

*Swallow*, which enjoined the Commission from enforcing the provision and ordered the Commission to strike it from the Code of Federal Regulations. The Commission is accepting comments on this revision to its regulations and any comments received may be addressed in a subsequent rulemaking document.

**DATES:** This interim final rule is effective August 5, 2023. Comments must be received on or before June 26, 2023.

**ADDRESSES:** All comments must be in writing. Commenters are encouraged to submit comments electronically via the Commission's website at <https://sers.fec.gov/fosers>, reference REG 2018-06, to ensure timely receipt and consideration. Alternatively, comments may be submitted in paper form addressed to the Federal Election Commission, Attn.: Amy L. Rothstein, Assistant General Counsel, 1050 First Street NE, Washington, DC 20463.

Each commenter must provide, at a minimum, the commenter's first name, last name, city, and state. All properly submitted comments, including attachments, will become part of the public record, and the Commission will make comments available for public viewing on the Commission's website and in the Commission's Public Records Office. Accordingly, commenters should not provide in their comments any information that they do not wish to make public, such as a home street address, personal email address, date of birth, phone number, social security number, or driver's license number, or any information that is restricted from disclosure, such as trade secrets or commercial or financial information that is privileged or confidential.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy L. Rothstein, Assistant General Counsel, or Ms. Cheryl A. Hemsley, Attorney, (202) 694-1650 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** The Federal Election Campaign Act, 52 U.S.C. 30101-30145 ("FECA"), states that "[n]o person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person." 52 U.S.C. 30122. The Commission has implemented this provision at 11 CFR 110.4, which states that no person may "[k]nowingly help or assist any person in making a contribution in the name of another." 11 CFR 110.4(b)(1)(iii).

On April 6, 2018, the United States District Court for the District of Utah

issued a memorandum decision and order holding that the Commission's regulation at 11 CFR 110.4(b)(1)(iii) was invalid, enjoining the Commission from enforcing that provision, and ordering the Commission to strike the provision from the Code of Federal Regulations.<sup>1</sup> *FEC v. Swallow (Swallow I)*, 304 F. Supp. 3d 1113 (D. Utah 2018); *FEC v. Swallow (Swallow II)*, No. 2:15-CV-00439 (D. Utah Sept. 20, 2018) (Westlaw) (order granting partial final judgment). To conform its regulation to the court orders in *Swallow I* and *II*, the Commission is removing 11 CFR 110.4(b)(1)(iii) and renumbering paragraph (b)(1)(iv) as paragraph (b)(1)(iii). The Commission is accepting comments on this revision and any comments received may be addressed in a subsequent rulemaking document.

The Commission is taking this action without advance notice and comment because it falls under the "good cause" exception of the Administrative Procedure Act ("APA"), 5 U.S.C. 553(b)(B). The revisions are necessary to conform the Commission's regulations to the court's orders. Because this action does not involve any Commission discretion or policy judgments, notice and comment are unnecessary. 5 U.S.C. 553(b)(B), (d)(3). Moreover, because this interim final rule is exempt from the APA's notice and comment procedure under 5 U.S.C. 553(b), the Commission is not required to conduct a regulatory flexibility analysis under 5 U.S.C. 603 or 604. *See* 5 U.S.C. 601(2), 604(a).

#### List of Subjects in 11 CFR Part 110

Campaign funds, Political committees and parties.

For the reasons set out in the preamble, the Federal Election Commission amends 11 CFR chapter I as follows:

#### PART 110—CONTRIBUTION AND EXPENDITURE LIMITATIONS AND PROHIBITIONS

- 1. The authority citation for part 110 continues to read as follows:

<sup>1</sup> After adverse decisions, agencies are permitted in certain circumstances to maintain the invalidated interpretation of the statute or regulation in later matters that will come before courts in other jurisdictions. *See, e.g., Indep. Petroleum Ass'n v. Babbitt*, 92 F.3d 1248, 1261 (D.C. Cir. 1996). Agencies may only decline to accord court rulings nation-wide effect, however, as part of a search for eventual rulings from different Courts of Appeals and the Supreme Court. *See, e.g., Va. Soc'y for Human Life, Inc. v. FEC*, 263 F.3d 379, 393-94 (4th Cir. 2001) (overturning nationwide injunction against Commission to permit development of the law). In declining to appeal to the Court of Appeals, the Commission chose not to take this path in this case. *See Indep. Petroleum Ass'n*, 92 F.3d at 1261.

**Authority:** 52 U.S.C. 30101(8), 30101(9), 30102(c)(2) and (g), 30104(i)(3), 30111(a)(8), 30116, 30118, 30120, 30121, 30122, 30123, 30124, and 36 U.S.C. 510.

#### § 110.4 [Amended]

- 2. Amend § 110.4 by:
  - a. Adding the word "or" at the end of paragraph (b)(1)(ii);
  - b. Removing paragraph (b)(1)(iii); and
  - c. Redesignating paragraph (b)(1)(iv) as paragraph (b)(1)(iii).

Dated: May 18, 2023.

On behalf of the Commission.

**Dara S. Lindenbaum,**

*Chair, Federal Election Commission.*

[FR Doc. 2023-11055 Filed 5-24-23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2022-1410; Project Identifier AD-2022-00198-T; Amendment 39-22427; AD 2023-09-04]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes, and certain Model 737-8 and -9 airplanes. This AD was prompted by reports of uncommanded escape slide deployments in the passenger compartment, caused by too much tension in the inflation cable and the movement of the escape slide assembly in the escape slide compartment. This AD requires inspecting all escape slide assemblies to identify affected parts, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective June 29, 2023.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 29, 2023.

#### ADDRESSES:

*AD Docket:* You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2022-1410; 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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

*Material Incorporated by Reference:*

- For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website [myboeingfleet.com](http://myboeingfleet.com).

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at [regulations.gov](http://regulations.gov) under Docket No. FAA-2022-1410.

**FOR FURTHER INFORMATION CONTACT:**

Brandon Lucero, Aerospace Engineer, Cabin Safety and Environmental Systems Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3569; email: [brandon.lucero@faa.gov](mailto:brandon.lucero@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes, and certain Model 737-8 and -9 airplanes. The NPRM published in the **Federal Register** on November 30, 2022 (87 FR 73507). The NPRM was prompted by reports from Boeing of uncommanded escape slide deployments in the passenger compartment while the airplane was on the ground, caused by too much tension in the inflation cable (introduced during packing of the slide) and the movement of the escape slide assembly in the escape slide compartment during normal airplane operations. The escape slide is used in the door-mounted escape system of the forward and aft entry doors, and the forward and aft galley service doors on the affected airplanes. In the NPRM, the FAA proposed to require inspecting all escape slide assemblies to identify affected parts, and applicable on-condition actions. The FAA is issuing this AD to address inflation of the escape slide while it is in the escape slide compartment, which could result in injury to passengers and crew during

normal operation, or impede an emergency evacuation by rendering the exit unusable.

**Discussion of Final Airworthiness Directive**

**Comments**

The FAA received a comment from The Air Line Pilots Association, International (ALPA) and an individual, who supported the NPRM without change.

The FAA received additional comments from Aviation Partners Boeing, AIRDO, Singapore Airlines (SIA), American Airlines (AAL), Southwest Airlines (SWA), and an individual. The following presents the comments received on the NPRM and the FAA's response to each comment.

**Effect of Winglets on Accomplishment of the Proposed Actions**

Aviation Partners Boeing stated that the installation of winglets per Supplemental Type Certificate STC ST00830SE does not affect the accomplishment of the actions in the proposed AD.

The FAA agrees with the commenter that the installation of STC ST00830SE does not affect the ability to accomplish the actions required by this AD. The FAA has not changed this AD in this regard.

**Request To Allow Maintenance Records Review To Determine Slide Part Numbers**

AIRDO, SIA, and SWA requested the proposed AD be revised to allow using maintenance records in lieu of inspecting the part number of the escape slide assembly as required by the service information specified in paragraph (g) of the proposed AD. SWA noted that escape slides are time limited parts and can easily be identified by a maintenance records review. AIRDO added that the escape slide is controlled by the operator's maintenance system, so it will be easier to use a maintenance record to identify the part number.

The FAA agrees to allow for a maintenance record review to determine the part number of the escape slide assembly, provided the part number can be conclusively determined from the records review. The FAA has added paragraph (h)(3) of this AD to allow a records review in lieu of an inspection.

**Request To Add a Parts Prohibition Paragraph**

AAL suggested adding a parts prohibition paragraph to the proposed AD. AAL noted that the proposed AD, Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1,

dated April 13, 2022, and Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022, do not explicitly prohibit the installation of slide P/N 5A3307-7 after the actions have been accomplished. AAL requested that the FAA add a paragraph prohibiting the installation of an escape slide part number (P/N) 5A3307-7 after the actions in paragraph (g) of the proposed AD have been accomplished.

The FAA agrees to clarify. 14 CFR 39.7 specifies that once an AD is issued, no person may operate a product to which the AD applies except in accordance with the requirements of that AD. Further, 14 CFR 39.9 imposes a continuing obligation to maintain compliance with an AD by establishing a separate violation for each time an aircraft is operated that fails to meet AD requirements. Thus, operators have an ongoing obligation to ensure that the AD-mandated configuration is maintained. The FAA has not changed this AD as a result of the request.

**Request To Add Information Notice 737-25-1855 IN 01**

SIA requested Boeing Information Notice 737-25-1855 IN 01, dated April 22, 2022, to be referenced along with Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022. SIA noted that Boeing Information Notice 737-25-1855 IN 01, dated April 22, 2022, changed the weight and balance information to "none."

The FAA disagrees with the commenter's request. The weight and balance information is only contained in Boeing Special Attention Service Bulletin 737-25-1855, Revision 1, dated April 13, 2022, and is not required for compliance with this AD. Additionally, the information in Boeing Information Notice 737-25-1855 IN 01, dated April 22, 2022, is not necessary to address the unsafe condition or comply with this AD. The FAA has not changed this AD regarding this issue.

**Request To Add Airplanes of Similar Type Design**

An individual requested the FAA require inspecting other aircraft of similar type design. The individual expressed concern that an emergency evacuation would render the exit unusable.

The FAA agrees to clarify. An emergency evacuation slide is often designed for a particular aircraft. In this case, the escape slide assembly in question is a unique installation to the 737, and the same design does not exist

on other aircraft. Therefore, no change to this AD is necessary.

**Conclusion**

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

**Related Service Information Under 1 CFR Part 51**

The FAA reviewed Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022, and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022. This service information specifies procedures for inspecting all escape slide assemblies to identify affected parts, and applicable on-condition actions. The on-condition actions include replacing any escape slide assembly having part number (P/N) 5A3307–7 with a new assembly having P/N 5A3307–9 or P/N 5A3307–701 (an

escape slide assembly having P/N 5A3307–701 is one on which a firing cable retention modification has been done and the assembly has been reidentified). These documents are distinct since they apply to different airplane models.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in ADDRESSES.

**Costs of Compliance**

The FAA estimates that this AD affects 2,502 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection or maintenance records review .....	2 work-hours × \$85 per hour = \$85 .....	\$0	\$170	\$425,340

The FAA estimates the following costs to do any necessary replacements that would be required based on the

results of the inspection. The agency has no way of determining the number of

aircraft that might need these replacements:

**ON-CONDITION COSTS**

Action	Labor cost	Parts cost	Cost per product
Replacement .....	Up to 1 work hours × \$85 per hour = up to \$85 .....	Up to \$19,000 .....	Up to \$19,085 per escape slide assembly.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national

government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**The Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2023–09–04 The Boeing Company:**

Amendment 39–22427; Docket No. FAA–2022–1410; Project Identifier AD–2022–00198–T.

**(a) Effective Date**

This airworthiness directive (AD) is effective June 29, 2023.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to The Boeing Company airplanes identified in paragraphs (c)(1) and (2) of this AD.

(1) Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes, as identified in Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022.

(2) Model 737–8 and –9 airplanes, as identified in Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022.

**(d) Subject**

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

**(e) Unsafe Condition**

This AD was prompted by reports of uncommanded escape slide deployments in the passenger compartment, caused by too much tension in the inflation cable and the movement of the escape slide assembly in the escape slide compartment. The FAA is issuing this AD to address inflation of the escape slide while it is in the escape slide compartment, which could result in injury to passengers and crew during normal operation, or impede an emergency evacuation by rendering the exit unusable.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Required Actions**

Except as specified by paragraph (h) of this AD: At the applicable times specified in the "Compliance" paragraph of Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022, and Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022 (for Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes), and Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022 (for Model 737-8 and -9 airplanes); as applicable.

**Note 1 to paragraph (g):** Guidance for accomplishing the actions required by this AD can be found in Boeing Special Attention Service Bulletin 737-25-1855, Revision 1, dated April 13, 2022, which is referred to in Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022.

**Note 2 to paragraph (g):** Guidance for accomplishing the actions required by this AD can be found in Boeing Special Attention Service Bulletin 737-25-1866, Revision 1, dated April 11, 2022, which is referred to in Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022.

**(h) Exceptions to Service Information Specifications**

(1) Where the Compliance Time columns of the tables in the "Compliance" paragraph of Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022, use the phrase "the Original Issue date of Requirements Bulletin 737-25-1855 RB," this AD requires using "the effective date of this AD."

(2) Where the Compliance Time columns of the tables in the "Compliance" paragraph of Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022, use the phrase "the Original Issue date of Requirements Bulletin 737-25-1866 RB," this AD requires using "the effective date of this AD."

(3) Where Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022, and Boeing Special Attention Requirements Bulletin 737-25-1866 RB specify doing an inspection of the escape slide assembly to determine whether P/N 5A3307-7 is installed, for this AD a review of airplane maintenance records is acceptable in lieu of this inspection, provided the part number of the escape slide assembly can be conclusively determined from that review.

**(i) Credit for Previous Actions**

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Special Attention Requirements Bulletin 737-25-1855 RB, dated August 31, 2021, or Boeing Special Attention Requirements Bulletin 737-25-1866 RB, dated September 27, 2021, as applicable.

**(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

**(k) Related Information**

For more information about this AD, contact Brandon Lucero, Aerospace Engineer, Cabin Safety and Environmental Systems Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3569; email: [brandon.lucero@faa.gov](mailto:brandon.lucero@faa.gov).

**(l) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Special Attention Requirements Bulletin 737-25-1855 RB, Revision 1, dated April 13, 2022.

(ii) Boeing Special Attention Requirements Bulletin 737-25-1866 RB, Revision 1, dated April 11, 2022.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website [myboeingfleet.com](http://myboeingfleet.com).

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on April 28, 2023.

**Gaetano A. Sciertino,**

*Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023-11085 Filed 5-24-23; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2023-0018; Project Identifier AD-2022-00883-R; Amendment 39-22430; AD 2023-09-07]**

**RIN 2120-AA64**

**Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding Airworthiness Directive (AD) 2022-02-01 for Sikorsky Aircraft Corporation Model S-92A helicopters with certain part-numbered main rotor stationary swashplate assemblies (swashplate assemblies) that had accumulated 1,600 or more total hours time-in-service (TIS) installed. AD 2022-02-01 required visually inspecting the swashplate assembly at specified intervals and depending on the results, removing the swashplate assembly from service. Since the FAA issued AD 2022-02-01, the FAA determined it was necessary to expand the applicability and require more detailed inspections to address the unsafe condition. This AD retains the actions of AD 2022-02-01, expands the applicability, adds a detailed recurring visual inspection, and requires either eddy current inspections (ECI) or