

FEDERAL ELECTION COMMISSION**11 CFR Part 102**

[Notice 2006–17]

Increase in Limitation on Authorized Committees Supporting Other Authorized Committees**AGENCY:** Federal Election Commission.**ACTION:** Final rules.

SUMMARY: The Federal Election Commission (“Commission”) is amending its rules specifying the amount authorized committees of candidates may contribute to authorized committees of other candidates. The Consolidated Appropriations Act, 2005, amended the Federal Election Campaign Act of 1971, as amended (“the Act”), by increasing this amount from \$1,000 to \$2,000. These final rules implement this increase. Further information is provided in the **SUPPLEMENTARY INFORMATION** that follows.

EFFECTIVE DATE: These rules are effective on September 20, 2006.

FOR FURTHER INFORMATION CONTACT: Mr. J. Duane Pugh Jr., Acting Assistant General Counsel, or Mr. Albert J. Kiss, Attorney, 999 E Street, NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION:**Explanation and Justification for 11 CFR 102.12(c) and 102.13(c)**

Each candidate for Federal office (other than a nominee for Vice President) is required to designate in writing a political committee to serve as the candidate’s “principal campaign committee” under the Act and Commission regulations. 2 U.S.C. 432(e)(1) and 431(5); 11 CFR 101.1(a) and 102.12(a). Candidates may also authorize additional political committees to receive contributions or make expenditures on their behalf. 2 U.S.C. 432(e)(1) and 431(6); 11 CFR 101.1(b) and 102.13(a)(1). These political committees are collectively known as the candidate’s “authorized committees.” 2 U.S.C. 431(6).

Subject to two exceptions, no political committee that “supports” or has supported more than one candidate may be designated either as a principal campaign committee or as an authorized committee.¹ 2 U.S.C. 432(e)(3)(A); 11

¹ One exception allows a candidate for the office of President nominated by a political party to designate the national committee of the political party as the candidate’s principal campaign committee. 2 U.S.C. 432(e)(3)(A)(i); 11 CFR 102.12(c)(1). The other exception allows two or more candidates to designate a political committee established solely for the purpose of joint

CFR 102.12(c)(1) and 102.13(c)(1). Prior to enactment of the Consolidated Appropriations Act, 2005, Pub. L. 108–447, 118 Stat. 2809 (2004) (“2005 Appropriations Act”), FECA provided that “support” did not include contributions by any authorized committee in amounts of \$1,000 or less to an authorized committee of any other candidate. 2 U.S.C. 432(e)(3)(B) (2004). Section 525 of the 2005 Appropriations Act amended 2 U.S.C. 432(e)(3)(B) by increasing this amount to \$2,000. 118 Stat. at 3271. To implement this statutory change, the Commission is amending 11 CFR 102.12(c)(2) and 102.13(c)(2) to reflect the increased amount.

The Commission is promulgating these rules without notice or an opportunity for comment (“notice and comment”) because the Administrative Procedure Act’s (“APA”) “good cause” exemption allows the Commission to dispense with notice and comment when “impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(B). Notice and comment are unnecessary when regulations merely restate the statute they implement. *Gray Panthers Advocacy Committee v. Sullivan*, 936 F.2d 1284, 1291 (D.C. Cir. 1991), citing *Komjathy v. National Transportation Safety Board*, 832 F.2d 1294, 1296–97 (D.C. Cir. 1987). Because these final rules merely restate the amount limitation in section 432(e)(3)(B), notice and comment are unnecessary and the “good cause” exemption applies to these final rules.

For the same reasons, these final rules are not subject to the APA’s thirty-day delayed effective date requirement under the “good cause” exemption to the delayed effective date requirement. 5 U.S.C. 553(d)(3). Thus, the Commission is making these final rules effective immediately upon publication in the **Federal Register**.

The Commission is submitting these final rules to the Speaker of the House of Representatives and the President of the Senate pursuant to the Congressional Review of Agency Rulemaking Act, 5 U.S.C. 801 *et seq.*, on September 14, 2006.

Certification of No Effect Pursuant to 5 U.S.C. 605(b) (Regulatory Flexibility Act)

The provisions of the Regulatory Flexibility Act are not applicable to these rules because the Commission was not required to publish a notice of proposed rulemaking or to seek public

fundraising by such candidates as an authorized committee. 2 U.S.C. 432(e)(3)(A)(ii) and 11 CFR 102.13(c)(1).

comment under 5 U.S.C. 553 or any other laws. 5 U.S.C. 603(a) and 604(a). Therefore, no regulatory flexibility analysis is required.

List of Subjects in 11 CFR Part 102

Political committees and parties, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, the Federal Election Commission is amending Subchapter A of Chapter I of Title 11 of the *Code of Federal Regulations* as follows:

PART 102—REGISTRATION, ORGANIZATION, AND RECORDKEEPING BY POLITICAL COMMITTEES (2 U.S.C. 433)

■ 1. The authority citation for part 102 continues to read as follows:

Authority: 2 U.S.C. 432, 433, 434(a)(11), 438(a)(8), 441d.

§ 102.12 [Amended]

■ 2. In § 102.12(b), remove “that” and add in its place “than”.

■ 3. In § 102.12(c)(2), remove “\$1,000” and add in its place “\$2,000”.

§ 102.13 [Amended]

■ 4. In § 102.13(c)(2), remove “\$1,000” and add in its place “\$2,000”.

Dated: September 14, 2006.

Michael E. Toner,

Chairman, Federal Election Commission.

[FR Doc. E6–15565 Filed 9–19–06; 8:45 am]

BILLING CODE 6715–01–P

FARM CREDIT ADMINISTRATION**12 CFR Parts 603, 605, 608, and 611**

RIN 3052–AC34

Privacy Act Regulations; Information; Collection of Claims Owed the United States; Organization; Privacy and Security Information**AGENCY:** Farm Credit Administration.**ACTION:** Final rule.

SUMMARY: The Farm Credit Administration (FCA or Agency) is issuing a final rule to update and amend its regulations regarding privacy and security information and other matters. This action is being taken to correct certain citations in the regulations and to conform the regulations to Executive order 13292.

EFFECTIVE DATE: This regulation will become effective 30 days after publication in the **Federal Register** during which either one or both houses of Congress are in session. We will

publish a notice of the effective date in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Bob Taylor, Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4129; TTY (703) 883-4020; or Mike Wilson, Policy Analyst, Office of Regulatory Policy, Farm Credit Administration, McLean, Virginia 22102-5090, (703) 883-4414, TTY (703) 883-4020.

SUPPLEMENTARY INFORMATION: We are amending our regulations to both correct citations in Agency regulations and update part 605 to conform to Executive order 13292. We have found incorrect regulatory citations in parts 603, 608, and 611 of our regulations, and are revising our regulations to include the correct citations. Part 605 of our regulations defines the procedures for acting in matters relating to national security information for classified documents and outlines the basic requirements for obtaining access to classified documents. We are revising the definitions of procedures for "Derivative classification" and "Mandatory declassification review" in part 605 to make them consistent with Executive order 13292.

In acting on this final regulation, the FCA Board determined that notice and public comment are neither required nor necessary under the Administrative Procedure Act, 5 U.S.C. 553(b). Section 553(b)(A) provides that the notice and comment requirements do not apply to rules of Agency organization, procedure, or practice, and as such, the amendments that relate to Agency procedure and practice do not require notice and public comment. In addition, 5 U.S.C. 553(b)(B) provides that notice and comment requirements do not apply when the Agency for good cause finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest. Notice and public comment are unnecessary and contrary to the public interest in this case because the amendments involve only technical revisions to regulatory citations and an update to part 605 to conform to Executive order 13292. A comment period would only delay correction of inaccurate cites. Therefore, these regulations are published in final form.

Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the FCA hereby certifies that the final rule will not have a significant economic impact on a substantial number of small entities. Each of the

banks in the Farm Credit System, considered together with its affiliated associations, has assets and annual income in excess of the amounts that would qualify them as small entities. Therefore, Farm Credit System institutions are not "small entities" as defined in the Regulatory Flexibility Act.

List of Subjects

12 CFR Part 603

Privacy.

12 CFR Part 605

Classified information.

12 CFR Part 608

Claims, Government employees, Wages.

12 CFR Part 611

Agriculture, Banks, banking, Rural areas.

■ As stated in the preamble, parts 603, 605, 608, and 611 of chapter VI, title 12 of the Code of Federal Regulations, are amended as follows:

PART 603—PRIVACY ACT REGULATIONS

■ 1. The authority citation for part 603 continues to read as follows:

Authority: Secs. 5.9, 5.17 of the Farm Credit Act (12 U.S.C. 2243, 2252); 5 U.S.C. app. 3, 5 U.S.C. 552a (j)(2) and (k)(2).

§ 603.345 [Amended]

■ 2. Amend § 603.345 by removing the reference, "§§ 602.267 and 602.269" and adding in its place "§§ 602.11 and 602.12".

§ 603.350 [Amended]

■ 3. Amend § 603.350 by removing the reference, "Section 552a(1)(3)" the first place it appears and adding in its place "Section 522a(i)(3)".

PART 605—INFORMATION

■ 4. The authority citation for part 605 continues to read as follows:

Authority: Secs. 5.9, 5.12, 5.17 of the Farm Credit Act (12 U.S.C. 2243, 2246, 2252).

§ 605.500 [Amended]

■ 5. Amend § 605.500 by removing the reference, "12356" and adding in its place "13292".

§ 605.501 [Amended]

■ 6. Amend § 605.501(b) by removing the reference "2001.32(a)(2)(i)" and adding in its place "2001.33(a)(2)(i)".

■ 7. Amend § 605.502 as follows:

■ a. Revise paragraphs (b) and (c);

■ b. Remove the words, "located in the Agency Services Branch" from the third sentence of paragraph (d);

■ c. Remove the reference, "4.1(b)" and add in its place "4.2(g)" in the first sentence of paragraph (e); and

■ d. Remove the reference, "189" in the first sentence and add in its place, "312" and in the second sentence, remove the reference, "12356" and add in its place the reference "13292" in paragraph (i).

§ 605.502 Programs and procedures.

* * * * *

(b) *Derivative classification.*

"Derivative classification" means the incorporating, paraphrasing, restating or generating in new form information that is already classified, and marking the newly developed material consistent with the classification markings that apply to the source information. Derivative classification includes the classification of information based on classification guidance. The duplication or reproduction of existing classified information is not derivative classification.

(c) *Mandatory declassification review.*

"Mandatory declassification review" means the review for declassification of classified information in response to a request for declassification that meets the requirements under section 3.5 of the Executive order. All requests for review for declassification under the mandatory review provisions of the Executive order shall be handled by the Information Security Officer or his/her designee.

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PART 608—COLLECTION OF CLAIMS OWED THE UNITED STATES

■ 8. The authority citation for part 608 continues to read as follows:

Authority: Sec. 5.17 of the Farm Credit Act (12 U.S.C. 2252); 31 U.S.C. 3701-3719; 5 U.S.C. 5514; 4 CFR parts 101-105; 5 CFR part 550.

Subpart A—Administrative Collection of Claims

§ 608.807 [Amended]

■ 9. Amend § 608.807 by removing the reference, "§ 602.267" and adding in its place, "§§ 602.11 and 602.12".

PART 611—ORGANIZATION

■ 10. The authority citation for part 611 continues to read as follows:

Authority: Secs. 1.3, 1.4, 1.13, 2.0, 2.1, 2.10, 2.11, 3.0, 3.2, 3.21, 4.12, 4.15, 4.20, 4.21, 5.9, 5.10, 5.17, 6.9, 6.26, 7.0-7.13, 8.5(e) of the Farm Credit Act (12 U.S.C. 2011, 2013, 2021, 2071, 2072, 2091, 2092, 2121, 2123,

2142, 2183, 2203, 2208, 2209, 2243, 2244, 2252, 2278a-9, 2278b-6, 2279a-2279f-1, 2279aa-5(e)); secs. 411 and 412 of Pub. L. 100-233, 101 Stat. 1568, 1638; secs. 409 and 414 of Pub. L. 100-399, 102 Stat. 989, 1003, and 1004.

Subpart G—Mergers, Consolidations, and Charter Amendments of Associations

§ 611.1124 [Amended]

■ 11. Amend § 611.1124 by removing the reference, “§ 611.1090 of this part” and adding in its place, “section 5.17(a) of the Act” in paragraph (n).

Dated: September 14, 2006.

Roland Smith,

Secretary, Farm Credit Administration Board.
[FR Doc. 06-7951 Filed 9-19-06; 8:45 am]

BILLING CODE 6705-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-24955; Directorate Identifier 2006-CE-31-AD; Amendment 39-14768; AD 2006-19-11]

RIN 2120-AA64

Airworthiness Directives; Gippsland Aeronautics Pty. Ltd. Model GA8 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an airworthiness authority of another country to identify and correct an unsafe condition on an aviation product. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective October 25, 2006.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 25, 2006.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aerospace Engineer,

FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on June 19, 2006 (71 FR 35223). That NPRM proposed to require relocating the seat stop of the pilot and second occupant seat.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received.

Jack Buster with the Modification and Replacement Parts Association (MARPA) provides comments on the MCAI AD process pertaining to how the FAA addresses publishing manufacturer service information as part of a proposed AD action. The commenter states that the proposed rule attempts to require compliance with a public law by reference to a private writing (as referenced in paragraph (e) of the proposed AD). The commenter would like the FAA to incorporate by reference (IBR) the Gippsland service bulletin.

We agree with Mr. Buster. However, we do not IBR any document in a proposed AD action, instead we IBR the document in the final rule. Since we are issuing the proposal as a final rule AD action, Gippsland Aeronautics Mandatory Service Bulletin SB-GA8-2005-29, Issue 2, dated February 14, 2006, is incorporated by reference.

Mr. Buster requests IBR documents be made available to the public by publication in the **Federal Register** or in the Docket Management System (DMS).

We are currently reviewing issues surrounding the posting of service bulletins in the Department of Transportation's DMS as part of the AD docket. Once we have thoroughly examined all aspects of this issue and have made a final determination, we will consider whether our current practice needs to be revised.

Mr. Buster comments on the vagueness of paragraph (g)(2) of the proposed AD and states that the requirements may be unenforceable in a court of law.

We partially agree with Mr. Buster. We are considering clarifying the text of paragraph (g)(2) in future ADs to more clearly remind operators they are required to assure a product is airworthy before it is returned to service. However, we consider the

existing text to be legally enforceable since it requires performing FAA-approved corrective actions before returning the product to an airworthy condition. No change is required to this final rule in that regard.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable in a U.S. court of law. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements, if any, take precedence over the actions copied from the MCAI.

Costs of Compliance

Based on the service information, we estimate that this AD will affect about 22 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to do the action and that the average labor rate is \$80 per work-hour. Required parts will cost about \$20 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$7,920, or \$360 per product (\$180 per seat assembly).

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: