

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.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1150

[DA-95-15]

Dairy Promotion Program; Invitation To Submit Comments on Proposed Amendments to the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document invites written comments on a proposal to amend the Dairy Research and Promotion Order to modify the term expiration date for National Dairy Board members, effective December 1, 1996. The proposal was submitted by the National Dairy Promotion and Research Board which contends the action is necessary to enable it to operate more effectively.

DATES: Comments are due no later than July 7, 1995.

ADDRESSES: Comments should be sent to: USDA/AMS/Dairy Division, Room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: Silvio Capponi, Jr., Deputy Director, USDA/AMS/Dairy Division, Room 2953, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-4664.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this proposed rule would not have a significant economic impact on a substantial number of small entities. The proposed amendment would modify the term expiration date of National Dairy Board members and would not have an economic effect on any entity engaged in the dairy industry.

The Department is issuing this proposed rule in conformance with Executive Order 12866.

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have a retroactive effect. The Dairy and Tobacco Adjustment Act of 1983 provides in section 121(a) that nothing in the Act may be construed to preempt or supersede any other program relating to dairy product promotion organized and operated under the laws of the United States or any State.

The Dairy and Tobacco Adjustment Act of 1983 provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 118(a) of the Act, any person subject to an order issued under the Act may file with the Secretary a petition stating that any such order or any provisions of the order or obligation imposed in connection with the order is not in accordance with law and request a modification of an order or to be exempted from the order. A petitioner is afforded the opportunity for a hearing on the petition. After the hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the person is an inhabitant or carries on business has jurisdiction to review the Secretary's ruling on the petition, provided a complaint is filed not later than 20 days after the date of the entry of the ruling.

Section 1150.132(b) of the Dairy Research and Promotion Order currently provides that each member of the Board shall serve until April 30 of the year in which his/her term expires, except that a retiring member may serve until a successor is appointed. The proposed amendment would modify the term expiration date from April 30 to November 30.

The National Dairy Promotion and Research Board, which administers the order, contends that the proposed amendment is necessary to enable it to operate more effectively to conclude yearly business. The Board indicates that the proposed amendment would take effect with the Board members seated at its annual meeting in December 1996. Additionally, it states that the proposed term of December through November closely corresponds with its fiscal year of January 1 through December 31.

Accordingly, it may be appropriate to amend the aforesaid provision, effective December 1, 1996.

List of Subjects in 7 CFR Part 1150

Dairy products, Reporting and recordkeeping requirements, Research.

The proposed amendment, as set forth below, has not received the approval of the Secretary of Agriculture.

For the reasons set forth in the preamble, it is proposed that 7 CFR part 1150 be amended as follows:

PART 1150—[AMENDED]

1. The authority citation for 7 CFR Part 1150 continues to read as follows:

Authority: Pub. Law 98-180, 97 Stat. 1128.

Proposed by the National Dairy Promotion and Research Board

2. Section 1150.132(b) is revised to read as follows:

§ 1150.132 Term of Office.

* * * * *

(b) Each member of the Board shall serve until November 30 of the year in which his/her term expires, except that a retiring member may serve until a successor is appointed.

* * * * *

Dated: June 1, 1995.

Lon Hatamiya,
Administrator.

[FR Doc. 95-13922 Filed 6-6-95; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 203

[Regulation C; Docket No. R-0881]

Home Mortgage Disclosure

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Proposed rule; staff interpretation.

SUMMARY: The Board is publishing for comment a staff commentary to Regulation C (Home Mortgage Disclosure). The commentary applies and interprets the requirements of Regulation C. The proposed commentary provides guidance on various issues including the treatment under Regulation C of prequalifications, participations, refinancings, home