

does not authorize OSC to investigate the subject of a disclosure.

(b) *Procedures for filing disclosures.* Current or former Federal employees, and applicants for Federal employment, may file a disclosure of the type of information described in paragraph (a) of this section with OSC. Such disclosures must be filed in writing (including electronically - see paragraph (b)(3)(iii) of this section).

(1) Filers are encouraged to use Form OSC-12 ("Disclosure of Information") to file a disclosure of the type of information described in paragraph (a) of this section with OSC. This form provides more information about OSC jurisdiction, and procedures for processing whistleblower disclosures. Form OSC-12 is available:

(i) By writing to OSC, at: Office of Special Counsel, Disclosure Unit, 1730 M Street NW., Suite 218, Washington, DC 20036-4505;

(ii) By calling OSC, at: (800) 572-2249 (toll-free), or (202) 653-9125 (in the Washington, DC area); or

(iii) Online, at: <http://www.osc.gov> (to print out and complete on paper, or to complete online).

(2) Filers may use another written format to submit a disclosure to OSC, but the submission should include:

(i) The name, mailing address, and telephone number(s) of the person(s) making the disclosure(s), and a time when OSC can contact that person about his or her disclosure;

(ii) The department or agency, location and organizational unit complained of; and

(iii) A statement as to whether the filer consents to disclosure of his or her identity by OSC to the agency involved, in connection with any OSC referral to that agency.

(3) A disclosure can be filed in writing with OSC by any of the following methods:

(i) By mail, to: Office of Special Counsel, Disclosure Unit, 1730 M Street NW., Suite 218, Washington, DC 20036-4505;

(ii) By fax, to: (202) 653-5151; or

(iii) Electronically, at: <http://www.osc.gov>.

■ 4. Section 1800.3 is revised to read as follows:

§ 1800.3 Advisory opinions.

The Special Counsel is authorized to issue advisory opinions only about political activity of state or local officers and employees (under title 5 of the United States Code, at chapter 15), and political activity of Federal officers and employees (under title 5 of the United States Code, at chapter 73, subchapter III). A person can seek an advisory

opinion from OSC by any of the following methods:

(a) By phone, at: (800) 854-2824 (toll-free), or (202) 653-7143 (in the Washington, DC area);

(b) By mail, to: Office of Special Counsel, Hatch Act Unit, 1730 M Street NW., Suite 218, Washington, DC 20036-4505;

(c) By fax, to: (202) 653-5151; or

(d) By e-mail, to: hatchact@osc.gov.

Dated: November 20, 2003

William E. Reukauf,

Acting Special Counsel.

[FR Doc. 03-29518 Filed 11-26-03; 8:45 am]

BILLING CODE 7405-01-S

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1032

[Docket No. DA-01-07; AO-313-A44]

Milk in the Central Marketing Area; Order Amending the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This document adopts as a final rule, without change, an interim final rule concerning pooling provisions of the Central milk order. More than the required number of producers in the Central marketing area have approved the issuance of the final order amendments.

EFFECTIVE DATE: December 1, 2003.

FOR FURTHER INFORMATION CONTACT: Jack Rower or Carol S. Warlick, Marketing Specialists, USDA/AMS/Dairy Programs, Order Formulation and Enforcement Branch, Stop 0231—Room 2971, 1400 Independence Avenue, SW., Washington, DC 20250-0231, (202) 720-2357, e-mail address: jack.rower@usda.gov, or (202) 720-9363, e-mail address: carol.warlick@usda.gov.

SUPPLEMENTARY INFORMATION: This document adopts as a final rule, without change, an interim final rule concerning pooling provisions of the Central milk order. Specifically, this final rule continues to amend the *Pool plant* provisions which: Establish lower but year-round supply plant performance standards; do not consider the volume of milk shipments to distributing plants regulated by another Federal milk order as a qualifying shipment on the Central order; exclude from receipts diverted milk made by a pool plant to another pool plant in determining pool plant

diversion limits; and establish a "net shipments" provision for milk deliveries to distributing plants. For *Producer milk*, this final rule continues to adopt amendments which: Establish higher year-round diversion limits; base diversion limits for supply plants on deliveries to Central order distributing plants; and eliminate the ability to simultaneously pool the same milk on the Central order and a State-operated milk order that has marketwide pooling.

This administrative rule is governed by the provisions of sections 556 and 557 of Title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12866.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with the rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), 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 request modification or exemption from such order by filing with the Department of Agriculture (USDA) 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 the law. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Department 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 its principal place of business, has jurisdiction in equity to review the Department's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Regulatory Flexibility Act and Paperwork Reduction Act

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Agricultural Marketing Service has considered the economic impact of this action on small entities and has certified that this rule will not have a significant economic impact on a substantial number of small entities. For the purpose of the Regulatory Flexibility Act, a dairy farm is considered a "small business" if it has an annual gross revenue of less than \$750,000, and a dairy products manufacturer is a "small business" if it has fewer than 500 employees.

For the purposes of determining which dairy farms are "small businesses," the \$750,000 per year criterion was used to establish a production guideline of 500,000 pounds per month.

Although this guideline does not factor in additional monies that may be received by dairy producers, it should be an inclusive standard for most "small" dairy farmers. For purposes of determining a handler's size, if the plant is part of a larger company operating multiple plants that collectively exceed the 500-employee limit, the plant will be considered a large business even if the local plant has fewer than 500 employees.

Of the 10,108 dairy producers (farmers) whose milk was pooled under the Central order at the time of the hearing (November 2001) 9,695 or 95.9 percent would meet the definition of small businesses. On the processing side, 10 of the 56 milk plants associated with the Central order during November 2001 would qualify as "small businesses," constituting about 18 percent of the total.

Based on these criteria, more than 95 percent of the producers would be considered as small businesses. The adoption of the proposed pooling standards serves to revise the criteria that determine those producers, producer milk, and plants that have a reasonable association with, and are consistently serving the fluid needs of, the Central milk marketing area and are not associated with other marketwide pools concerning the same milk. Criteria for pooling are established on the basis of performance levels that are considered adequate to meet the Class I fluid needs and, by doing so, determine those that are eligible to share in the revenue that arises from the classified pricing of milk. Criteria for pooling are established without regard to the size of any dairy industry organization or entity. The criteria established are applied in an identical fashion to both large and small businesses and do not have any different economic impact on small entities as opposed to large entities. Therefore, the amendments will not have a significant economic impact on a substantial number of small entities.

A review of reporting requirements was completed under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). It was determined that these amendments would have no impact on reporting, recordkeeping, or other compliance requirements because they would remain identical to the current requirements. No new forms are

proposed and no additional reporting requirements would be necessary.

This action does not require additional information collection that requires clearance by the Office of Management and Budget beyond currently approved information collection. The primary sources of data used to complete the forms are routinely used in most business transactions.

Forms require only a minimal amount of information which can be supplied without data processing equipment or a trained statistical staff. Thus, the information collection and reporting burden is relatively small. Requiring the same reports for all handlers does not significantly disadvantage any handler that is smaller than the industry average.

Prior Documents in This Proceeding:

Notice of Hearing: Issued October 17, 2001; published October 23, 2001 (66 FR 53551).

Tentative Final Decision: Issued November 8, 2002; published November 19, 2002 (67 FR 69910).

Interim Final Rule: Issued February 6, 2003; published February 12, 2003 (68 FR 7070).

Final Decision: Issued August 18, 2003; published August 27, 2003 (68 FR 51640).

Findings and Determinations

The findings and determinations hereinafter set forth supplement those that were made when the Central order was first issued and when it was amended. The previous findings and determinations are hereby ratified and confirmed, except where they may conflict with those set forth herein.

The following findings are hereby made with respect to the Central order:

(A) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof it is found that:

(1) The Central order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the

price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The Central order, as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(B) *Additional Findings.* It is necessary in the public interest to make these amendments to the Central order effective December 1, 2003.

The amendments to these orders are known to handlers. The final decision containing the proposed amendments to these orders was issued on August 18, 2003. These proposed amendments are identical to the amendments in the Interim Final Rule published in the **Federal Register** on February 12, 2003 (68 FR 7070), regulating the handling of milk in the Central marketing area.

The changes that result from these amendments will not require extensive preparation or substantial alteration in the method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making these order amendments effective December 1, 2003. It would be contrary to the public interest to delay the effective date of these amendments for 30 days after their publication in the **Federal Register**. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559.)

(C) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in Sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the specified marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order amending the Central order is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended;

(3) The issuance of the order amending the Central order is favored by at least two-thirds of the producers who were engaged in the production of milk for sale in the marketing area.

List of Subjects in 7 CFR Part 1032

Milk marketing orders.

Order Relative to Handling

■ *It is therefore ordered*, that on and after the effective date of this document, the handling of milk in the Central marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby further amended, as follows:

PART 1032—MILK IN THE CENTRAL MARKETING AREA

■ The interim final rule amending 7 CFR part 1032 which was published at 68 FR 7070 on February 12, 2003, is adopted as a final rule without change.

Dated: November 19, 2003.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 03–29624 Filed 11–26–03; 8:45 am]

BILLING CODE 3410–02–P

FEDERAL ELECTION COMMISSION

11 CFR Parts 104, 107, 110, 9001, 9003, 9004, 9008, 9031, 9032, 9033, 9034, 9035, 9036, and 9038

[Notice 2003–23]

Public Financing of Presidential Candidates and Nominating Conventions; Announcement of Effective Date and Correction

AGENCY: Federal Election Commission.

ACTION: Final rules; announcement of effective date and correction.

SUMMARY: The Federal Election Commission announces that the final rules governing the public financing of Presidential candidates and nominating conventions that were published in the *Federal Register* on August 8, 2003, 68 FR 47386, are effective as of November 28, 2003. Additionally, the Commission is publishing a correction to the final rules. The correction: Removes the citation “11 CFR 9008.55(d)” from a subject heading; changes two references from “11 CFR 9008.55(e)” to “11 CFR 9008.55(d)”; and corrects an amendatory instruction. The corrections also are effective as of November 28, 2003.

EFFECTIVE DATE: November 28, 2003.

FOR FURTHER INFORMATION CONTACT: Ms. Mai T. Dinh, Acting Assistant General Counsel, 999 E Street, NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: The Federal Election Commission published

a document in the *Federal Register* of August 8, 2003, at 68 FR 47386, containing revised regulations at 11 CFR 104.5, 107.2, 110.2, 9001.1, 9003.1, 9003.3, 9003.5, 9004.4, 9008.3, 9008.7, 9008.8, 9008.10, 9008.12, 9008.50, 9008.51, 9008.52, 9008.53, 9031.1, 9032.9, 9033.1, 9033.11, 9034.4, 9035.1, 9036.1, 9036.2, and 9038.2, and new regulations at 11 CFR 9004.11, 9008.55, 9034.10, and 9034.11. The Commission is announcing the effective date for these regulations. Section 9009(c) of Title 26, United States Code, require that any rules or regulations prescribed by the Commission to carry out the provisions of the Presidential Election Campaign Fund Act be transmitted to the Speaker of the House of Representatives and the President of the Senate thirty legislative days prior to final promulgation. These rules were transmitted to Congress on July 31, 2003. Thirty legislative days expired in the Senate and the House of Representatives on November 4, 2003.

■ The Commission’s document published in the *Federal Register* on August 8, 2003, contained three incorrect references and one incorrect amendatory instruction. First, the document as published included a reference to a provision that was not adopted by the Commission. That provision was originally located in 11 CFR 9008.55(d). Prior to adopting the final rules, the Commission deleted 11 CFR 9008.55(d) and redesignated paragraph (e) of 11 CFR 9008.55 as paragraph (d). While this change was reflected in the regulatory text of 11 CFR 9008.55 and in its Explanation and Justification, the deleted provision was cited as 11 CFR 9008.55(d) in one instance. See 69 FR 47403 (third column). Thus, this correction deletes the misleading reference to “11 CFR 9008.55(d)” in the third column on page 47403.

■ Second, the document as published contained two incorrect references to the provision that was proposed to be 11 CFR 9008.55(e) but was redesignated in the final regulations to be 11 CFR 9008.55(d). This change was reflected in the regulatory text of 11 CFR 9008.55, but the Explanation and Justification for 11 CFR 9008.55 cited the redesignated provision as 11 CFR 9008.55(e) in two instances. See 69 FR 47404 (second and third columns). Thus, this correction changes the references in the second and third columns on page 47404 from “11 CFR 9008.55(e)” to “11 CFR 9008.55(d).”

■ Third, the document as published contained one incorrect amendatory instruction. Amendatory instruction 29 in the third column on page 47418,

incorrectly identified 11 CFR 9031.1 as 11 CFR 9003.1. Thus, this correction changes this reference in amendatory instruction 29 in the third column on page 47418 from “11 CFR 9003.1” to “11 CFR 9031.1.”

Announcement of Effective Date

■ New 11 CFR 9004.11, 9008.55, 9034.10, and 9034.11 and amended 11 CFR 104.5, 107.2, 110.2, 9001.1, 9003.1, 9003.3, 9003.5, 9004.4, 9008.3, 9008.7, 9008.8, 9008.10, 9008.12, 9008.50, 9008.51, 9008.52, 9008.53, 9031.1, 9032.9, 9033.1, 9033.11, 9034.4, 9035.1, 9036.1, 9036.2, and 9038.2, as published at 68 FR 47386 (Aug. 8, 2003), and as corrected herein, are effective as of November 28, 2003.

Correction of Publication

■ In rule FR Doc 03–19893, published on August 8, 2003 (68 FR 47386), make the following corrections. On page 47403, in the third column, in the thirty-fourth line from the bottom, remove “11 CFR 9008.55(d)—”. On page 47404, in the second column, in the sixth line from the bottom (not including footnote text), replace “11 CFR 9008.55(e)” with “11 CFR 9008.55(d)”. On page 47404, in the third column, in the fourth line from the bottom (not including footnote text), replace “11 CFR 9008.55(e)” with “11 CFR 9008.55(d)”. On page 47418, in the third column, in the second through fifth lines from the top, correct the amendatory instruction 29 to read as follows:

■ 29. Section 9031.1 is amended by removing the number “116” and adding in its place the number “400” in both instances in which “116” appears.

Dated: November 21, 2003.

Ellen L. Weintraub,

Chair, Federal Election Commission.

[FR Doc. 03–29616 Filed 11–26–03; 8:45 am]

BILLING CODE 6715–01–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2003–15532; Airspace Docket No. 03–ASO–10]

Establishment of Class D Airspace; Columbus, MS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class D airspace at Columbus, MS. A federal contract tower with a weather reporting