

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 Parts 50, 52, and 100

Revision of 10 CFR Parts 50, 52 and 100; Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The Nuclear Regulatory Commission staff will meet with the staff of the Nuclear Energy Institute (NEI) and other industry representatives to hear a clarification of industry comments on the non-seismic aspects of the proposed revision of 10 CFR parts 50, 52 and 100 and associated guidance documents.

DATES: October 19, 1995, 1:00 p.m.

ADDRESSES: Two White Flint North, 11145 Rockville Pike, Conference Rooms T-10A1 and T-10F3, Rockville, Maryland.

FOR FURTHER INFORMATION CONTACT: Mr. Leonard Soffer, Accident Evaluation Branch, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-6574.

SUPPLEMENTARY INFORMATION: Proposed revisions to 10 CFR parts 50, 52, and 100 were published for public comment on October 17, 1994 (59 FR 52225). The availability of draft guidance documents was published on February 28, 1995 (60 FR 10810). The public comment period ended May 12, 1995. The proposed revision to 10 CFR parts 100 primarily consists of two separate changes, namely, the source term and dose considerations, and the seismic and earthquake engineering considerations of reactor siting. The purpose of this meeting is for the NRC staff to hear, at the industry's request, a clarification of industry comments on the source term and dose consideration aspects of the proposed rule.

Dated at Rockville, Maryland, this 28 day of September, 1995, for the Nuclear Regulatory Commission.

M. Wayne Hodges,

*Director, Division of Systems Technology,
Office of Nuclear Regulatory Research.*

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NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Federal Credit Union Field of Membership and Chartering Policy

AGENCY: National Credit Union Administration ("NCUA").

ACTION: Proposed Amendments to Interpretive Ruling and Policy Statement 94-1 ("IRPS 95-2").

SUMMARY: The NCUA Board is proposing to amend its policies so that senior citizen and retiree groups will be required to meet the same conditions as other associational groups in order to qualify for a federal credit union charter or addition to an existing charter through a field of membership amendment. The Board is also proposing five technical amendments to clarify operational issues. The amendments clarify: The application of field of membership requirements to mergers; the streamlined expansion procedure; the documentation requirements for low-income communities; the use of surveys to support a community common bond; and appeal procedures.

DATES: Comments must be postmarked or received or posted on NCUA's electronic bulletin board by December 4, 1995. Do not fax and send by U.S. Mail.

ADDRESSES: Send comments to Becky Baker, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314 or via NCUA's electronic bulletin board to Becky Baker at 703-518-6480.

FOR FURTHER INFORMATION CONTACT: Michael J. McKenna, Staff Attorney, at the above address or telephone (703) 518-6540.

SUPPLEMENTARY INFORMATION:

The Senior Citizen and Retiree Association Policy

In 1984, NCUA adopted a policy that encouraged federal credit unions (FCUs)

to accept local senior citizens and retirees through the formation of associations. The only requirement for adding these associations to a credit union charter was a written request from the FCU to the NCUA; no request from the group or copy of the associations charter or bylaws was necessary. This policy resulted in many FCUs creating and adding senior citizen/retiree associations to their charters. Subsequent policy statements, including IRPS 94-1 (the Chartering Manual), continued this policy. 59 FR 29066 (June 3, 1994).

In 1994, two bank trade associations and six Texas commercial banks filed suit against Communicators FCU, Houston, Texas, as a result of several additions to the FCUs field of membership. The suit challenged, among other additions, the 1994 addition of a senior citizen/retiree group formed solely for the purpose of acquiring credit union service. While upholding the other additions, the court vacated the addition of the senior citizen/retiree association and permanently enjoined NCUA from adding any similar associations to the FCU. *Texas Bankers Association, et al. v. NCUA, et al.*, 1995 WL 328319 (D.D.C., May 31, 1995) (the "Communicators FCU" decision).

An informal survey of credit unions with *Communicators FCU*-like senior citizen/retiree associations in their charters conducted by NCUA's regional office in Austin, Texas found that only a small percentage of potential members of such associations actually join the credit unions. The Board believes that the current policy may not sufficiently promote NCUA's goal of making quality credit union service available to all persons who wish to have it. It is also apparent that continuing the current policy may leave some FCUs exposed to costly litigation. Although the court's order applies only to Communicators FCU, the Board is reviewing the senior citizen/retiree policy and is now proposing to change that policy after considering public comment.

Proposed Policy

The Board is proposing to modify its senior citizen/retiree policy to require such groups to meet normal associational common bond requirements before seeking to join or charter an FCU. In determining whether