Thursday
April 7, 1994

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 113

RIN: 1075-AC86

Indian Monies, Proceeds of Labor
(IMPL)

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is proposing to delete the regulations contained in the Code of Federal Regulations pursuant to the public law which suspended all deposits to Indian Monies, Proceeds of Labor (IMPL) accounts after September 30, 1982. The law eliminated the use of IMPL accounts, and since these accounts are no longer in use, they will be removed from the BIA accounting system.

DATES: Comments must be received before May 9, 1994.

ADDRESSES: Written comments should be directed to the Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette NW., suite 700, Albuquerque, NM 87102.

FOR FURTHER INFORMATION CONTACT:
Mr. Jim Parris, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette NW., suite 700, Albuquerque, NM 87102, Telephone Number 505–766–2333.

SUPPLEMENTARY INFORMATION: This proposed rule is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary-Indian Affairs by 209 DM 8.

This proposed rulemaking action will delete part 113 of subchapter G of chapter I of title 25 of the Code of Federal Regulations, which contains regulations governing Indian Monies, Proceeds of Labor (IMPL) established under the Act of March 3, 1883, as amended (25 U.S.C. 155).

Pursuant to the amendments contained in Public Law 197–257, title I, section 100, 25 U.S.C. 155 B, which provided that, "No funds shall be deposited in such 'Indian monies, proceeds of labor' (IMPL) accounts after September 30, 1982," all deposits to IMPL accounts were discontinued. The unobligated IMPL balances at the close of business on September 30, 1982, including the income resulting from investment of funds from such accounts prior to such date, were transferred to and held in escrow accounts. After consultation with appropriate tribes and individual Indians up to September 30, 1985, to determine the extent to which the funds held in escrow accounts represented income from the investment of "special deposits" relating to individual Indians or a specific tribe, funds were transferred to appropriate trust accounts for individual Indians and tribes during the period of October 1, 1985, through September 30, 1987. The unobligated balances of the IMPL escrow accounts as of the close of business on September 30, 1987, are to be withdrawn and deposited into miscellaneous receipts of the U.S. Treasury. The IMPL accounts are to be removed from the Bureau of Indian Affairs trust accounting system and are no longer available for use.

The policy of the Department of the Interior is, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding the proposed rule to the office identified in the ADDRESSES section of this document.

The Department has certified to the Office of Management and Budget that these proposed regulations meet the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

The Department of the Interior has determined that this document is not a significant rule under Executive Order 12866 and therefore will not require the approval of the Office of Management and Budget.

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq).

In accordance with Executive Order 12630, the Department has determined that this proposed rule does not have significant takings implications.

The Department has determined that this rule does not have significant federalism effects.

The Department has determined that this proposed rule does not constitute a major federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

There are no new information collection requirements requiring approval of the Office of Management and Budget under 44 U.S.C. 3501 et seq.

The primary author of this proposed rule is Loren J. Farmer, Policy, Analysis and Evaluation Staff, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette NW., suite 700, Albuquerque, NM 87102.

List of Subjects in 25 CFR Part 113

Accounting, Indians—business and finance.

For reasons set out in the preamble and under the authority of Public Law 97–257, title I, section 100 (September 30, 1982, 96 Stat. 839), part 113 of title 25, chapter I of the Code of Federal Regulations is proposed to be removed.


Ada E. Deer,
Assistant Secretary—Indian Affairs.

[FR Doc. 94–8325 Filed 4–6–94; 8:45 am]