

**Authority:** Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35 as amended.

Dated: April 10, 2013.

**Mary K. Kinney,**

*Executive Vice President, Government National Mortgage Association.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

[DLCAP000.000000-DX.10120]

#### Request for Nominations To Serve on Board of Trustees for the Cobell Education Scholarship Fund

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice of reopening; request for nominations.

**SUMMARY:** Pursuant to the Claims Resolution Act of 2010, Public Law 111-291, 124 Stat. 3064, and the Class Action Settlement Agreement (“Agreement”), *Cobell v. Salazar*, the Secretary of the Interior is reopening the request for nominations of candidates to serve on the Board of Trustees (“Board”) for the Cobell Education Scholarship Fund. The Board serves as an oversight body to the American Indian College Fund and must consist of no more than five members that will include two representatives selected by the Secretary and two representatives selected by the Plaintiff, and one representative selected by the non-profit organization. The Secretary will consider nominations received within 30 days after the publication of this notice. The **SUPPLEMENTARY INFORMATION** section of this notice provides additional information.

**DATES:** Nominations must be received on or before May 20, 2013. Assistant Secretary—Indian Affairs Kevin K. Washburn will be hosting a tribal leader call on Monday, April 22, 2013 from 3:00 p.m.–4:00 p.m. to discuss the duties and responsibilities of Board members as well as any questions you may have regarding nominations to the Board. To participate on the call, please dial 1-800-369-2020, passcode 5207626.

**ADDRESSES:** Please submit nominations to Lizzie Marsters, Chief of Staff to the Deputy Secretary, Department of the Interior, 1849 C Street NW., Room 6118, Washington, DC 20240 or email to [lizzie\\_marsters@ios.doi.gov](mailto:lizzie_marsters@ios.doi.gov).

**FOR FURTHER INFORMATION CONTACT:** Lizzie Marsters, Chief of Staff to the

Deputy Secretary, at [lizzie\\_marsters@ios.doi.gov](mailto:lizzie_marsters@ios.doi.gov) or call 202-219-7499.

**SUPPLEMENTARY INFORMATION:** The Board of Trustees for the Cobell Education Scholarship Fund is being established to fulfill the requirements set forth in the Claims Resolution Act of 2010, Public Law 111-291, 124 Stat. 3064. Specifically, the Claims Resolution Act of 2010 states “the 2 members of the special board of trustees to be selected by the Secretary under paragraph G.3. of the Settlement shall be selected only after consultation with, and after considering the names of possible candidates timely offered by, federally recognized Indian tribes.” Pursuant to the Agreement, the Secretary is to select one non-profit organization among those entities nominated by the Plaintiffs to administer the funds provided for in the Agreement for the Cobell Education Scholarship Fund and to establish a Scholarship Program to provide financial assistance to Native American students to defray the cost of attendance at both post-secondary vocational schools and institutions of higher education. On March 12, 2013, the Secretary of the Interior announced the American Indian College Fund as the non-profit organization. The Board of Trustees shall oversee the management of the Cobell Education Scholarship Fund. The Cobell Education Scholarship Fund was created as an incentive to participate in the Land Buy-Back Program for Indian Nations (Buy-Back Program), the \$1.9 billion land consolidation program authorized by the Claims Resolution Act of 2010. The Buy-Back Program contributes up to \$60 million of the \$1.9 billion to the Cobell Education Scholarship Fund based on the dollar amount of land purchased through the Buy-Back Program. In addition to the maximum \$60 million that can be contributed to the Fund, the principal amount of any class member funds in an IIM (Individual Indian Monies) account, for which the whereabouts are unknown and left unclaimed for five years after Final Approval of the Settlement, will be transferred to the organization selected to administer the Cobell Education Scholarship Fund and will be governed by the Board of Trustees. Similarly, any leftover funds from the administration of the Settlement Fund (after all payments under the Settlement are made) will be contributed towards the Cobell Education Scholarship Fund. Assistant Secretary—Indian Affairs Kevin K. Washburn will be hosting a tribal leader call on Monday, April 22, 2013 from 3:00 p.m.–4:00 p.m. to

discuss the duties and responsibilities of Board members as well as any questions you may have regarding nominations to the Board. To participate on the call, please dial 1-800-369-2020, passcode 5207626.

**Objective and Duties.** The Board will be responsible for the oversight and supervision of the activities of the non-profit organization. The duties of the Board include, but are not limited to, appointing an auditor to review the finances and procedures of the organization, approving policies and objectives regarding the Cobell Education Scholarship Fund and Scholarship program, approving an investment policy and approving priorities and criteria for awarding scholarships. The Board shall develop and adopt a charter outlining the Board of Trustees’ role and responsibilities overseeing the non-profit organization and the administration and management of the Cobell Education Scholarship Fund and the Scholarship Program. The Board or Trustees shall be empowered by majority vote to remove the funds from the selected organization for any reason, including mismanagement, and to select a new entity.

**Membership.** The members of the Board shall serve for an initial term of four years and may be reappointed for an unlimited number of successive terms. A member may be removed for cause by the appointing entity and any vacancy shall be filled in the same manner as the original appointment. No member of the Board shall have had any contracts to transact business with the non-profit organization within a period of two calendar years and will disclose any appearance of a conflict of interest. Members will serve without compensation, but will be reimbursed for reasonable travel expenses related to the performance of their duties as members of the Board.

**Nomination Information.** The best boards are a mix of characteristics, skills, experiences, and diversity. Individuals who are nominated should be prepared to contribute a significant amount of time and effort to further the goals of the scholarship fund; should have demonstrated notable or significant achievements in business, finance, education or public service; should possess the requisite intelligence, education and experience to make a significant contribution to the Board; have the highest ethical standards, free of significant conflicts of interest that might not allow the proper execution of the duties of a member of the Board; and have a strong commitment to serving the interests of Native American students. Please send

curriculum vitae, a letter of intent which indicates a willingness to serve, and a 250-word statement which supports your candidacy to Lizzie Marsters, Chief of Staff to the Deputy Secretary, Department of the Interior, 1849 C Street NW., Room 6118, Washington, DC 20240 or email to [lizzie\\_marsters@ios.doi.gov](mailto:lizzie_marsters@ios.doi.gov).

Dated: April 15, 2013.

**David J. Hayes,**

*Deputy Secretary.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS-R7-ES-2012-0019; FF07CAMM00-FXFR13370700000M7]

#### Marine Mammal Protection Act; Draft Revised Stock Assessment Reports for the Pacific Walrus and Three Northern Sea Otters

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** In accordance with the Marine Mammal Protection Act of 1972, as amended (MMPA), and its implementing regulations, we, the U.S. Fish and Wildlife Service (Service), have developed a draft revised marine mammal stock assessment report (SAR) for the Pacific walrus stock and for each of the following three northern sea otter stocks in Alaska: Southwest, Southcentral, and Southeast. We now make the SARs available for public review and comment.

**DATES:** Comments must be received by July 17, 2013.

**ADDRESSES:** *Document Availability:* You may view the draft revised stock assessment reports on <http://www.regulations.gov> under Docket No. FWS-R7-ES-2012-0019. You may also view them in Adobe Acrobat format by navigating to the species information page at <http://alaska.fws.gov/fisheries/mmm/reports.htm>. Alternatively, you may contact the Chief, U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, AK 99503; telephone: 907-786-3800.

*Written Comments:* You may submit comments on the draft revised stock assessment reports by one of the following methods:

- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: Docket No. FWS-R7-ES-2012-0019; Division of

Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203; or

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket No. FWS-R7-ES-2012-0019.

Please indicate to which revised stock assessment report(s)—the Pacific walrus, or the southeast, southcentral, or southwest Alaska northern sea otter stock—your comments apply. We will not accept email or faxes. We will post all comments on <http://www.regulations.gov>.

This generally means that we will post any personal information you provide us.

#### FOR FURTHER INFORMATION CONTACT:

Charles S. Hamilton, Marine Mammals Management Office, 800-362-5148 (telephone). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

We announce for review and comment the availability of draft revised marine mammal stock assessment reports (SAR) for the Pacific walrus (*Odobenus rosmarus divergens*) stock and for each of the following three northern sea otter (*Enhydra lutris kenyoni*) stocks in Alaska: Southwest, Southcentral, and Southeast.

Under the MMPA (16 U.S.C. 1361 et seq.) and its implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 18, we regulate the taking, possession, transportation, purchasing, selling, offering for sale, exporting, and importing of marine mammals. One of the goals of the MMPA is to ensure that stocks of marine mammals occurring in waters under U.S. jurisdiction do not experience a level of human-caused mortality and serious injury that is likely to cause the stock to be reduced below its optimum sustainable population level (OSP). OSP is defined under the MMPA as “\* \* \* the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element” (16 U.S.C. 1362(3)(9)).

To help accomplish the goal of maintaining marine mammal stocks at their OSPs, section 117 of the MMPA requires the Service and the National Marine Fisheries Service (NMFS) to prepare a SAR for each marine mammal stock that occurs in waters under U.S. jurisdiction. Each SAR must include:

1. A description of the stock and its geographic range;
2. A minimum population estimate, maximum net productivity rate, and current population trend;
3. An estimate of human-caused mortality and serious injury;
4. A description of commercial fishery interactions;
5. A categorization of the status of the stock; and
6. An estimate of the potential biological removal (PBR) level.

The MMPA defines the PBR as “the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its OSP” (16 U.S.C. 1362(3)(20)). The PBR is the product of the minimum population estimate of the stock ( $N_{min}$ ); one-half the maximum theoretical or estimated net productivity rate of the stock at a small population size ( $R_{max}$ ); and a recovery factor ( $F_r$ ) of between 0.1 and 1.0. This can be written as:

$$PBR = (N_{min})(\frac{1}{2} \text{ of the } R_{max})(F_r)$$

Section 117 of the MMPA requires the Service and NMFS to review the SARs (a) At least annually for stocks that are specified as strategic stocks, (b) at least annually for stocks for which significant new information is available, and (c) at least once every 3 years for all other stocks. If our review of the status of a stock indicates that it has changed or may be more accurately determined, then the SAR must be revised accordingly.

A *strategic stock* is defined in the MMPA as a marine mammal stock “(a) for which the level of direct human-caused mortality exceeds the PBR level; (b) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) [the “ESA”], within the foreseeable future; or (c) which is listed as a threatened or endangered species under the ESA, or is designated as depleted under [the MMPA].” 16 U.S.C. 1362(3)(19).

The Pacific walrus SAR was last revised in December of 2009. In the final 2009 revised stock assessment, we classified the Pacific walrus as a strategic stock because the total human-caused mortality or removals exceeded PBR. Therefore, the Service has reviewed the stock assessment for the Pacific walrus annually and, in 2010, concluded that revision of the SAR was not warranted at that time because the status of the stock had not changed significantly, nor could it be more