

12.2(1) The official site numbers used on site record sheets and in the inventory conform to the trinomial system which incorporates state and county designations coded with sequentially numbered sites within each county.

12.2(2) Numbers are usually assigned on an individual basis as needed. In special cases, blocks of site numbers shall be allocated by OSA to researchers to facilitate projects.

a. Blocks of site numbers will be issued for periods of time up to one year.

b. If an individual or agency fails to utilize assigned numbers within the period allowed, the numbers may be renewed or revoked depending upon the circumstances.

685—12.3(263B) State site inventory. The state site inventory contains summary information by county for all sites reported in the Iowa site records.

12.3(1) The inventory is updated on a daily basis as new sites record sheets are added to the documents collections. Duplicate copies of the site record sheets are made available to the Division of Historic Preservation, State Historical Department, for planning purposes.

12.3(2) A new compilation of the inventory is formalized twice yearly and copies thereof are distributed free of charge to the Division of Historic Preservation, State Historical Department and the State Preserves Advisory Board.

12.3(3) The OSA participates in the Iowa Water Resource Data System managed by the Iowa Geological Survey. The purpose of this participation is to make the state site inventory more accessible to other agencies via a computerized data retrieval and storage system.

This chapter is intended to implement section 263B.2 of the Code.

[Filed 8/16/78, Notice 3/22/78—published 9/6/78, effective 10/11/78]

CHAPTER 13
STATE LEVEL ARCHAEOLOGICAL RESOURCE PLANNING

Reserved

CHAPTER 14
CONFIDENTIALITY OF ARCHAEOLOGICAL SITE INFORMATION

685—14.1(263B) Objective. Pursuant to Iowa Code section 263B.10, specific locational information on archaeological resources and sites is confidential unless approved for disclosure. This is intended to provide such resources and sites protection from unreasonable risk of damage or loss. The state archaeologist is the appropriate authority to approve disclosure of information on the location of archaeological resources and sites.

685—14.2(263B) Definition. “Qualified archaeologist” means an individual who has:

1. A graduate degree in archaeology, anthropology, or a closely related field of equivalent specialized training in archaeological research, administration, or management,
2. At least one year of full-time professional experience,
3. At least four months of supervised field and analytic experience in general North American archaeology, and
4. A demonstrated ability to carry research to completion.

685—14.3(263B) Iowa site records and site location maps.

14.3(1) Upon request, the OSA will make the Iowa site records and site location maps available to the following individuals for inspection and copying:

- a. Members of the Association of Iowa Archaeologists;
- b. Members of the Society of Professional Archaeologists;
- c. Qualified archaeologists;
- d. OSA staff;
- e. Students or researchers under the supervision of a person meeting any of the above criteria;
- f. Amateur archaeologists, at the discretion of the state archaeologist;
- g. Other persons if the OSA determines that disclosure will not result in unreasonable risk of damage to or loss of the resource or site.

14.3(2) The OSA maintains a log of all non-OSA staff users of the Iowa site records and associated site location maps. The log includes the name and address of each user and the date of use.

14.3(3) One copy of any report or publication utilizing information obtained from the Iowa site records shall be sent to the OSA for inclusion in the documents collection.

14.3(4) Notwithstanding any of the preceding provisions, the state archaeologist retains authority to deny access of any individual to the Iowa site records and site location maps, in accordance with Iowa Code section 22.7(21), if release of the information will result in unreasonable risk of damage to or loss of archaeological resources. An appeal committee consisting of three members of the OSA advisory committee shall review contested cases and make recommendations to the vice president of educational development and research.

14.3(5) The state archaeologist may enter into cooperative agreements with the state historical society and other agencies in order to make available copies of Iowa site records for planning purposes.

14.3(6) Documents containing information on the specific location of any archaeological resource or site shall be considered an extension of the Iowa site records and shall be treated in similar fashion. Such documents include those archived at OSA or released by OSA to agencies or individuals.

685—14.4(263B) Policy on copying charges. Anyone making a request for reproduction of the Iowa site records and OSA documents will be charged for services.

These rules are intended to implement Iowa Code section 263B.10.

[Filed 6/24/88, Notice 4/20/88—published 7/13/88, effective 8/17/88]