

# Notices

Federal Register

Vol. 60, No. 70

Wednesday, April 12, 1995

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### Committee on Judicial Review

**ACTION:** Notice of public meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Judicial Review of the Administrative Conference of the United States.

*Date:* Monday, April 24, 1995, at 2:30 p.m.

*Location:* Office of the Chairman, Administrative Conference of the United States, Suite 500, 2120 L Street, NW., Washington, DC (Library 5th Floor).

**FOR FURTHER INFORMATION CONTACT:** Mary Candace Fowler, Office of the Chairman, Administrative Conference of the United States, Suite 500, 2120 L Street, NW, Washington, DC 20037. Telephone: (202) 254-7020.

**SUPPLEMENTARY INFORMATION:** The meeting is to continue discussion of (1) draft recommendations based on a report by Professor William Kovacic, visiting at American University, on choice of forum in government contract bid protest disputes; and (2) a draft report by Professor Michael Healy of the University of Kentucky on preclusion of pre-enforcement judicial review in Superfund cases.

Dated: April 7, 1995.

Jeffrey S. Lubbers,

*Research Director.*

[FR Doc. 95-9063 Filed 4-11-95; 8:45 am]

BILLING CODE 6110-01-W

## DEPARTMENT OF AGRICULTURE

### Foreign Agriculture Service

#### Agricultural Policy Advisory Committees for Trade, et al.

**AGENCY:** Foreign Agricultural Service, USDA.

**ACTION:** Reestablishment of Agricultural Advisory Committees for Trade.

**SUMMARY:** Notice is hereby given that the Secretary of Agriculture, after consultation with the United States Trade Representative, has reestablished the following advisory committees: Agricultural Policy Advisory Committee for Trade and five separate Agricultural Technical Advisory Committees (ATAC) for Trade in: Fruits and Vegetables; Animals and Animal Products; Grains, Feed, and Oilseeds; Tobacco, Cotton, and Peanuts; Sweeteners. The purpose of these committees is to provide advice to the Secretary and the U.S. Trade Representative with respect to the trade policy of the United States pursuant to section 135(c) of the Trade Act of 1974 (Pub. L. 93-618) as amended. Meetings of these committees will be open to the public, unless the Secretary or the Trade Representative otherwise determine that the committees will be discussing issues the disclosure of which justify closing such meetings or portions thereof in accordance with matters listed in section 552(c) of Title 5 of the United States Code.

The renewal of such committees is in the public interest in connection with the duties of the Department imposed by the Trade Act of 1974, as amended.

**FOR FURTHER INFORMATION CONTACT:** Comments regarding the reestablishment of these committees should be addressed to John Winski or Denise Burgess, Foreign Agricultural Service, United States Department of Agriculture, Room 5065-S, Washington, DC 20250-1000.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act (5 U.S.C. Appendix), notice is hereby given that the Secretary of Agriculture and the United States Trade Representative are reestablishing the Agricultural Policy Advisory Committee for Trade and the Agricultural Technical Advisory Committees for Trade. In 1974, Congress established a private sector advisory committee system to ensure that U.S. trade policy and trade

negotiation objectives adequately reflect U.S. commercial and economic interests. Congress expanded and enhanced the role of this system in three subsequent trade acts. The private sector advisory system now consists of almost 40 committees, arranged in three tiers; The President's Advisory Committee on Trade and Policy Negotiations (ACTPN); seven policy advisory committees, including the Agricultural Policy Advisory Committee for Trade (APAC); and more than 30 technical advisory committees including the Agricultural Technical Advisory Committees for Trade (ATACs). The duties of the APAC are to provide the Secretary and the Trade Representative with advice concerning: negotiating objectives and bargaining positions before entering into a trade agreement; the operation of an agreement once entered into; and other matters arising in connection with the administration of the trade policy of the United States. The duties of the ATACs are to provide advice and information regarding trade issues which affect both domestic and foreign production and trade concerning the respective agricultural commodities, drawing upon the technical competence and experience of its members. Each committee is required to meet at the conclusion of negotiations for each trade agreement entered into under the Act to provide a report on such agreement to the President, to Congress, and to the U.S. Trade Representative. The APAC consists of 50 members. The members elect a chairperson from the membership of the committee. The Assistant to the Administrator, Foreign Agricultural Service, and the Assistant U.S. Trade Representative, Intergovernmental Affairs and Public Liaison, Office of the U.S. Trade Representative, are the Committee's Joint Executive Secretaries. Each of the ATACs consist of approximately 25 members. The members of each committee elect a chairperson from the membership of the committee. A full-time Federal Officer or employee of the Foreign Agricultural Service shall serve as the Executive Secretary of each Technical Advisory Committee. Each committee is chartered for a period of two years, at which time all appointments expire. Reappointments are made at the discretion of the Secretary and of the U.S. Trade Representative.

Issued at Washington, DC this 31st day of March.

Wardell Townsend, Jr.,

*Assistant Secretary for Administration.*

[FR Doc. 95-9006 Filed 4-11-95; 8:45 am]

BILLING CODE 3410-10-M

## Rural Housing and Community Development Service

### Submission of Information Collection to OMB (Under Paperwork Reduction Act and 5 CFR Part 1320)

**AGENCY:** Rural Housing and Community Development Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The information collection requirements described below have been submitted to Office of Management and Budget (OMB) for expedited clearance under 5 CFR 1320.18. The RHCDS solicits comments on the subject submission. This action is necessary in order for RHCDS to inform Multiple Family Housing program borrowers with Section 8 project-based housing subsidy who signed RHCDS interest credit agreements prior to October 27, 1980, that RHCDS may have improperly reduced benefits under the interest credit agreement. Each affected borrower will be advised of available options, ranging from reversal of certain previous RHCDS actions and retroactive application of certain collections to the borrower's loan account. Each affected borrower will be given the opportunity to request correction of the application of interest credit subsidy to their loan account. The intended effect is to restore the affected borrower accounts to their correct accounting status.

**ADDRESSES:** Interested persons are invited to submit comments regarding this submission. Comments should refer to the proposal by name and should be sent to: Lisa Grove, USDA Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** William F. Daniel, Senior Loan Officer, Multiple Family Housing Servicing and Property Management Division, RHCDS, Ag Box 0782, 14th and Independence Avenue, SW., Washington, DC 20250, Telephone (202) 720-1619.

**SUPPLEMENTARY INFORMATION:** RHCDS has submitted this proposal for collection of information to OMB for expedited clearance as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). The supporting statement attached explains the need for informing affected borrowers and requesting them to advise RHCDS concerning their

choice of available options in servicing their loan account.

Authority: Section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507.

### Supporting Statement

Notification of Choice of Options for Borrowers with Section 515/8 and Interest Credit Agreements Signed before October 27, 1980.

### Justification

1. The Rural Housing and Community Development Service (RHCDS), successor in part to the Farmers Home Administration (FmHA), is authorized under sections 515 and 521 of title V of the Housing Act of 1949, to provide loans and grants to eligible recipients (borrowers) for the development of rural rental housing to benefit very-low and low-income rural residents. By Memorandum of Understanding (MOU) dated June 23, 1976, the Secretaries of Agriculture and Housing and Urban Development (HUD) agreed that HUD's Section 8 project-based subsidy program could be combined with the FmHA Section 515 program to reduce shelter cost for the beneficiaries (tenants).

On October 27, 1980, FmHA initially issued its regulations [7 CFR part 1930, subpart C (0575-0033)] for the "Management and Supervision of Multiple Family Housing Borrowers and Grant Recipients." Exhibit C of this regulation stipulated conditions that permit the Agency to require the borrower to deposit any excess funds from the subsidy stream into the project reserve account should the HUD Section 8 rent rate exceed rent rates approved by FmHA. In the event the reserve account built to a level exceeding a required amount, FmHA was then permitted to reduce or cancel any interest credit that FmHA provided in meeting its agreement with HUD as stipulated in the MOU. The intended effect was to avoid double subsidy by the Federal Government, namely Interest Credit by FmHA and Section 8 by HUD, for the same span of subsidy need.

During its administration of the combined loan and subsidy programs, FmHA established six interest credit agreement forms as the program regulations developed. In 1994, a challenge to the Agency's ability to reduce or cancel interest credit was filed in Federal court. RHCDS has reviewed all interest credit agreement forms and regulations, including those previously used. RHCDS concluded that any interest credit agreement signed before October 27, 1980, does not support reduction or cancellation of interest credit, collection of overage, or requiring any excess funds to be

deposited in the project reserve account resulting from HUD Section 8 rent adjustments, with one exception which is described in the Administrative Notice for the October 13, 1977, interest credit agreement form.

RHCDS intends to issue an Administrative Notice (AN) to all Acting State Directors and District Directors for Rural Economic and Community Development (RECD), who have oversight responsibility for RHCDS programs. The AN will explain the background of factors leading to the conclusion that interest credit agreements signed before October 27, 1980, lack basis for RHCDS or its predecessor Agency, FmHA, to cancel or reduce interest credit, collect overage and require deposit of excess subsidy funds in a project reserve account. The AN will explain the correct administration of interest credit agreements for each of the six versions of the agreement form ever used.

Each RECD servicing office (District Office) will be directed to identify all Section 515 multiple family housing loan accounts that have Section 8 project-based subsidy. Attachment 1 of the AN contains the wording of the notice to be sent by certified mail to each identified loan account borrower. The borrower will have certain choices to request retroactive processing of their loan account or to maintain status quo. Attachment 2 of the AN contains the language of the response that each affected borrower is asked to return to the servicing office by close of business, December 29, 1995, for corrective processing. The public burden will involve the borrower reading Attachment 1, considering choices, and responding to the RECD servicing office, using Attachment 2.

2. The purpose of Attachment 2 of the AN will be to allow affected borrowers to inform the RECD servicing office one time of their choice of available options in the servicing of their loan account. The servicing office will process, within 60 calendar days of receipt, any requests for retroactive application of loan payments and overage that was collected by RHCDS. The loan payments and overage will be reapplied as of the date they were originally applied. Such reapplication will have the effect of paying borrower loan accounts ahead of schedule. The servicing office will honor any request to have RHCDS cease the requirement of depositing excess rent in the project reserve account. Should the borrower choose to continue with the current loan servicing arrangement, no further action by RHCDS will be required other than to file the completed Attachment 2 reply