

was no evidence provided in opposition to expediting this proceeding.

Only through omission of a recommended decision in this proceeding is it possible to have the outcome of the amendment and the future of the Order determined prior to the next marketing year, which begins June 1, 1996. As stated on the record, this is very important to producers and handlers of spearmint oil who need to plan their marketing and production strategies for next year.

It is therefore found that good cause exists for omission of a recommended decision in accordance with § 900.12(d) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900).

#### Rulings on Briefs Filed by Interested Persons

Four briefs and comments were filed in this proceeding. None opposed the proposed amendment.

One brief and one comment were filed after the filing deadline. However, they did not introduce issues which were different from those covered at the hearing or in the other briefs and comments.

The comments and briefs were carefully considered, along with evidence in the record, in making the findings and reaching the conclusions contained herein. To the extent that any suggested findings or conclusions contained in any of the briefs or arguments are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of facts found and stated in connection with this decision.

#### Marketing Order

Annexed hereto and made a part hereof is a document entitled, "Order Amending the Order Regulating the Handling of Spearmint Oil Produced in the Far West." This document has been decided upon as the detailed and appropriate means of effectuating the foregoing findings and conclusions. *It is hereby ordered*, That this entire decision, be published in the Federal Register.

#### Referendum Order

It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 *et seq.*) to determine whether the issuance of the annexed order amending the order regulating the handling of spearmint oil produced in the Far West is approved or favored by producers, as defined under the terms of

the order, who during the representative period were engaged in the production of spearmint oil in the Far West.

The representative period for the conduct of such referendum is hereby determined to be June 1, 1994, through May 31, 1995.

The agents of the Secretary to conduct such referendum are hereby designated to be Gary D. Olson and Robert J. Curry, Marketing Order Administration Branch, Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 1220 S.W. Third Avenue Room 369 Portland, Oregon 97204, telephone (503) 326-2724; or FAX (503) 326-7440.

In accordance with the Paperwork Reduction Act of 1980 [44 U.S.C. chapter 35], the ballot materials used in the referendum herein ordered have been submitted to and approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0065 for spearmint oil. It has been estimated that it will take an average of 10 minutes for each of the approximately 260 producers of Far West Spearmint to cast a ballot. Participation is voluntary. Ballots postmarked after February 24, 1996, will not be included in the vote tabulation.

#### List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

Dated: February 13, 1996.

Michael V. Dunn,

*Assistant Secretary, Marketing and Regulatory Programs.*

#### Order Amending the Order Regulating the Handling of Spearmint Oil Produced in the Far West<sup>1</sup>

##### *Findings and Determinations*

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings and Determinations Upon the Basis of the Hearing Record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held on the proposed amendment to the Marketing Agreement and Order No. 985 (7 CFR Part

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

985), regulating the handling of spearmint oil produced in the Far West.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The order, as hereby proposed to be amended, regulates the handling of spearmint oil produced in the Far West in the same manner as, and is applicable only to persons in the respective classes of oil specified in the marketing order upon which hearings have been held;

(3) The order, as hereby proposed to be amended, is limited in application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the Act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

(4) The order, as hereby proposed to be amended, prescribes, insofar as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of spearmint oil grown in the production area; and

(5) All handling of spearmint oil produced in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

#### Order Relative to Handling

*It is therefore ordered*, That on and after the effective date hereof, all handling of spearmint oil produced in the Far West shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby proposed to be amended as follows:

#### **PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST**

1. The authority citation for 7 CFR Part 985 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. Section 985.5 is revised as follows:

#### **§ 985.5 Production area.**

*Production area* means all the area within the States of Washington, Idaho, Oregon, and that portion of Nevada north of the 37th parallel and that portion of Utah west of the 111th meridian. The area shall be divided into the following districts:

(a) District 1. State of Washington.

(b) District 2. The State of Idaho and that portion of the States of Nevada and Utah included in the production area.

(c) District 3. The State of Oregon.

[FR Doc. 96-3653 Filed 2-16-96; 8:45 am]

BILLING CODE 3410-02-P

**OFFICE OF THE UNITED STATES  
TRADE REPRESENTATIVE****19 CFR Part 132****Administration of Tobacco Tariff-Rate  
Quota**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Office of the United States Trade Representative (USTR) is soliciting comments and views on the administration of the tariff-rate quota on leaf tobacco, established on September 13, 1995, which is currently operating on a first-come, first-served basis.

**DATES:** Public comments are due by noon May 20, 1996.

**ADDRESSES:** Comments may be sent to: Sybia Harrison, room 222, Office of the U.S. Trade Representative, 600 17th Street NW., Washington, DC 20508, attention: Tobacco Tariff-Rate Quota.

**FOR FURTHER INFORMATION CONTACT:** Tom Perkins, Senior Economist, Office of Agricultural Affairs, USTR, (202) 395-6127; or Rachel Shub, Assistant General Counsel, USTR, (202) 395-7305.

**SUPPLEMENTARY INFORMATION:** Presidential Proclamation 6821 (60 FR 47663 (September 13, 1995)) established a tariff-rate quota (TRQ) on imports of flue-cured, burley and other light air-cured tobaccos that are imported for the manufacture of cigarettes. Under the TRQ, a tariff equal to the concession rates negotiated in the Uruguay Round is applied to tobacco imports until the in-quota quantity is filled, after which a tariff rate of 350% ad valorem is applied. For the quota year beginning on September 13, 1995, the in-quota quantity of the TRQ is 150,450 tons, which is subdivided into specific allocations for Argentina, Brazil, Chile, the European Union, Guatemala, Malawi, Philippines, Thailand, Zimbabwe, and a general allocation for countries other than those allocated specific TRQ quantities. Presidential authority to establish the TRQ is provided by section 125(c) of the Trade Act of 1974 (19 U.S.C. 2135(c)), section 421 of the Uruguay Round Agreements Act (19 U.S.C. 2135 note) and other provisions of law referenced in Presidential Proclamation 6821. The proclamation also provides that the quantitative limitations of the TRQ are subject to regulations as may be issued by USTR or its designated agency.

The TRQ is currently operating on a first-come, first-served basis, under the U.S. Customs Service's quota

regulations at 19 CFR 132 ("Customs Quota regulations"). These regulations establish requirements for determining priority and status for importers presenting tobacco for importation and set forth specific procedures for prorating a TRQ category (such as a country-specific allocation) in the event the category is oversubscribed. Customs Quota regulations currently are applied to U.S. TRQs on beef, peanuts, peanut butter, certain sugar-containing products, certain cotton and cotton waste, and certain dairy products, as well as TRQ's applicable to Mexico (under the North American Free Trade Agreement) on orange juice, tomatoes and other safeguard products commodities.

Some cigarette manufacturers have suggested that the TRQ should be administered by means of import licenses issued to manufacturers in order to permit the orderly marketing of tobacco in the U.S. market. Accordingly, the Office of the United States Trade Representative (USTR) is soliciting comments on the administration of the TRQ. If comments reflect substantial problems or concerns regarding the current operation of the TRQ, USTR will consider alternative approaches, including an import licensing program. Any alternative method should aim to facilitate reasonable, efficient and orderly access to the U.S. tobacco market for those countries to which a quota allocation has been made, and provide equitable and efficient access for U.S. importers, manufacturers and other entities that import or use tobacco affected by the TRQ.

To better assess the need for change and the significance of that need, USTR invites public comment on the current operation of the TRQ. Comments should address the extent to which the current system is orderly, economically efficient and equitable. USTR is interested in aspects of the current system such as (1) the costs and benefits to the U.S. economy as a whole as well as firms, foreign and domestic, that participate in the markets for imported tobacco and related markets; (2) the distribution across firms of the TRQ, including market competition and concentration; (3) market access for small businesses; (4) the effect on the U.S. price support program; and (5) the impact on timing and storage of imports, and related costs and benefits; (6) the impact on exporters if other countries were to adopt similar practices for TRQs on products from the U.S.; and (7) administrative costs.

With respect to any alternative approaches, USTR would appreciate views on how such programs might be administered. For example, for

licensing, comments could address: (1) the reasons and legal basis for adopting such an approach; (2) to whom and by what mechanism import licenses should be issued; (3) on what basis licenses should be issued (including eligibility criteria, license validity period and license renewability); (4) how licenses could be issued in light of the country-specific allocations and market demand for different types of tobacco; (5) how to address failure of importers to utilize their licenses; (6) the extent to which new importers should be issued licenses, taking into account the desirability of issuing licenses in sizes that are commercially viable; (7) whether licenses should be transferable, and under what conditions; (8) the benefits, costs, and administrative and distributional considerations associated with a market in licenses, including secondary markets; (9) the effect of any proposed alternative on the U.S. economy as a whole as well as firms, foreign and domestic, that participate in the markets for imported tobacco and related markets; (10) any effect on the U.S. price support program for tobacco; (11) effect of any proposed alternatives on small businesses; (12) effect of any proposed alternatives on market competition and concentration; (13) administrative costs that might be associated with a proposed alternative; (14) the impact of proposed alternatives on timing and storage of imports, and related costs and benefits; (15) the impact on exporters if other countries were to adopt similar practices for TRQs on products from the U.S.; and (16) any other issues arising in the context of a particular alternative to the current operation of the TRQ.

Persons submitting written comments should provide a statement, in ten copies, by noon, May 20, 1996 to Sybia Harrison, Office of the U.S. Trade Representative, Room 222, 600 17th Street, NW., Washington, DC 20508, attention: Tobacco Tariff-Rate Quota. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading Room, Room 101, Monday through Friday, 10:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. For an appointment call Brenda Webb at (202) 395-6186. Business confidential information will be subject to the requirements of 15 CFR 2003.6. Any business confidential material must be clearly marked as such on the cover letter or page and each succeeding page,

and must be accompanied by a non-confidential summary thereof.

Michael Kantor,

*United States Trade Representative.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of the Assistant Secretary for Housing-Federal Housing Commissioner

#### 24 CFR Part 3500

[Docket No. FR-3780-N-05]

RIN 2502-AG40

### Mortgage Broker Fee Disclosure Rule: Notice of Future Meetings of Negotiated Rulemaking Advisory Committee

**AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

**ACTION:** Notice of committee meetings.

**SUMMARY:** The Department has established a Negotiated Rulemaking Advisory Committee to address certain issues concerning indirect payments to mortgage brokers and certain other mortgage originators (retail lenders) and volume-based compensation. The committee, which consists of representatives with a definable stake in the outcome of a proposed rule, convened on two prior occasions, the first time on December 13-14, 1995, and again on January 18-19, 1996, in Washington, DC. This notice announces the time and place for the next meeting, and the tentative schedule for subsequent meetings of the committee. Any changes in the schedule will be announced in the Federal Register as far in advance of the meetings as possible. All of these meetings are open to the public.

**DATES:** The third meeting of the committee will be on February 22-23, 1996. On Thursday, February 22, the meeting will start at 9:00 a.m. and will end at 5:00 p.m., and on Friday, February 23, the meeting will start at 9:00 a.m. and run until approximately 4:00 p.m. Additional meeting dates are included in the text of this notice.

**ADDRESSES:** The next meeting of the committee will be held in Courtroom A of the International Trade Commission Building, 500 E Street SW., Washington, D.C. 20436. Subsequent meetings announced in this notice are also expected to be held at the International Trade Commission Building.

**FOR FURTHER INFORMATION CONTACT:** David R. Williamson, Director, RESPA Enforcement Unit, Department of Housing and Urban Development, Room 5241, 451 Seventh Street, S.W., Washington, D.C. 20410-0500; telephone (202) 708-4560 (this is not a toll-free number); e-mail through Internet at david\_r\_williamson@hud.gov. Persons who are hearing- or speech-impaired may access the above phone number by calling the Federal Information Relay Service at 1-800-877-TDDY (1-800-877-8339).

**SUPPLEMENTARY INFORMATION:** On December 8, 1995 (60 FR 63008), HUD published a notice announcing the establishment and first meeting of the Negotiated Rulemaking Advisory Committee on Mortgage Broker Disclosures, to discuss and negotiate a proposed rule on the treatment under RESPA, including disclosure requirements, of indirect payments to retail lenders and of volume-based compensation to mortgage brokers. The committee convened in Washington, D.C., on December 13-14, 1995, and January 18-19, 1996. The committee has decided on a schedule of subsequent meetings to continue its discussions, as follows:

- January 18-19, 1996;
- February 22-23, 1996;
- March 18-19, 1996; and
- April 8-9, 1996.

The meeting on February 22-23, 1996, will be at the International Trade Commission Building, 500 E Street SW., Washington, D.C., and is expected to continue substantive discussions on regulatory treatment of fees paid to mortgage brokers. Because of the difficulties in confirming arrangements for the meeting space and the intervening Federal Government shutdown and inclement weather, which affected HUD operations, the Department was unable to publish this notice earlier. It is expected that subsequent meetings will also be held at the International Trade Commission Building in Washington, D.C. Any changes in the schedule will be announced in the Federal Register as far in advance of the meetings as possible. The meetings are open to the public, with limited seating available on a first-come, first-served basis.

Authority: 42 U.S.C. 1437g, 3535(d).

Dated: February 14, 1996.

Nicolas P. Retsinas,

*Assistant Secretary for Housing-Federal Housing Commissioner.*

[FR Doc. 96-3826 Filed 2-15-96; 11:39 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 157

[CGD 91-045]

RIN 2115-AF27

### Structural Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of meeting; extension of comment period.

**SUMMARY:** The Coast Guard is holding a public meeting on its proposed regulations under the Oil Pollution Act of 1990 (OPA 90) relating to structural measures for certain existing tank vessels of 5,000 gross tons or more that do not have double hulls. There is substantial public interest in the rulemaking. The Coast Guard also is extending the comment period an additional 14 days beyond the original 90 day comment period.

**DATES:** The meeting will be held March 19, 1996, and will begin at 9:00 a.m. Comments must be received on or before April 10, 1996.

**ADDRESSES:** The meeting will be held in room 4436-38 and 4436-40, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590. Written comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 91-045), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593-0001 or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters. Upon the request of the Department of Transportation, a new Regulatory Identification Number (RIN) has been assigned to the structural portion of this rulemaking. The former RIN was 2115-AE01.

**FOR FURTHER INFORMATION CONTACT:** LCDR Suzanne Englebert, Project Manager, Standards and Evaluation and Development Division, at (202) 267-6490. This number is equipped to record messages on a 24-hour basis.

**SUPPLEMENTARY INFORMATION:** The supplemental notice of proposed rulemaking (SNPRM) (60 FR 67226),