

Proposed Rules

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

RIN 3150-AF36

Meeting Regarding NEI 95-01, "Nuclear Power Plant Personnel Access Authorization Standards and Procedures"

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: Representatives of the Nuclear Energy Institute (NEI) requested a meeting with the NRC staff to discuss potential regulatory issues associated with NEI 95-01, "Nuclear Power Plant Personnel Access Authorization Standards and Procedures," dated December 1995. The NEI distributed NEI 95-01 to industry and NRC staff on December 28, 1995, requesting NRC review to ensure that the industry guidance did not conflict with applicable NRC regulations. The NEI representatives requested the meeting in an effort to expedite a revised version of the document which it intends to publish in the near future.

DATES: The meeting will be held on April 22, 1996, from 2 p.m. to 4 p.m.

ADDRESSES: The meeting will be held in Room 4-B-13 at NRC Headquarters located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738.

FOR FURTHER INFORMATION CONTACT: Nancy Ervin, (301) 415-2946.

Dated at Rockville, Maryland, this 5th day of April 1996.

LeMoine J. Cunningham,

Chief, Safeguards Branch, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

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RAILROAD RETIREMENT BOARD

20 CFR Part 348

RIN 3220-AB14

Representative Payment

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: The Railroad Retirement Board (Board) proposes to amend its regulations in order to provide guidelines regarding the selection, payment, responsibilities, and monitoring of representative payees under the Railroad Unemployment Insurance Act. This proposal is being made to improve the administration of the Board's representative payee program.

DATES: Comments must be received on or before June 10, 1996.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Assistant General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4513; TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: The Railroad Unemployment Insurance Act (45 U.S.C. 351-368) provides a system of unemployment and sickness benefits for railroad employees who meet certain eligibility requirements under that Act. On rare occasions, a claimant is incompetent to file for or receive benefits under the Act without the assistance of a representative payee. Under such circumstances, section 12(a) of the Railroad Retirement Act expressly authorizes the Board to make payments, or conduct transactions, directly with the claimant, with a legally appointed guardian of the claimant, or with any other person on the claimant's behalf, even though the claimant is an incompetent for whom a guardian is acting. The provisions of section 12(a) are applicable to benefits claimed or paid under any Act administered in whole or in part by the Board, including the Railroad Unemployment Insurance Act.

There has been growing concern in the Congress to assure that surrogate decision-making services, including representative-payee services, are provided in a uniform, high quality manner which maximizes the potential

of every individual for self-reliance and independence.

The Board is currently in the process of a comprehensive program to review and revise its regulations. New part 348 is proposed at this time to address concerns that adequate safeguards be provided where payment of a benefit under the Railroad Unemployment Insurance Act is made to a representative payee rather than directly to the claimant. Part 348 incorporates the extensive regulations found in part 266 of this chapter dealing with appointment of a representative payee under the Railroad Retirement Act.

The Board has, in coordination with the Office of Management and Budget, determined that this is not a significant regulatory action for purposes of Executive Order 12866; therefore, no regulatory impact analysis is required. Information collection has been approved by the Office of Management and Budget under control numbers 3220-0052 and 3220-0151.

List of Subjects in 20 CFR Part 348

Railroad employees, Railroad unemployment and sickness insurance benefits.

For the reasons set out in the preamble, the Board proposes to add a new part 348 to title 20 of the Code of Federal Regulations as follows:

PART 348—REPRESENTATIVE PAYMENT

Sec.

348.1 Introduction.

348.2 Recognition by the Board of a person to act in behalf of another.

Authority: 45 U.S.C. 355, 45 U.S.C. 231k.

§ 348.1 Introduction.

(a) *Explanation of representative payment.* This part explains the principles and procedures that the Board follows in determining whether to make representative payment and in selecting a representative payee. It also explains the responsibilities that a representative payee has concerning the use of the funds which he or she receives on behalf of a claimant. A representative payee may be either a person or an organization selected by the Board to receive benefits on behalf of a claimant. A representative payee will be selected if the Board believes that the interest of a claimant will be served by representative payment rather than direct payment of benefits.