

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## FEDERAL ELECTION COMMISSION

### 11 CFR Part 104

[Notice 2022–07]

#### Electioneering Communications Reporting

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of disposition of petition for rulemaking.

**SUMMARY:** The Commission announces its disposition of a petition for rulemaking filed on October 5, 2012, by the Center for Individual Freedom. The petition asks that the Commission revise two regulations on the reporting of electioneering communications. The Commission has decided not to initiate a rulemaking in response to the petition because the regulatory changes it sought have already been implemented in a separate rulemaking. The petition and other documents relating to this matter are available on the Commission's website, <https://www.fec.gov/fosers/> (REG 2012–01 Electioneering Communications Reporting).

**DATES:** March 29, 2022.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert M. Knop, Assistant General Counsel, or Ms. Cheryl A. Hemsley, Attorney, 1050 First Street NE, Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:** On October 5, 2012, the Commission received a petition for rulemaking from the Center for Individual Freedom. The petitioner asked that the Commission revise 11 CFR 104.20(c)(8) and (9) “by deleting the phrase ‘pursuant to 11 CFR 114.15,’ thereby explicitly applying the electioneering communication disclosure obligations of corporations and labor unions to any form of electioneering communication.” Center for Individual Freedom, Petition for Rulemaking (Oct. 5, 2012), REG 2012–01, <https://sers.fec.gov/fosers/showpdf.htm?docid=122723>. For the reasons explained below, the Commission has

decided not to initiate a rulemaking in response to the petition.

The Federal Election Campaign Act, 52 U.S.C. 30101–45, requires persons who pay for “electioneering communications” to satisfy certain reporting requirements. An electioneering communication is a broadcast, cable, or satellite communication that refers to a clearly identified candidate for federal office, is publicly distributed within 60 days before a general election or 30 days before a primary election and is targeted to the relevant electorate. 52 U.S.C. 30104(f)(3)(A)(i); 11 CFR 100.29(a). Every person who makes disbursements for the direct costs of producing and airing electioneering communications in an aggregate amount that exceeds \$10,000 in a calendar year, must file a report with the Commission. 52 U.S.C. 30104(f)(1), (2); 11 CFR 104.20.

Commission regulation 11 CFR 104.20(c) specifies the information that must be included in electioneering communications reports. When the instant petition was filed, paragraph (c)(8) provided that, “[i]f the disbursements [for the electioneering communications] were not paid exclusively from a segregated bank account . . . and were not made by a corporation or labor organization pursuant to 11 CFR 114.15,” the reports must include “the name and address of each donor who donated an amount aggregating \$1,000 or more to the person making the disbursement, aggregating since the first day of the preceding calendar year.” 11 CFR 104.20(c)(8) (2012). Similarly paragraph (c)(9) provided that, “[i]f the disbursements [for the electioneering communications] were made by a corporation or labor organization pursuant to 11 CFR 114.15,” the electioneering communications reports must include “the name and address of each person who made a donation aggregating \$1,000 or more to the corporation or labor organization, aggregating since the first day of the preceding calendar year, which was made for the purpose of furthering electioneering communications.” 11 CFR 104.20(c)(9) (2012). Section 11 CFR 114.15, in turn, established certain criteria for electioneering communications that corporations and labor organizations were permitted to finance with their general treasury funds.

The Commission published a Notice of Availability on October 26, 2012, to ask for public comment on the petition. 77 FR 65332 (Oct. 26, 2012). The Commission received two substantive comments: One from the petitioner endorsing its own petition, and one arguing generally that corporations should be subject to disclosure requirements.

The Commission considered the petition and the comments at its open meeting on March 7, 2013, but did not approve the initiation of a rulemaking by the affirmative vote of four or more Commissioners. *See* Certification of Commission Vote, Agenda Document 13–10 (Mar. 7, 2013), REG 2012–01, <https://sers.fec.gov/fosers/showpdf.htm?docid=296278>; *see also* 52 U.S.C. 30106(c) and 30107(a)(8) (requiring an affirmative vote of at least four Commissioners to take any action to amend a regulation). Accordingly, the Commission directed the Office of General Counsel to draft a notice of disposition that included a summary of the statements expressed by Commissioners regarding the petition.

The Commission has not made public or deliberated on a draft notice of disposition addressing the merits of the petition. Instead, pursuant to 11 CFR 200.4(b), the Commission is now issuing this notice of disposition to explain that the Commission is not initiating a rulemaking in response to the petition because the regulatory changes it sought have already been implemented in a separate rulemaking. Specifically, on October 21, 2014, the Commission published changes to its rules governing independent expenditures and electioneering communications by corporations and labor organizations. Independent Expenditures and Electioneering Communications by Corporations and Labor Organizations, 79 FR 62797, 62816 (Oct. 21, 2014); *see also* Independent Expenditures and Electioneering Communications by Corporations and Labor Organizations, 80 FR 12079 (Mar. 6, 2015) (noting that amendments became effective on January 27, 2015). Among other changes, these amendments deleted section 114.15 in its entirety and removed the references to it from 11 CFR 104.20(c)(8) and (9). 79 FR at 62817, 62819.

Accordingly, the Commission declines to initiate a rulemaking in

response to the petition because all of the changes it sought have already been made.

Dated: March 23, 2022.

On behalf of the Commission.

**Allen J. Dickerson,**

*Chairman, Federal Election Commission.*

[FR Doc. 2022-06594 Filed 3-28-22; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2022-0381; Project Identifier MCAI-2021-01314-R]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model AS355E, AS355F, AS355F1, AS355F2, AS-365N2, AS 365 N3, SA-365N, SA-365N1, EC 155B, and EC155B1 helicopters. This proposed AD was prompted by investigation results from an engine compartment fire, which determined some of the internal parts of the engine upper fixed cowling (engine cowling) were painted with finish paint on top of the primer layer. This proposed AD would require a one-time inspection of certain part-numbered engine cowlings, and corrective actions if necessary, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by May 13, 2022.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** (202) 493-2251.
- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5

p.m., Monday through Friday, except Federal holidays.

For EASA material that is proposed for IBR in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find the EASA material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. This material is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0381.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0381; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the EASA AD, any comments received, and other information. The street address for Docket Operations is listed above.

#### FOR FURTHER INFORMATION CONTACT:

Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2022-0381; Project Identifier MCAI-2021-01314-R" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The

agency will also post a report summarizing each substantive verbal contact received about this NPRM.

#### Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov). Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

#### Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0265, dated November 23, 2021 (EASA AD 2021-0265), to correct an unsafe condition for Airbus Helicopters (AH), formerly Eurocopter, Eurocopter France, Aerospatiale, Sud Aviation, Model SA 365 N, SA 365 N1, AS 365 N2, AS 365 N3, EC 155 B, EC 155 B1, AS 355 E, AS 355 F, AS 355 F1 and AS 355 F2 helicopters, all serial numbers.

This proposed AD was prompted by investigation results from an engine compartment fire, which determined some of the internal parts of the engine cowling were painted with finish paint on top of the primer layer. The FAA is proposing this AD to detect finish paint inside the duct of the engine cowling. The unsafe condition, if not addressed, could result in fire propagation in case of exposure to high temperature, damage to the helicopter, and injury to the occupants. See EASA AD 2021-0265 for additional background information.