

**ACTION:** Final rule.

**SUMMARY:** This final rule adopts without change the provisions of the interim rule published in the Federal Register (60 FR 35834) on July 12, 1995, which added to the peanut price support regulations in 7 CFR part 1446, a reference to crop insurance requirements contained in 7 CFR part 400 which affect the eligibility of peanut producers for price support benefits. Under the provisions of part 400, producers generally must obtain crop insurance for all crops in which they have an interest in the county where the peanuts are produced. The crop insurance requirements of part 400, which implement provisions of the Federal Crop Insurance Reform Act of 1994 (1994 Act), are in addition to all existing eligibility requirements for price support for peanuts contained in part 1446 and elsewhere.

**EFFECTIVE DATE:** November 29, 1995.

**FOR FURTHER INFORMATION CONTACT:** Gary S. Fountain, Tobacco and Peanuts Division, Consolidated Farm Service Agency, U.S. Department of Agriculture, PO Box 2415, Washington, DC 20013-2415; telephone (202) 720-9106.

**SUPPLEMENTARY INFORMATION:**

Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Federal Assistance Program

The title and number of the Federal assistance program, as found in the Catalog of Federal Domestic Assistance, to which this final rule applies is: Commodity Loans and Purchases—10.051.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since neither the Commodity Credit Corporation nor the Consolidated Farm Service Agency (CFSA) is required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Executive Order 12372

This program/activity is not subject to the provisions of Executive Order 12372 which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

Paperwork Reduction Act

This final rule does not change the CFSA information collection requirements that were previously approved by OMB and assigned control numbers 0560-0006 and 0560-0014. The catastrophic risk protection insurance coverage requirements are included in the information collection package that has been approved by OMB and assigned control number 0563-0003.

Executive Order 12612

It has been determined under section 6(a) of Executive Order 12612, Federalism, that this final rule does not have significant Federalism implications which warrant the preparation of a Federalism Assessment. The requirements and procedures contained in this rule will not have a substantial direct effect on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government.

Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. The provisions of this rule are not retroactive and preempt State laws to the extent that such laws are inconsistent with the provisions of this rule. Before any judicial action may be brought regarding determinations made under provisions of 7 CFR part 1446, the administrative remedies in 7 CFR part 780 must be exhausted.

Environmental Evaluation

This action is not expected to have any significant impact on the quality of the human environment, health or safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Background

The 1994 Act, enacted on October 13, 1994, requires that persons who seek price support benefits for peanuts, and certain other farm program benefits, must, if insurance is available, acquire at least the catastrophic level of protection for all insurable crops of "economic significance", in which they have an interest, that are grown in the same county as the crop for which price support or any other benefit is sought. A crop of "economic significance" is defined in the 1994 Act to be a crop that has contributed, or is expected to contribute, 10 percent or more of the total expected value of all crops grown by the person.

The provisions of the 1994 Act are administered by the Federal Crop Insurance Corporation (FCIC). FCIC has issued, by an interim rule published on January 6, 1995 (60 FR 1996), regulations which implement the 1994 Act. The FCIC rule is codified in 7 CFR part 400. Related rules are codified in 7 CFR part 402.

Price support for peanuts is made available under the Agricultural Act of 1949, 7 USC 1421 *et seq.* The peanut price support regulations are found at 7 CFR part 1446.

List of Subjects in 7 CFR Part 1446

Loan programs—Agriculture, Peanuts, Price support programs, Reporting and recordkeeping requirements, Warehouses.

Following publication of the interim rule, the public was afforded 30 days to submit written comments and data. No comments or data were received.

Accordingly, under the authority of 7 U.S.C. 1359a, 1375, 1421 *et seq.*; 15 U.S.C. 714b and 714c, the interim rule that added to the peanut price support regulations in 7 CFR part 1446, as published in the Federal Register on July 12, 1995, at 60 FR 35834, is hereby adopted without change as a final rule.

Signed at Washington, DC, on November 22, 1995.

Bruce R. Weber,

*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 95-29169 Filed 11-28-95; 8:45 am]

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**FEDERAL ELECTION COMMISSION****11 CFR Part 110**

[Notice 1995-21]

**Communications Disclaimer Requirements**

**AGENCY:** Federal Election Commission.

**ACTION:** Final rule correction.

**SUMMARY:** The Federal Election Commission is publishing a correction to the final rules governing disclaimers on campaign communications that were published in the Federal Register on Oct. 5, 1995. 60 FR 52069. The correction deletes a reference to phone banks in the preamble to the rules, thereby removing the inference that the Commission determined phone banks to be considered general public political advertising for purposes of these rules.

**DATES:** Further action, including the publication of a document in the Federal Register announcing the effective date, will be taken after the

final disclaimer rules have been before Congress for 30 legislative days pursuant to 2 U.S.C. 438(d). The disclaimer rules were transmitted to Congress on Oct. 2, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Ms. Susan E. Propper, Assistant General Counsel, 999 E Street NW., Washington, DC 20463, (202) 219-3690 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** The Federal Election Campaign Act (the "Act") at 2 U.S.C. 441d(a) requires a disclaimer on communications by any person that expressly advocate the election or defeat of a clearly identified federal candidate, or solicit contributions, through any form of general public political advertising. On Oct. 5, 1995, the Commission published in the Federal Register revisions to the implementing regulations, which are found at 11 CFR 110.11. 60 FR 52069.

In the discussion before adopting these revisions, the Commission considered including phone banks in the list of communications that require a disclaimer, but could not reach a majority decision to do so by the required four affirmative votes. See 2 U.S.C. 437c(c). Consequently, this proposal was not included in the final rules.

Accordingly, the term "phone bank" does not appear anywhere in the text of the final rules. 60 FR 52072. Also, the Explanation and Justification ("E&J") that accompanied the final rules correctly explained the Commission's action both in its discussion of phone banks (60 FR 52070) and in the discussion of so-called "push poll" activity. 60 FR 52071-72. (The term "push poll" is generally used to refer to phone bank activities or written surveys that provide false or misleading information about a candidate under the guise of conducting a legitimate poll.)

However, the E&J's discussion of new disclaimer requirements for certain "exempt activities," that is, activities by a candidate or political party committee that are exempt from the Act's contribution and expenditure limits under 11 CFR 100.8(b)(10), (16), (17), or (18), inadvertently retained a statement from an earlier document to the effect that exempt phone banks would require a disclaimer. The Commission is deleting this language from the E&J to insure that no one is misled by this inconsistency.

**Correction of Publication**

Accordingly, the publication of final regulations on October 5, 1995 (60 FR 52069), which were the subject of FR Doc. 95-24749, is corrected as follows:

**Explanation and Justification (Preamble) (Corrected)**

On p. 52070, in the third column, in the second full paragraph, in lines 14 and 15, "phone banks and" should be removed.

Danny Lee McDonald,  
*Chairman, Federal Election Commission.*  
[FR Doc. 95-29141 Filed 11-28-95; 8:45 am]  
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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**15 CFR Part 902**

**50 CFR Part 641**

[Docket No. 950810206-5268-03; I.D. 071395A]

RIN 0648-AG29

**Reef Fish Fishery of the Gulf of Mexico; Amendment 8**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement certain provisions of Amendment 8 to the Fishery Management Plan for the Reef Fish Fishery of the Gulf of Mexico (FMP). Amendment 8 initiates a limited entry program for the commercial red snapper sector of the reef fish fishery in the Gulf of Mexico. Initial participants in the limited entry program will receive shares of the commercial quota of red snapper based on specified criteria. The percentage shares of the commercial quota equate to individual transferable quotas (ITQs). In addition, NMFS clarifies the regulations regarding commercial permit requirements, and informs the public of the approval by the Office of Management and Budget (OMB) of the collection-of-information requirements contained in this rule and publishes the OMB control numbers for those collections. The intended effect of this rule is to manage the commercial red snapper sector of the reef fish fishery to preserve its long-term economic viability.

**EFFECTIVE DATE:** April 1, 1996; except that the amendments to 15 CFR part 902 and 50 CFR 641.2, 641.7(s), 641.24(g), and the additions 50 CFR 641.7(ee) and 641.10 heading and paragraph (c), are effective November 24, 1995.

**ADDRESSES:** Requests for copies of the final regulatory flexibility analysis

(FRFA) should be sent to Robert Sadler, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Comments regarding the collection-of-information requirements contained in this rule should be sent to Edward E. Burgess, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702, and to the Office of Information and Regulatory Affairs, OMB, Washington, DC 20503 (Attention: NOAA Desk Officer).

**FOR FURTHER INFORMATION CONTACT:**

Robert Sadler, 813-570-5305.

**SUPPLEMENTARY INFORMATION:** The reef fish fishery of the Gulf of Mexico is managed under the FMP. The FMP was prepared by the Gulf of Mexico Fishery Management Council (Council) and is implemented through regulations at 50 CFR part 641 under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act).

Based on a preliminary evaluation of Amendment 8 at the beginning of formal agency review, NMFS disapproved three of its measures after determining that they were inconsistent with the provisions of the Magnuson Act and other applicable law. NMFS published a proposed rule to implement the remaining measures of Amendment 8 and to clarify existing regulations regarding commercial permit requirements (60 FR 44825, August 29, 1995). The rationale for the remaining measures of Amendment 8 and for the clarification of existing regulations, as well as the reasons for the disapproval of the three Amendment 8 measures at the beginning of formal agency review, are contained in the preamble of the proposed rule and are not repeated here. On October 13, 1995, NMFS approved the remaining measures of Amendment 8; this final rule implements those approved measures.

**Comments and Responses**

A minority report signed by three Council members was submitted with Amendment 8. In addition, written comments during the comment period were received from 34 entities, including individual representatives of four commercial seafood associations (fishing associations), two state government agencies, and 28 members of the public. Seventeen of the comments supported the proposed rule and/or Amendment 8, including 12 from persons holding red snapper endorsements on their reef fish vessel permits. Sixteen of the comments opposed the proposed rule and/or Amendment 8, including three from endorsement holders. Three of the