

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****24 CFR Part 3500**

[Docket No. FR-3780-N-06]

RIN 2502-AG40

**Office of the Assistant Secretary for Housing-Federal Housing Commissioner; Mortgage Broker Fee Disclosure Rule: Notice of Next Meetings of Negotiated Rulemaking Advisory Committee****AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.**ACTION:** Notice of committee meeting.**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. This notice announces the time and place for the next meeting of the committee, which is open to the public.**DATES:** The next meeting of the committee will be on April 8-9, 1996. On Monday, April 8, the meeting will start at 9:00 a.m. and will end at 5:00 p.m., and on Tuesday, April 9, the meeting will start at 9:00 a.m. and run until approximately 3:30 p.m. An additional meeting has been scheduled for May 20-21, 1996, in Washington, D.C.**ADDRESSES:** The next meeting of the committee will be held in the Headquarters of the National Association of Home Builders, 15th and "M" Streets, N.W., Washington, D.C. 20005 (Auditorium 1; for more information, please direct inquiries to the contact listed under the heading "For Further Information Contact," below). For information on the location in Washington, D.C., of the May 20-21, 1996, meeting, please direct inquiries to the contact listed under the heading **FOR FURTHER INFORMATION CONTACT**, below. These meetings are open to the public, with limited seating available on a first-come, first-served basis.**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 (use underscore characters). 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. In a notice published on February 20, 1996 (61 FR 6334), the Department announced it would publish notice of changes in the schedule of subsequent meetings as far in advance of the meetings as possible. Because the location of the next meeting of the committee has been changed, the Department is publishing this notice.Therefore, the next meeting of the committee will be on April 8-9, 1996, and will be held in the Headquarters of the National Association of Home Builders, 15th and "M" Streets, N.W., Washington, D.C. 20005. In addition, the committee has agreed to meet on May 20-21, 1996, in Washington, D.C. For more information of the location of these meetings, please direct inquiries to the contact listed under the heading **FOR FURTHER INFORMATION CONTACT**, above. These 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: March 27, 1996.

Nicolas P. Retsinas,

*Assistant Secretary for Housing-Federal Housing Commissioner.*

[FR Doc. 96-8129 Filed 3-29-96; 12:57 pm]

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**DEPARTMENT OF INTERIOR****National Park Service****36 CFR Part 7**

RIN 1024-AC26

**Oregon Caves National Monument, Admission to Caves****AGENCY:** National Park Service, Interior.**ACTION:** Final rule.**SUMMARY:** The National Park Service (NPS) is publishing this final rule to remove an existing regulation that prohibits children under the age of six years from entering Oregon Caves at Oregon Caves National Monument.

Elimination of this regulation will allow children to enter the Caves, regardless of age. The existing age restriction is not necessary to provide safe and quality interpretive tours in the Caves. The effect of this removal is to establish a more equitable criteria for allowing children access to the caves.

**EFFECTIVE DATE:** This final rule becomes effective on May 3, 1996.**FOR FURTHER INFORMATION CONTACT:** Craig W. Ackerman, Superintendent, Oregon Caves National Monument. Telephone 503-592-2100.**SUPPLEMENTARY INFORMATION:****Background**

This final regulation addresses a specific management problem involving access to the only public tour route in Oregon Caves. The present restriction found at 36 CFR 7.49, states that "Children under the age of 6 are not permitted to enter the caves." A search of historical records has failed to find any extensive discussion of or justification for this particular age limit. No other Park Service cave, open for public tours, has a similar regulatory restriction for general tours.

Employees who give the cave tours or sell tickets for the tours generally make the determination as to whether a child wanting to enter the caves is under six years of age. Since most parents do not carry documentation of the age of a child, verification of age is usually not possible. Some parents become upset when their children are denied access to the Caves. The age limit restriction has been the most common visitor complaint to both park and concession employees over the last few decades. Denying access to children who can physically and safely travel through the Caves contradicts one of the management objectives of Oregon Caves National Monument's General Management Plan, which is to "Provide quality interpretive service that increases the visitors' knowledge, appreciation and enjoyment of the resources at Oregon Caves."

There appears to be little justification for using six years of age in determining who enters the Caves. The width of tread, number and rise of steps, the length of the tour, and the height of railings better determine whether visitors can safely negotiate the cave tour. Renovation of the entire trail system, which is being designed with children in mind, is currently in the planning stage. This revision would greatly reduce visitor conflicts by instituting safety restrictions that are fair and equitable. Sufficient

discretionary authority can be found at 36 CFR 1.5 (Closures and public use limits) and at 36 CFR 1.7(b) (Park compendium) to safely regulate access to the Caves.

On March 14, 1995, the NPS published the proposed regulation that would delete this special regulation (60 FR 13662). Public comment was invited. The comment period closed on May 15, 1995. No comments were received during the comment period.

#### Drafting Information

The primary authors of this final rule are Craig W. Ackerman, Area Manager of Oregon Caves National Monument and Dennis Burnett, Washington Office of Ranger Activities, National Park Service.

#### Paperwork Reduction Act

This final rule does not contain collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

#### Compliance with Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The economic effects of this rulemaking are local in nature and negligible in scope.

The NPS has determined that this final rule will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;

(b) Introduce non-compatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it;

(c) Conflict with adjacent ownerships or land uses; or

(d) Cause a nuisance to adjacent owners or occupants. Based upon this determination, this regulation is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental regulations in 516 DM 6, (49 FR 21438). As such, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) has been prepared.

#### List of Subjects in 36 CFR Part 7

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, 36 CFR Chapter I, is amended as follows:

### **PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM**

1. The authority citation for part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

#### **§ 7.49 [Removed]**

2. Section 7.49 is removed.

Dated: March 14, 1996.

George T. Frampton, Jr.,  
*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 96–7978 Filed 4–2–96; 8:45 am]

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## **DEPARTMENT OF AGRICULTURE**

### **Forest Service**

#### **36 CFR Part 223**

**RIN 0596–AB58**

### **Disposal of National Forest System Timber; Modification of Timber Sale Contracts in Extraordinary Conditions**

**AGENCY:** Forest Service, USDA.

**ACTION:** Interim final rule; request for public comment.

**SUMMARY:** This interim rule revises the existing regulations regarding noncompetitive sale of timber based on the Secretary of Agriculture's determination that extraordinary conditions exist. The intended effect is to allow forest officers, without advertisement, to make modifications to timber sales awarded or released pursuant to section 2001(k) of the 1995 Rescissions Act, which result in the substitution of timber from outside the sale area specified in the contract for timber within the timber sale contract area. Good cause exists to adopt this interim final rule without prior notice and comment; however, public comment is invited and will be considered before adoption of a final rule.

**DATES:** This rule is effective April 3, 1996. Comments must be received by May 20, 1996.

**ADDRESSES:** Send written comments to: Chief (2400), Forest Service, USDA, P.O. Box 96090, Washington, DC 20090–6090.

The public may inspect comments received on this rule in the Office of the Director, Timber Management Staff, Forest Service, USDA, 201 14th Street,

SW., Washington, DC 20250. Parties wishing to view comments are requested to call ahead ((202) 205–0893) to facilitate entry into the building.

**FOR FURTHER INFORMATION CONTACT:** Bob Lynn, Timber Management Staff (202) 205–1787; Jay McWhirter, Natural Resources Division, Office of the General Counsel (202) 690–0329.

#### **SUPPLEMENTARY INFORMATION:**

##### **Applicable Contract Law**

The rules at 36 CFR Part 223 govern the sale of National Forest System timber. Sections 223.80 and 223.100 address the requirements for advertisement and for award of timber sale contracts respectively. Title 16 U.S.C. 472a(d) requires the Secretary of Agriculture to advertise all sales of forest products unless the value of the sale is less than \$10,000, or the Secretary determines that extraordinary conditions exist, as defined by regulation. Current regulations at 36 CFR 223.80 require advertisement of a sale for 30 days when its value is greater than \$10,000. The Secretary has not previously promulgated rules to implement section 472a(d)'s authority to dispose of timber without advertisement when extraordinary conditions exist.

The advertising requirement of 16 U.S.C. 472a(d) also limits modifications to contracts involving the addition or substitution of timber outside a contract's sale area. Since only the timber within the contract's sale area was subject to competitive bidding, any timber located outside the contract's sale area would theoretically be available for sale to other interested purchasers; thus the current rules do not permit contract modifications that add or substitute timber outside a contract's sale area for timber under contract within the sale area. Moreover, the General Accounting Office has held that substitution of timber outside a contract's sale area for timber within the contract area violated the agency's authority to sell timber. B–177602 (1973). The Agriculture Board of Contract Appeals has decided similarly in several cases. See *Appeal of Summit Contractors*, AGBCA No. 81–252–1, AGBCA No. 83–312–1 (Jan. 8, 1986), and *Appeal of Jay Rucker*, AGBCA No. 79–211A CDA (June 11, 1980). In addition, in a recent case involving the Bureau of Land Management, the Court of Federal Claims stated that modifications to existing timber sales must conform with agency status and regulations regarding disposal of timber. *Croman Corporation v. United States*, 31 Fed. Cl. 741, 746–47 (August 16, 1994).