

# 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 26

RIN 3150-AF12

#### Meeting on Proposed Changes to the Fitness-for-Duty Rule

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) will conduct a meeting to discuss the proposed changes to the fitness-for-duty rule, 10 CFR Part 26, which were published in the Federal Register on May 9, 1996 (61 FR 21105). The purpose of the meeting is to ensure potential commenters understand the proposed changes and can make informed comments. The discussions will be transcribed and verbal comments may be made during the meeting. The comment period closes on August 7, 1996.

**DATES:** The meeting will be held on June 12, 1996, from 8:00 a.m. to 5:00 p.m.

**ADDRESSES:** Plaza Ballroom I and II of the Doubletree Hotel Rockville, 1750 Rockville Pike, Rockville, Maryland 20852. Reservations for overnight accommodations at the Doubletree Hotel may be made at 1-800-222-Tree or (301) 468-1100.

**FOR FURTHER INFORMATION CONTACT:** Loren L. Bush, U.S. Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, telephone (301) 415-2944.

Dated at Rockville, Maryland, this 10th day of May 1996.

Loren L. Bush, Jr.,

*Senior Program Manager, Safeguards Branch,  
Division of Reactor Program Management,  
Office of Nuclear Reactor Regulation.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 144

RIN 1076-AD 28

#### The American Indian Trust Fund Management Reform Act of 1994

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Bureau of Indian Affairs proposes to establish a regulation to implement Title II of Pub. L. 103-412, the American Indian Trust Fund Management Reform Act of 1994 (the Act), which for the first time, permits American Indian Tribes to take restricted tribal funds out of trust status with the Department of the Interior (DOI). The purpose of the Act is to enable Tribes to manage the funds by themselves, or with the help of capable commercial fund managers. The regulation affects tribal funds only, not Individual Indian Money (IIM) funds.

**DATES:** Comments on this Proposed Rule must be received on or before July 15, 1996.

**ADDRESSES:** Mail comments to Donna Erwin, Director, Office of Trust Funds Management (OTFM), Department of the Interior, 505 Marquette Ave. NW, Suite 1000, Albuquerque, NM, 87102, OR hand deliver them to Suite 1000 at the above address. Comments will be available for inspection at this address from 9:00 a.m. to 4:00 p.m. (MDT), Monday through Friday beginning approximately 30 days after publication of this document in the Federal Register.

**FOR FURTHER INFORMATION CONTACT:** Joe Weller, Office of Trust Funds Management, at the above address. Telephone (505) 248-5723, fax 248-5782.

**REQUEST FOR COMMENTS:** It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this rule to the location identified in the Address section of this document. To ensure that public comments have maximum effect in developing the final regulations, the

Department urges that each comment clearly identify the specific section or sections of the regulations that the comment addresses and that comments be in the same order as the regulations. Comments that concern information collection requirements must be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble. A copy of these comments may also be sent to the Department representative named in the preceding paragraph.

**SUPPLEMENTARY INFORMATION:** 25 CFR Part 144 contains provisions which affect 240 tribes with trust funds. These tribes currently have approximately \$1.5 billion dollars in judgments, settlements, awards and associated earnings held in trust status by the Department of the Interior. Key concepts of the regulation are as follows: (1) Tribes wishing to withdraw some or all of their restricted tribal funds under the Act (not IIM funds) must present a tribal resolution acknowledging that when funds leave the U.S. Treasury, the federal government has no further liability relating to those funds; (2) tribes must also present a management plan for Secretarial approval, detailing how the funds will be managed once they are out of trust, including a protection against a significant loss of principal; (3) if the funds are not managed by the tribes, they are to be managed by capable investment managers or investment firms with proof of liability insurance; (4) tribes must provide notification to tribal members regarding their intent to withdraw funds from trust; (5) tribes may return any or all of their funds withdrawn under this act, including any earnings, to trust status; (6) tribes may request technical assistance and/or grants from the Department in order to develop the management plan. The ability to take funds from trust creates new tribal opportunities for investment of funds and for economic development; therefore, establishment of the regulation has a high priority in Indian Country.

#### Development of the Regulation

In accordance with the Act, this regulation was developed with the active participation of tribal representatives. A Regulatory Workgroup was established by OTFM, which had tribal representation, as well