

accredited free. Based on the findings of a review of the tuberculosis eradication program in Minnesota conducted during June and July 2011, APHIS has determined that the zone meets the criteria for advancement of status contained in the regulations.

State animal health officials in Minnesota have demonstrated that the State enforces and complies with the provisions of the UMR. The State of Minnesota has demonstrated that the modified accredited advanced zone has zero percent prevalence of cattle and bison herds affected with tuberculosis and has had no findings of tuberculosis in any cattle or bison in the zone since the last affected herd in the zone was depopulated in January 2009. Therefore, Minnesota has demonstrated that the zone within the State previously classified as modified accredited advanced meets the criteria for accredited-free status as set forth in the definition of *accredited-free State or zone* in § 77.5 of the regulations.

Based on our evaluation of Minnesota's request, we are classifying the zone consisting of portions of Lake of the Woods, Roseau, Marshall, and Beltrami Counties as accredited free, which results in the entire State of Minnesota having an accredited-free classification.

#### Immediate Action

Immediate action is warranted to relieve restrictions on the interstate movement of cattle and bison from portions of Lake of the Woods, Roseau, Marshall, and Beltrami Counties in Minnesota. Under these circumstances, the Administrator has determined that prior notice and opportunity for public comment are contrary to the public interest and that there is good cause under 5 U.S.C. 553 for making this action effective less than 30 days after publication in the **Federal Register**.

We will consider comments we receive during the comment period for this interim rule (see **DATES** above). After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule.

#### Executive Order 12866 and Regulatory Flexibility Act

This interim rule is subject to Executive Order 12866. However, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

In accordance with the Regulatory Flexibility Act, we have analyzed the potential economic effects of this action

on small entities. The analysis is summarized below. The full analysis may be viewed on the Regulations.gov Web site (see **ADDRESSES** above for instructions for accessing Regulations.gov) or obtained from the person listed under **FOR FURTHER INFORMATION CONTACT**.

Advancing the status of the former modified accredited advanced zone in Minnesota will reduce the interstate movement restrictions for cattle and bison originating from portions of Lake of the Woods, Roseau, Marshall, and Beltrami Counties. Herd owners in the area will no longer have to test their cattle and bison for bovine tuberculosis in order to move them interstate. Tuberculosis testing, including veterinary fees, costs about \$10 to \$15 per head. The annual cost savings associated with the removal of those tests for the 254 herds in the affected area is expected to be between \$110,280 and \$165,420, or from \$434 to \$651 per herd on average. In addition, tuberculosis testing costs represent no more than about 1.7 percent of the average value of the cattle tested, which was \$870 per head on January 1, 2010.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will 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 rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule has no retroactive effect and does not require administrative proceedings before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This rule contains no new 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 77

Animal diseases, Bison, Cattle, Reporting and recordkeeping requirements, Transportation, Tuberculosis.

Accordingly, we are amending 9 CFR part 77 as follows:

## PART 77—TUBERCULOSIS

■ 1. The authority citation for part 77 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

#### § 77.7 [Amended]

■ 2. Section 77.7 is amended as follows:

■ a. In paragraph (a), by adding the word “Minnesota,” after the word “Massachusetts,”.

■ b. By removing paragraph (b)(3).

#### § 77.9 [Amended]

■ 3. In § 77.9, paragraph (b)(2) is removed and reserved.

Done in Washington, DC, this 30th day of September 2011.

**Gregory L. Parham,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011–25688 Filed 10–3–11; 8:45 am]

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## FEDERAL ELECTION COMMISSION

### 11 CFR Parts 104 and 109

[Notice 2011–13]

#### Interpretive Rule on When Certain Independent Expenditures Are “Publicly Disseminated” for Reporting Purposes

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of interpretive rule.

**SUMMARY:** The Federal Election Commission is issuing guidance on when independent expenditure communications that take the form of yard signs, mini-billboards, handbills, t-shirts, hats, buttons, and similar items are “publicly disseminated” for purposes of certain reporting requirements in Commission regulations.

**DATES:** Effective October 4, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Rothstein, Assistant General Counsel, Ms. Cheryl A.F. Hemsley or Mr. Theodore M. Lutz, Attorneys, 999 E Street, NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:** An independent expenditure is “an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate that is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate’s authorized committee, or their agents, or a political party committee or its agents.” 11 CFR

100.16; *see also* 2 U.S.C. 431(17). Political committees and other persons making independent expenditures ("Filers") must file reports disclosing their independent expenditures at certain regular intervals. *See* 2 U.S.C. 434(a)(4) and (c); 11 CFR 104.4 and 109.10(b). In addition, Filers must report all independent expenditures that aggregate more than certain dollar amounts during certain reporting periods within either 24 hours or 48 hours of the date on which the person makes or contracts to make independent expenditures. 2 U.S.C. 434(g). The Commission's regulation requires that Filers "ensure that the Commission receives these reports by [either 24 hours or 48 hours] following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated." 11 CFR 104.4(b)(2); *see also* 11 CFR 104.4(c), and (f), and 109.10(c) and (d).

The actual public dissemination date of independent expenditure communications that take the form of items such as yard signs, mini-billboards, handbills, t-shirts, hats, and buttons may be difficult to ascertain, however, particularly where the items are disseminated in stages or where the Filer is an organization that purchases the items from a vendor, and then retains the items for a period of time before distributing them to affiliate or member organizations or to individuals, such as the organization's employees, members or customers, to wear or display in public. For this reason, the Commission is issuing this notice to clarify that a range of acceptable dates may be used as the public dissemination date<sup>1</sup> for these forms of independent expenditure communications for both individual and organizational Filers.

For purposes of the reporting requirements in 11 CFR 104.4(b)(2), (c), and (f), and 109.10(c) and (d), the Commission hereby clarifies that the Filer may report independent

<sup>1</sup> This notice focuses on the date on which independent expenditures are "publicly disseminated," rather than the date on which they are "publicly distributed." Generally, independent expenditures that are made public by broadcast, cable or satellite are "publicly distributed." *See* 11 CFR 100.29(b)(2); *see also* Explanation and Justification for Final Rules on Bipartisan Campaign Reform Act of 2002 Reporting, 68 FR 404, 407 (Jan. 3, 2003). In contrast, all other forms of independent expenditure communications, such as those made public in newspapers, magazines, or via handbills are considered to be "publicly disseminated." *See* Explanation and Justification for Final Rules on Bipartisan Campaign Reform Act of 2002 Reporting, 68 FR 404, 407 (Jan. 3, 2003). This particular rule interprets "publicly disseminated" for those items that do not have an inherent date certain for public dissemination, such as yard signs, mini-billboards, handbills, t-shirts, hats, and buttons.

expenditure communications that take the form of items such as yard signs, mini-billboards, handbills, t-shirts, hats, buttons, as "publicly disseminated" on any reasonable date starting with the date the Filer receives or exercises control over the items in the usual and normal course of dissemination, up to and including the date that the communications are actually disseminated to the public.<sup>2</sup> Reasonable dates that may be treated as the date of public dissemination include, but are not limited to (1) The date that a Filer receives delivery of the communication, (2) the date that a Filer distributes the communication to its members or employees for later public dissemination, (3) the date that a Filer distributes the communications to its affiliate or member organizations for later public dissemination, (4) the date as of which the Filer authorizes its members or employees to display the communication, or (5) the date of actual public dissemination, if that date is known to the Filer.<sup>3</sup> In no event, however, may a Filer choose a date that is later than the actual date of dissemination. Similarly, in no event may a Filer choose a date that is subsequent to the date of the election to which the independent expenditure communication pertains.

The Commission believes that this interpretation of its regulations provides Filers with an administratively workable method for determining the date of dissemination for these types of independent expenditure communications, consistent with the "[c]ongressional intent to emphasize and ensure timely disclosure" of independent expenditures. Explanation and Justification for Final Rules on Independent Expenditure Reporting, 67 FR 12834, 12837 (Mar. 20, 2002).

This document is an interpretive rule announcing the general course of action that the Commission intends to follow. This interpretive rule does not constitute an agency action requiring notice of proposed rulemaking, opportunities for public participation, prior publication, or delay in effective date under 5 U.S.C. 553 of the Administrative Procedures Act. It does not bind the Commission or any members of the general public, nor does

<sup>2</sup> Once the public dissemination date is established, independent expenditure communications must be reported pursuant to 11 CFR 104.4(b)(2), (c), and (f), and 109.10(c) and (d).

<sup>3</sup> The Commission notes that, for any given independent expenditure communication, Filers should list the same date of dissemination on their regularly scheduled FEC reports as the date they listed on their 24- and 48-Hour Independent Expenditure reports.

it create or remove any rights, duties, or obligations. The provisions of the Regulatory Flexibility Act, which apply when notice and comment are required by the Administrative Procedures Act or another statute, do not apply. *See* 5 U.S.C. 603(a).

Dated: September 29, 2011.

On behalf of the Commission.

**Cynthia L. Bauerly,**

*Chair, Federal Election Commission.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0935; Directorate Identifier 2011-NE-28-AD; Amendment 39-16813; AD 2011-18-51R1]

RIN 2120-AA64

#### **Airworthiness Directives; Honeywell International Inc. TPE331 Model Turboprop Engines With Certain Dixie Aerospace, LLC Main Shaft Bearings**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are revising an existing emergency airworthiness directive (AD) for all Honeywell International Inc. TPE331 model turboprop engines with a part manufacturer approval (PMA) replacement Dixie Aerospace, LLC main shaft bearing part number (P/N) 3108098-1WD, installed. That emergency AD was not published in the **Federal Register**, but was sent to all known U.S. owners and operators of these engines. That AD currently requires an inspection of the airplane records to determine if a Dixie Aerospace, LLC main shaft bearing, P/N 3108098-1WD, is installed in the engine, and if installed, removal of that bearing from service, before further flight. This AD requires the same actions. This AD revision was prompted by the need to list the affected bearings by serial number (S/N) in the AD for clarification. We are issuing this AD to correct the unsafe condition on these products.

**DATES:** This AD is effective October 19, 2011.

We must receive comments on this AD by November 18, 2011.

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