

FEDERAL ELECTION COMMISSION**11 CFR Part 110**

[Notice 1996-14]

Coordinated Party Expenditures**AGENCY:** Federal Election Commission.**ACTION:** Final rule; technical amendment

SUMMARY: On June 26, 1996, the Supreme Court issued a decision in *Colo. Repub. Fed. Camp. Comm. et al. v. F.E.C.* regarding coordinated party expenditures. The Commission today is publishing a technical amendment to conform its regulations to the decision. The Commission also is publishing today a Notice of Availability for a Petition for Rulemaking it received after the decision.

EFFECTIVE DATE: August 7, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, or Ms. Teresa A. Hennessy, Attorney, 999 E Street, N.W., Washington, D.C. 20463, (202)219-3690 or (800) 424-9530.

SUPPLEMENTARY INFORMATION: The Federal Election Campaign Act of 1971 ("FECA") governs, *inter alia*, coordinated party expenditures by party committees. 2 U.S.C. 441a(d). A party committee is a political committee that represents a political party and is part of the official party structure. 11 CFR 100.5(e)(4). Pursuant to 11 CFR 110.7, a party committee may make coordinated expenditures on behalf of a candidate for Federal office who is affiliated with the party in addition to direct contributions to the candidate under 2 U.S.C. 441a(a). The Commission's regulations specifically provide that a national committee of a political party, and a State committee of the party, may make these expenditures in connection with the general election campaign of a candidate for the U.S. House of Representatives ("House") or the U.S. Senate ("Senate"). 11 CFR 110.7(b)(1). The regulations also provided that party committees may not make independent expenditures on behalf of a candidate for the House or the Senate. 11 CFR 110.7(b)(4). An independent expenditure is an expenditure that expressly advocates the election or defeat of a candidate for Federal office, *see* 11 CFR 100.22(a), and is not coordinated with the candidate on whose behalf it is made. 11 CFR 109.1.

In *Colo. Repub. Fed. Camp. Comm. et al. v. F.E.C.*, 116 S.Ct. 2309 (1996), the Commission had alleged, *inter alia*, that the Colorado Republican Federal Campaign Committee exceeded the Act's limits for coordinated party

expenditures when it financed advertisements referring to a Democratic candidate for the U.S. Senate from Colorado. The Court ruled that party committees are capable of making independent expenditures on behalf of their candidates for Federal office and that these expenditures are not subject to the coordinated party expenditure limits at 2 U.S.C. § 441a(d). 116 S.Ct. 2312-15. The Court also stated that, because the coordinated party expenditure limits for presidential elections were not at issue in the case, the decision did not "address issues that might grow out of the public funding of Presidential campaigns". 116 S.Ct. 2314. Section 110.7(b)(4) of the Commission's regulations has been deleted to follow the Supreme Court's decision. Since the ruling is limited to congressional campaigns, the Notice does not revise the provisions for coordinated party expenditures on behalf of presidential candidates.

Therefore, the Commission is publishing this Notice to make the necessary technical amendment to its regulations. The Notice amends 11 CFR 110.7 to conform to the Court's decision. Because the amendment is merely technical, it is exempt from the notice and comment requirements of the Administrative Procedure Act. *See* 2 U.S.C. 553(b)(B). It is also exempt from the legislative review provisions of the FECA. *See* 2 U.S.C. 438(d). These exemptions allow the amendment to be made effective immediately upon publication in the Federal Register. As a result, this amendment is made effective on August 7, 1996.

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

I certify that the attached final rule will not have a significant economic impact on a substantial number of small entities. The basis of the certification is that the rule's repeal is necessary to conform to a recent Supreme Court decision. The repeal permits, but does not require, the expenditure of funds in certain Federal campaigns. Therefore, no significant economic impact is caused by the final rule.

List of Subjects in 11 CFR Part 110

Campaign funds, Political committees and parties.

For the reasons set out in the preamble, Subchapter A, Chapter I, Title 11 of the Code of Federal Regulations is amended as follows:

PART 110—CONTRIBUTION AND EXPENDITURE LIMITATIONS AND PROHIBITIONS

1. The authority citation for Part 110 continues to read as follows:

Authority: 2 U.S.C. 431(8), 431(9), 432(c)(2), 437d(a)(8), 438(a)(8), 441a, 441b, 441d, 441e, 441f, 441g and 441h.

§ 110.7 Party Committee Expenditure Limitations (2 U.S.C. 441a(d)).

2. Section 110.7(b)(4) is removed.

Dated: August 2, 1996

John Warren McGarry,

Vice Chairman, Federal Election Commission.

[FR Doc. 96-20102 Filed 8-06-96; 8:45 am]

BILLING CODE 6715-01-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 96-AEA-03]

Amendment of Class E Airspace; New York, NY

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies the Class E airspace area at New York, NY to accommodate a planned Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) at the Lincoln Park Airport, Lincoln Park, NJ. This amendment also corrects the description of the New York, NY Class E Airspace Area published as a Notice of Proposed Rulemaking in the Federal Register April 30, 1996 (61 FR 19001). The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Lincoln Park Airport. **EFFECTIVE DATE:** 0901 UTC, October 10, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Frances T. Jordan, Airspace Specialist, Operations Branch, AEA-530, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553-4521.

SUPPLEMENTARY INFORMATION:**History**

On April 30, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing a Class E airspace area at New York, NY (61 FR 19001). The

development of a GPS SIAP at Lincoln Park Airport, Lincoln Park, NJ made this action necessary. This action also corrects the description of the New York, NY Class E airspace as it was published in the Notice Of Proposed Rulemaking.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas designations are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) amends the Class E airspace area at New York, NY. The development of a GPS SIAP at Lincoln Park Airport, Lincoln Park, NJ has made this action necessary. The intended effect of this action is to provide adequate Class E airspace for aircraft executing the GPS RWY 19 SIAP at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 10034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995 and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AEA NY E5 New York, NY [Amended]

John F. Kennedy International Airport, New York, NY

(lat. 40°38'25"N, long. 73°46'40"W.)

Canarsie VOR/DME

(lat. 40°36'45"N, long. 73°53'40"W.)

LaGuardia Airport, New York, NY

(lat. 40°46'38"N, long. 73°52'21"W.)

LaGuardia VOR/DME

(lat. 40°47'01"N, long. 73°52'06"W.)

Teterboro Airport, NJ

(lat. 40°51'00"N, long. 74°03'40"W.)

Newark International Airport, NJ

(lat. 40°41'34"N, long. 74°10'07"W.)

Morristown Municipal Airport, NJ

(lat. 40°47'57"N, long. 74°24'54"W.)

Chatham NDB

(lat. 40°44'27"N, long. 74°25'48"W.)

Essex County Airport, Caldwell, NJ

(lat. 40°52'30"N, long. 74°16'53"W.)

MOREE LOM

(lat. 40°52'47"N, long. 74°20'04"W.)

Paterson NDB

(lat. 40°56'47"N, long. 74°09'03"W.)

Lincoln Park Airport, NJ

(lat. 40°56'51"N, long. 74°18'52"W.)

That airspace extending upward from 700 feet above the surface within a 7.9-mile radius of John F. Kennedy International Airport and within 2.7 miles each side of the Canarsie VOR/DME 212° radial, extending from the Canarsie VOR/DME to 3.5 miles southwest of the VOR and within a 6.9-mile radius of LaGuardia Airport and within 3.1 miles each side of the LaGuardia VOR/DME 035° radial extending from the LaGuardia VOR/DME to 8.1 miles northeast of the LaGuardia VOR/DME and within a 6.7-mile radius of Teterboro Airport and within 3 miles either side of a 048° bearing from the northeast end of a northeast to southwest runway at Teterboro Airport extending from the 6.7-mile radius area to 10 miles northeast of the northeast end of the runway and within a 7-mile radius of Newark International Airport and within a 6.6-mile radius of Morristown Municipal Airport and within 8 miles northwest and 4 miles southeast of a 204° bearing from the Chatham NDB extending from the Chatham NDB to 16 miles southwest of the NDB and within a 6.6-mile radius of Essex County Airport and within 4 miles north and 8 miles south of a 276° bearing from the MOREE LOM extending from the MOREE LOM to 16 miles west of the LOM and within 8 miles northwest and 4 miles southeast of a 057°

bearing from the Paterson NDB extending from the Paterson NDB to 16 miles northeast of the NDB and within a 7-mile radius of Lincoln Park Airport.

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Issued in Jamaica, New York on July 9, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 96–20157 Filed 8–6–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM96–1–000; Order No. 587]

Standards for Business Practices of Interstate Natural Gas Pipelines

July 31, 1996.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Final rule; notice regarding electronic filing of *pro forma* tariff sheets.

SUMMARY: The Federal Energy Regulatory Commission is issuing a notice regarding the filing of *pro forma* tariff sheets required by the final rule, 61 FR 39053 (July 26, 1996), 76 FERC ¶61,042 (July 17, 1996). Pipelines should make such filings electronically in accordance with Section 154.4 of the Commission's regulations.

DATES: This final rule is effective August 26, 1996. The *pro forma* tariff filings will be made pursuant to a staggered schedule in October through December of 1996.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 208–2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 208–1283.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street NE., Washington, DC 20426.