present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 260 producers of spearmint oil in the production area and 8 handlers subject to regulation under the marketing order. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000. The majority of spearmint oil producers and handlers may be classified as small entities.

The spearmint oil marketing order provides authority for the Committee, with the approval of the Department, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers of Far West spearmint oil. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

The Committee met on February 27, 1996, and unanimously recommended 1996–97 expenditures of $230,752 and an assessment rate of $0.10 per pound of spearmint oil. In comparison, last year's budgeted expenditures were $233,272. The assessment rate of $.10 is the same as last year's established rate. Major expenditures recommended by the Committee for 1996–97 include $96,200 for administrative expenses, $113,552 for salaries, and $21,000 for committee travel. Budgeted expenses for these items in 1995–96 were $102,900, $107,372, and $23,009, respectively.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected shipments of Far West spearmint oil. Spearmint oil shipments for the year are estimated at 2,081,610 pounds which should provide $208,161 in assessment income. Income derived from handler assessments, along with interest income and funds from the committee's authorized reserve, will be adequate to cover budgeted expenses. Funds in the reserve will be kept within the maximum permitted by the order.

An interim final rule regarding this action was published in the May 6, 1996, issue of the Federal Register (61 FR 20122). That rule provided for a 30-day comment period. No comments were received.

While this rule will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the AMS has determined that this rule will not have a significant economic impact on a substantial number of small entities.

The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by the Secretary upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate is effective for an indefinite period, the Committee will continue to meet prior to or during each fiscal period to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or the Department. Committee meetings are open to the public and interested persons may express their views at these meetings. The Department will evaluate Committee recommendations and other available information to determine whether modification of the assessment is needed. The Committee's 1996–97 budget and those for subsequent fiscal years will be reviewed and as appropriate, approved by the Department.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined that good cause exists for not postponing the effective date of the rule until 30 days after publication in the Federal Register because: (1) The Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; (2) the 1996–97 fiscal period begins on June 1, 1996, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable spearmint oil handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) an interim final rule was published on this action and provided for a 30-day comment period, no comments were received.

List of Subjects in 7 CFR Part 985

Spearmint Oil, Marketing agreements, Oils and fats, Reporting and recordkeeping requirements.

PART 985—SPEARMINT OIL PRODUCED IN THE FAR WEST

Accordingly, the interim final rule amending 7 CFR 900 which was published at 61 FR 20122 on May 6, 1996, is adopted as a final rule without change.

Dated: August 1, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–20034 Filed 8–6–96; 8:45 am]

BILLING CODE 3410–02–P

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