

(3) The lender must certify that the equity requirement was determined using balance sheets prepared in accordance with GAAP and met upon giving effect to the entirety of the loan in the calculation, whether or not the loan itself is fully advanced, as of the date the guaranteed loan is closed.

\* \* \* \* \*

Dated: May 30, 2006.

**Thomas C. Dorr,**

*Under Secretary, Rural Development.*

[FR Doc. E6-8891 Filed 6-7-06; 8:45 am]

BILLING CODE 3410-XY-P

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 170 and 171

RIN: 3150-AH83

#### Revision of Fee Schedules; Fee Recovery for FY 2006; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule appearing in the **Federal Register** on May 30, 2006 (71 FR 30722) concerning the licensing, inspection, and annual fees charged to NRC applicants and licensees in compliance with the Omnibus Budget Reconciliation Act of 1990, as amended. This action is necessary to correct typographical and printing errors.

**DATES:** *Effective Date:* July 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Tammy Croote, telephone 301-415-6041; Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

#### SUPPLEMENTARY INFORMATION:

■ 1. On page 30735, in the third column, in the last line of the continued paragraph, the reference to “Section III.B.3.a-” is corrected to read “Section III.B.3.a-h”.

■ 2. On page 30741, under Table XIV.—ANNUAL FEE SUMMARY CALCULATIONS FOR THE SPENT FUEL STORAGE/REACTOR DECOMMISSIONING FEE CLASS, in the first column, in the fourth line, the phrase “60 prorated annual fee” is corrected to read “60 percent prorated annual fee”.

#### § 171.16 [Corrected]

■ 3. On page 30755, the second sentence of footnote 1 is corrected to read, “However, the annual fee is waived for those materials licenses and holders of

certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only/storage licenses before October 1, 2005, and permanently ceased licensed activities entirely by September 30, 2005.”

#### § 171.19 [Corrected]

■ 4. On page 30756, in the first complete paragraph, the third sentence is corrected to read, “The materials licensees that are billed on the anniversary date of the license are those covered by fee categories 1C, 1D, 2(A)(2), 2(A)(3), 2(A)(4), 2B, 2C, 3A through 3P, and 4B through 9D.”

Dated at Rockville, Maryland, this 2nd day of June, 2006.

For the Nuclear Regulatory Commission.

**Peter J. Rabideau,**

*Acting Chief Financial Officer.*

[FR Doc. E6-8923 Filed 6-7-06; 8:45 am]

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## FEDERAL ELECTION COMMISSION

### 11 CFR Part 109

[Notice 2006-10]

#### Coordinated Communications

**AGENCY:** Federal Election Commission.

**ACTION:** Final rules and transmittal of rules to Congress.

**SUMMARY:** The Federal Election Commission is revising its regulations regarding communications that are coordinated with Federal candidates and political party committees. The Commission’s rules set out a three-prong test for determining whether a communication is “coordinated” with, and therefore an in-kind contribution to, a Federal candidate or a political party committee. These final rules implement the recent decision of the Court of Appeals in *Shays v. Federal Election Commission*, in which the court determined that the Commission needs to provide a more complete explanation and justification for its rules pursuant to the Administrative Procedure Act. To comply with the court’s decision, and to address other issues involving the coordinated communication rules, the Commission is issuing these Final Rules and Explanation and Justification. Further information is provided in the supplementary information that follows.

**DATES:** Effective July 10, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Brad C. Deutsch, Assistant General Counsel, Mr. Ron B. Katwan, Ms. Margaret G. Perl, or Ms. Esa L. Sferra, Attorneys, 999 E Street, NW.,

Washington, DC 20463, (202) 694-1650 or (800) 424-9530.

#### SUPPLEMENTARY INFORMATION:

##### Scope of Regulatory Changes

The Commission is revising its regulations regarding communications that are coordinated with Federal candidates and political party committees. The Commission is: (1) Revising the fourth content standard at 11 CFR 109.21(c)(4) to establish separate time frames for communications referring to political parties, Congressional and Presidential candidates; (2) creating a safe harbor for certain endorsements and solicitations by Federal candidates; (3) revising the temporal limit of the common vendor and former employee conduct standards; (4) creating a safe harbor for the use of publicly available information; (5) creating a safe harbor for the establishment and use of a firewall; (6) clarifying that the payment prong of the coordinated communication test is satisfied if an outside person pays for only part of the costs of a communication; and (7) revising 11 CFR 109.37 to include the applicable time frame and safe harbor revisions in 11 CFR 109.21.

##### Transmission of Final Rules to Congress

Under the Administrative Procedure Act, 5 U.S.C. 553(d), and the Congressional Review of Agency Rulemaking Act, 5 U.S.C. 801(a)(1), agencies must submit final rules to the Speaker of the House of Representatives and the President of the Senate and publish them in the **Federal Register** at least 30 calendar days before they take effect. The final rules that follow were transmitted to Congress on June 2, 2006.

##### Explanation and Justification

###### I. Background

###### A. Bipartisan Campaign Reform Act and 2002 Coordination Rulemaking

The Bipartisan Campaign Reform Act of 2002,<sup>1</sup> (“BCRA”), repealed the Commission’s pre-BCRA regulations regarding “coordinated general public political communications” and directed the Commission to promulgate new regulations on “coordinated communications” in their place.<sup>2</sup> Congress specified in BCRA that the Commission’s new regulations “shall not require agreement or formal collaboration to establish coordination.”

<sup>1</sup> Pub. L. 107-155, 116 Stat. 81 (2002); amending the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. 431 *et seq.* (the “Act” or “FECA”).

<sup>2</sup> Pub. L. 107-155, sec. 214(b), (c) (2002).