

significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

The regulations in 9 CFR part 71 require that any horses classified as EIA reactors and accepted by a facility for sale are to be placed in quarantined pens at least 200 yards from all non-EIA-reactor horses or other animals, unless moving out of the facility within 24 hours of arrival. The proposed rule would remove the "less-than-24-hours" exemption: Quarantine would be required regardless of the length of time between an EIA reactor's arrival and departure from a facility. The proposed rule would also amend the regulations by requiring that EIA reactors be quarantined at least 200 yards away from all equines that are not reactors, rather than at least 200 yards away from all other animals.

Facilities that buy and sell horses are included in the Small Business Administration's SIC (Standard Industrial Classification) category "Livestock Services, Except Veterinary." Firms in this category with annual receipts of less than \$5 million are considered small entities. It is likely that most, if not all, of the approximately 200 facilities that buy and sell horses are "small" under this definition.

Most facilities that buy and sell horses already have quarantine pens, in accordance with current regulations. The estimated 20 percent that do not have quarantine pens could build or modify existing pens for quarantine use at a relatively minor cost: APHIS estimates that, at most, construction of a quarantine pen would cost about \$1,000.

However, costs of quarantine pen construction are not attributable to this proposed rule because quarantine, per se, is not a new requirement. Only those facilities that accept EIA reactors and that always move all EIA reactors within 24 hours of arrival would need to construct or modify pens for quarantine purposes as a consequence of this proposed rule. As no facility can always be certain of movement of EIA reactors within 24 hours, no costs should be incurred strictly because of this proposed rule. Moreover, by requiring all EIA reactors at approved livestock facilities to be quarantined, the horse industry in general would benefit from a further reduction in the risk of EIA transmission.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not

have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

List of Subjects in 9 CFR Part 71

Animal diseases, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 71 is proposed to be amended as follows:

PART 71—GENERAL PROVISIONS

1. The authority citation for part 71 would continue to read as follows:

Authority: 21 U.S.C. 111–113, 114a, 114a–1, 115–117, 120–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

§ 71.20 [AMENDED]

2. In § 71.20, paragraph (a) would be amended in paragraph (16)(ii) of the sample agreement by removing the words "or other animals, unless moving out of the facility within 24 hours of arrival".

Done in Washington, DC, this 20th day of January 1998.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98–1778 Filed 1–26–98; 8:45 am]

BILLING CODE 3410–34–P

FEDERAL ELECTION COMMISSION

11 CFR Part 114

[Notice 1998–3]

Definition of "Member" of a Membership Association

AGENCY: Federal Election Commission.

ACTION: Notice of Proposed Rulemaking; technical correction.

SUMMARY: On December 22, 1997, the Commission published a Notice of Proposed Rulemaking ("NPRM") setting out proposed revisions to its rules defining who qualifies as a "member" of a membership association. The term is defined twice in the Commission's rules, and the definitions are identical. The NPRM sought comment on three alternative definitions, but inadvertently omitted one portion of one alternative from one of the parallel definitions. This technical revision to the NPRM corrects that oversight.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, or Ms. Rita A. Reimer, Attorney, 999 E Street, N.W., Washington, DC 20463, (202) 219–3690 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: On December 22, 1997, the Commission published a Notice of Proposed Rulemaking seeking comment on three alternative revisions (Alternatives A, B and C) to its rules defining who qualifies as a "member" of a membership association. 62 FR 66832. Each Alternative describes a range of financial and organizational attachments that would be sufficient to confer membership status.

A membership association can solicit contributions from its members to a separate segregated fund established by the association, and can include express electoral advocacy in communications to its members. 2 U.S.C. 441b(b)(2)(A), 441b(b)(4)(C). The Commission's rules for both activities are identical. Those governing solicitations are found at 11 CFR 114.1(e), and those governing communications are found at 11 CFR 100.8(b)(4)(iv).

In keeping with the statutory and regulatory scheme, the Commission intended that all three alternatives would apply to both 11 CFR 100.8(b)(4)(iv) and 114.1(e). However, the NPRM as published inadvertently omitted Alternative C for paragraph 114.1(e)(2)(ii), although it included it for parallel paragraph 100.8(b)(4)(iv)(B)(2). See 62 FR 66837, 66838 (Dec. 22, 1997). Under Alternative C, a person would be considered a "member" of a

membership association if the person was required to pay on a regular basis a specific amount of annual dues that are predetermined by the association.

Accordingly, the Commission is publishing this technical correction to the NPRM.

§ 114.1 [Corrected]

On page 66838 of the December 22, 1997 **Federal Register**, at the bottom of the first column, following proposed *Alternative B* for paragraphs (e)(2)(ii)–(iv), insert the following:

Alternative C for paragraph (e)(2)(ii).

(2) Are required to pay on a regular basis a specific amount of annual dues that are predetermined by the association.

Dated: January 22, 1998.

Joan D. Aikens,

Chairman, Federal Election Commission.

[FR Doc. 98–1890 Filed 1–26–98; 8:45 am]

BILLING CODE 6715–01–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–99–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–31 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–9–31 series airplanes.

This proposal would require a one-time visual inspection to determine if all corners of the forward service door doorjamb have been modified previously, various follow-on repetitive inspections, and modification, if necessary. This proposal is prompted by reports of fatigue cracks found in the fuselage skin and doubler at the corners of the forward service door doorjamb. The actions specified by the proposed AD are intended to detect and correct such fatigue cracking, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

DATES: Comments must be received by March 13, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation

Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–99–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT:

Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 627–5324; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97–NM–99–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–99–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of fatigue cracks in the fuselage skin and doubler at the corners of the forward service door doorjamb on Model DC–9–31 series airplanes. These cracks were discovered during inspections conducted as part of the Supplemental Structural Inspection Document (SSID) program, required by AD 96–13–03, amendment 39–9671 (61 FR 31009, June 19, 1996). Investigation revealed that such cracking was caused by fatigue-related stress. Fatigue cracking in the fuselage skin or doubler at the corners of the forward service door doorjamb, if not detected and corrected in a timely manner, could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Service Bulletin DC9–53–288, dated February 10, 1997. The service bulletin describes the following procedures:

1. Performing a one-time visual inspection to determine if the corners of the forward service door doorjamb have been modified;
2. For airplanes on which the modification specified in Service Bulletin DC9–53–288 has not been accomplished: Performing a low frequency eddy current (LFEC) or x-ray inspection to detect cracks of the fuselage skin and doubler at all corners of the forward service door doorjamb;
3. Conducting repetitive inspections, or modifying the corner skin of the doorjamb of the forward service door and performing follow-on action high frequency eddy current (HFEC) inspections, if no cracking is detected;
4. Performing repetitive HFEC inspections to detect cracks on the skin adjacent to any corner that has been modified; and
5. Modifying any crack that is found to be 2 inches or less in length at all corners that have not been modified and performing follow-on repetitive HFEC inspections.

Accomplishment of the modification will minimize the possibility of cracks in the fuselage skin and doubler.