

thus dominant in their field. District and local party committees are generally considered affiliated with the State committees and need not be considered separately. To the extent that any State party committees representing minor political parties might be considered “small organizations,” the number affected by this rule is not substantial.

#### List of Subjects in 11 CFR Part 100

Elections.

■ For the reasons set out in the preamble, subchapter A of chapter 1 of title 11 of the *Code of Federal Regulations* is amended as follows:

#### PART 100—SCOPE AND DEFINITIONS (2 U.S.C. 431)

■ 1. The authority citation for 11 CFR part 100 continues to read as follows:

**Authority:** 2 U.S.C. 431, 434, and 438(a)(8).

■ 2. Section 100.24 is amended by removing paragraph (a)(1)(iii), by revising paragraphs (a)(2) and (a)(3), and by adding paragraphs (c)(5), (c)(6) and (c)(7) to read as follows:

#### § 100.24 Federal election activity (2 U.S.C. 431(20)).

(a) \* \* \*

(2) *Voter registration activity.*

(i) Voter registration activity means:

(A) Encouraging or urging potential voters to register to vote, whether by mail (including direct mail), e-mail, in person, by telephone (including pre-recorded telephone calls, phone banks and messaging such as SMS and MMS), or by any other means;

(B) Preparing and distributing information about registration and voting;

(C) Distributing voter registration forms or instructions to potential voters;

(D) Answering questions about how to complete or file a voter registration form, or assisting potential voters in completing or filing such forms;

(E) Submitting or delivering a completed voter registration form on behalf of a potential voter;

(F) Offering or arranging to transport, or actually transporting potential voters to a board of elections or county clerk's office for them to fill out voter registration forms; or

(G) Any other activity that assists potential voters to register to vote.

(ii) Activity is not voter registration activity solely because it includes a brief exhortation to register to vote, so long as the exhortation is incidental to a communication, activity, or event. Examples of brief exhortations incidental to a communication, activity, or event include:

(A) A mailer praises the public service record of mayoral candidate X and/or discusses his campaign platform. The mailer concludes by reminding recipients, “Vote for X on November 4th.”

discusses his campaign platform. The mailer concludes by reminding recipients, “Don’t forget to register to vote for X by October 1st.”

(B) A phone call for a State party fundraiser gives listeners information about the event, solicits donations, and concludes by reminding listeners, “Don’t forget to register to vote.”

(3) *Get-out-the-vote activity.*

(i) Get-out-the-vote activity means:

(A) Encouraging or urging potential voters to vote, whether by mail (including direct mail), e-mail, in person, by telephone (including pre-recorded telephone calls, phone banks and messaging such as SMS and MMS), or by any other means;

(B) Informing potential voters, whether by mail (including direct mail), e-mail, in person, by telephone (including pre-recorded telephone calls, phone banks and messaging such as SMS and MMS), or by any other means, about:

(1) Times when polling places are open;

(2) The location of particular polling places; or

(3) Early voting or voting by absentee ballot;

(C) Offering or arranging to transport, or actually transporting, potential voters to the polls; or

(D) Any other activity that assists potential voters to vote.

(ii) Activity is not get-out-the-vote activity solely because it includes a brief exhortation to vote, so long as the exhortation is incidental to a communication, activity, or event. Examples of brief exhortations incidental to a communication, activity, or event include:

(A) A mailer praises the public service record of mayoral candidate X and/or discusses his campaign platform. The mailer concludes by reminding recipients, “Vote for X on November 4th.”

(B) A phone call for a State party fundraiser gives listeners information about the event, solicits donations, and concludes by reminding listeners, “Don’t forget to vote on November 4th.”

\* \* \* \*

(c) \* \* \*

(5) Voter identification activity that is conducted solely in connection with a non-Federal election held on a date on which no Federal election is held, and which is not used in a subsequent election in which a Federal candidate appears on the ballot.

(6) Get-out-the-vote activity that is conducted solely in connection with a non-Federal election held on a date on which no Federal election is held,

provided that any communications made as part of such activity refer exclusively to:

(i) Non-Federal candidates participating in the non-Federal election, if the non-Federal candidates are not also Federal candidates;

(ii) Ballot referenda or initiatives scheduled for the date of the non-Federal election; or

(iii) The date, polling hours, and locations of the non-Federal election.

(7) *De minimis* costs associated with the following:

(i) On the Web site of a party committee or an association of State or local candidates, posting a hyperlink to a state or local election board's web page containing information on voting or registering to vote;

(ii) On the Web site of a party committee or an association of State or local candidates, enabling visitors to download a voter registration form or absentee ballot application;

(iii) On the Web site of a party committee or an association of State or local candidates, posting information about voting dates and/or polling locations and hours of operation; or

(iv) Placing voter registration forms or absentee ballot applications obtained from the board of elections at the office of a party committee or an association of State or local candidates.

On behalf of the Commission.

Dated: September 7, 2010.

**Matthew S. Petersen,**

*Chairman, Federal Election Commission.*

[FR Doc. 2010-22648 Filed 9-9-10; 8:45 am]

**BILLING CODE 6715-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. 29334; Amendment No. 71-42]

#### Airspace Designations; Incorporation By Reference

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9U, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes;

and reporting points incorporated by reference.

**DATES:** These regulations are effective September 15, 2010. The incorporation by reference of FAA Order 7400.9U is approved by the Director of the Federal Register as of September 15, 2010, through September 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Tameka Bentley, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

FAA Order 7400.9T, Airspace Designations and Reporting Points, effective September 15, 2009, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in the Federal Aviation Regulations section 71.1, effective September 15, 2009, through September 15, 2010. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order 7400.9T in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of Order 7400.9U, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order 7400.9U in section 71.1, as of September 15, 2010, through September 15, 2011. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. Sections 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 are also updated to reflect the incorporation by reference of FAA Order 7400.9U.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9U, effective September 15, 2010, through September 15, 2011. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order 7400.9U in full

text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of the Order, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in section 71.1.

The FAA has determined that this action: (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 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. This action neither places any new restrictions or requirements on the public, nor changes the dimensions or operation requirements of the airspace listings incorporated by reference in part 71. Consequently, notice and public procedure under 5 U.S.C. 553(b) are unnecessary. Because this action will continue to update the changes to the airspace designations, which are depicted on aeronautical charts, and to avoid any unnecessary pilot confusion, I find that good cause exists, under 5 U.S.C. 553(d), for making this amendment effective in less than 30 days.

**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—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

■ 2. Section 71.1 is revised to read as follows:

**§ 71.1 Applicability.**

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552

(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.9U is effective September 15, 2010, through September 15, 2011. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of FAA Order 7400.9U may be obtained from Airspace and Rules Group, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-8783. An electronic version of the Order is available on the FAA Web site at [http://www.faa.gov/air\\_traffic/publications](http://www.faa.gov/air_traffic/publications). Copies of FAA Order 7400.9U may be inspected in Docket No. 29334 on <http://www.regulations.gov>. A copy of FAA Order 7400.9U may be inspected at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**§ 71.5 [Amended]**

■ 3. Section 71.5 is amended by removing the words “FAA Order 7400.9T” and adding, in their place, the words “FAA Order 7400.9U.”

**§ 71.15 [Amended]**

■ 4. Section 71.15 is amended by removing the words “FAA Order 7400.9T” wherever they appear and adding, in their place, the words “FAA Order 7400.9U.”

**§ 71.31 [Amended]**

■ 5. Section 71.31 is amended by removing the words “FAA Order 7400.9T” and adding, in their place, the words “FAA Order 7400.9U.”

**§ 71.33 [Amended]**

■ 6. Paragraph (c) of § 71.33 is amended by removing the words “FAA Order 7400.9T” and adding, in their place, the words “FAA Order 7400.9U.”

**§ 71.41 [Amended]**

■ 7. Section 71.41 is amended by removing the words “FAA Order

7400.9T" wherever they appear and adding, in their place, the words "FAA Order 7400.9U."

#### § 71.51 [Amended]

■ 8. Section 71.51 is amended by removing the words "FAA Order 7400.9T" wherever they appear and adding, in their place, the words "FAA Order 7400.9U."

#### § 71.61 [Amended]

■ 9. Section 71.61 is amended by removing the words "FAA Order 7400.9T" wherever they appear and adding, in their place, the words "FAA Order 7400.9U."

#### § 71.71 [Amended]

■ 10. Paragraphs (b), (c), (d), (e), and (f) of § 71.71 are amended by removing the words "FAA Order 7400.9T" and adding, in their place, the words "FAA Order 7400.9U."

#### § 71.901 [Amended]

■ 11. Paragraph (a) of § 71.901 is amended by removing the words "FAA Order 7400.9T" and adding, in their place, the words "FAA Order 7400.9U."

Issued in Washington, DC, on September 2, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. 2010-22564 Filed 9-9-10; 8:45 am]

**BILLING CODE 4910-13-P**

## FEDERAL TRADE COMMISSION

### 16 CFR Part 310

**RIN 3084-AA98**

#### Telemarketing Sales Rule Fees

**AGENCY:** Federal Trade Commission.

**ACTION:** Policy statement.

**SUMMARY:** The Federal Trade Commission (the "Commission" or "FTC") is giving notice that there will be no increase in the fees charged to entities accessing the National Do Not Call Registry (the "Registry") for fiscal year 2011.

**ADDRESSES:** Requests for copies of this document should be sent to: Public Reference Branch, Federal Trade Commission, Room 130, 600 Pennsylvania Avenue, N.W., Washington, DC 20580. Copies of this document are also available on the Internet at the Commission's website: (<http://www.ftc.gov>).

**FOR FURTHER INFORMATION CONTACT:** Ami Joy Rop, (202) 326-2648, Bureau of

Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Rm H-244, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** The Do-Not-Call Registry Fee Extension Act of 2007 (Pub. L. 110-188, 122 Stat. 635) ("Act"), mandates a specific fee structure to use in determining the fees for accessing the Registry. According to the Act, for each year beginning after fiscal year 2009, the dollar amounts charged shall be increased by an amount equal to the amounts specified in the Act, whichever fee is applicable, multiplied by the percentage (if any) by which the average of the monthly consumer price index (for all urban consumers published by the Department of Labor) ("CPI") for the most recently ended 12-month period ending on June 30 exceeds the CPI for the 12-month period ending June 30, 2008. The Act also states that any increase shall be rounded to the nearest dollar and that there shall be no increase in the dollar amount if the change in the CPI is less than 1 percent. We measure this change in CPI from the time of the previous increase in fees. The adjustments to the applicable fees, if any, are to be published in the **FEDERAL REGISTER** no later than September 1 of each year.

Last year, for fiscal year 2010, we calculated an increase in the CPI of 1.4 percent, and adjusted the fees accordingly (74 Fed. Reg. 42771 (August 25, 2009)). The average value of the CPI for July 1, 2008 to June 30, 2009 was 214.625; the average value for July 1, 2009 to June 30, 2010 was 216.735, an increase of 0.97 percent. As this falls below the statute's 1 percent required change in the CPI, there shall be no increase in the fees for access. Therefore, the fees will remain at the current level of \$55 per area code, with a maximum fee of \$15,058. The fee for access to each area code during the second six months of an entity's annual subscription period remains at \$27. Users will still be able to access the first five area codes free of charge, and organizations that are not required to comply with the Registry will still be able to access it if they choose to while remaining exempt from fees.

By direction of the Commission.

**Richard C. Donohue**

*Acting Secretary.*

[FR Doc. 2010-22197 Filed 9-9-10; 8:45 am]

**BILLING CODE 6750-01-S**

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

#### 25 CFR Parts 542 and 543

**RIN 3141-AA-37**

#### Minimum Internal Control Standards for Class II Gaming

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Delay of effective date of final rule; request for comments.

**SUMMARY:** The National Indian Gaming Commission ("NIGC") announces the extension of the effective date on the final rule for Minimum Internal Control Standards for Class II Gaming. The final rule was published in the **Federal Register** on October 10, 2008 (73 FR 60492). The Commission is changing the effective date for the amendments to §§ 542.7 and 542.16 (and their renumbering as §§ 543.7 and 543.16), as well as the date for operations to implement tribal internal controls found in § 543.3(c)(3) to October 13, 2011, in order to extend the transition time, allow the new Commission time to thoroughly review the rule, and to receive comment on whether the rule should be amended in whole or in part.

**DATES:** The effective date for the amendments to §§ 542.7 and 542.16 for the final rule published October 10, 2008, 73 FR 60492, and delayed on October 9, 2009, 74 FR 52138, is further delayed from October 13, 2010, until October 13, 2011. The effective date for the amendment to § 543.3(c)(3) in this rule is October 13, 2011. Submit comments on or before November 9, 2010.

**ADDRESSES:** Mail comments to "Comments on Class II MICS", National Indian Gaming Commission, 1441 L St., NW., Suite 9100, Washington, DC 20005, attn: Jennifer Ward. Comments may be transmitted by facsimile to 202-632-7066, but the original should also be submitted by mail. Comments may also be sent electronically to [2008\\_MICS\\_comments@nigc.gov](mailto:2008_MICS_comments@nigc.gov) or posted at <http://www.regulations.gov> under this notice.

#### FOR FURTHER INFORMATION CONTACT:

Jennifer Ward, Attorney, Office of General Counsel, at (202) 632-7003; fax (202) 632-7066 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** Congress established the National Indian Gaming Commission under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. 2701-21) ("IGRA") to regulate gaming on Indian lands. The NIGC issued a final rule that superseded specified sections