

## Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2002-19-06 **Eurocopter France:**  
Amendment 39-12886. Docket No. 2002-SW-11-AD.

**Applicability:** Model EC 155B helicopters, with SMD45H multi-functional displays, part numbers C19209VF11, C19209VG11, C19267EF10, C19267EG10, C19267VF11, or C19267VG11, having serial numbers from 201 through 284 inclusive, which are *not* followed by the letter "M", installed, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required within 30 days, unless accomplished previously.

To prevent an electrical discontinuity in the grounding plane inside the SMD45H multi-functional display, which can result in overheating of the interconnection board, smoke in the cockpit, and subsequent loss of control of the helicopter, accomplish the following:

(a) Replace the "AC" interconnection board of the affected SMD45H multi-functional display with a "BC" interconnection board.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Regulations Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(c) Special flight permits will not be issued.

(d) This amendment becomes effective on October 9, 2002.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD No. 2001-617-004(A), dated December 26, 2001.

Issued in Fort Worth, Texas, on September 13, 2002.

**Eric Bries,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 240

#### General Rules and Regulations, Securities Exchange Act of 1934

##### CFR Correction

In Title 17 of the Code of Federal Regulations, part 240 to end, revised as of April 1, 2002, § 240.15d-5, paragraph (c), is corrected by removing the words "and Form 10-SB".

[FR Doc. 02-55520 Filed 9-23-02; 8:45 am]

**BILLING CODE 1505-01-D**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 655

##### RIN 1205-AB30

#### Labor Certification and Petition Process for the Temporary Employment of Nonimmigrant Aliens in Agriculture in the United States; Delegation of Authority To Adjudicate Petitions; Withdrawal of Final Rule

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Withdrawal of final rule.

**SUMMARY:** The Department of Labor (Department or DOL) is withdrawing its Final Rule published in the **Federal Register** at 65 FR 43538 (July 13, 2000) pertaining to the delegation of authority from the Immigration and Naturalization Service (INS) to the Department of Labor (Department or DOL) to adjudicate petitions for the temporary employment of nonimmigrant aliens in agriculture in the United States.

**DATES:** The final rule amending 20 CFR part 655, published at 65 FR 43538 (July

13, 2000) and deferred at 65 FR 67628 (November 13, 2000) and 66 FR 49275 (September 27, 2001), is withdrawn as of September 24, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Charlene G. Giles, Team Leader, Sections H-2A and H-2B, Division of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, Room C-4318, 200 Constitution Avenue NW, Washington, DC 20210. Telephone (202) 693-2950 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** In 2000, the INS published a Final Rule transferring to the Secretary of Labor the authority to adjudicate petitions for temporary agricultural workers and the authority to decide appeals on these decisions and to make determinations for revocation of petition approvals. 65 FR 43528 (July 13, 2000). It had an effective date of November 13, 2000. The Department of Labor published a Final Rule implementing and accepting that delegation. 65 FR 43538 (July 13, 2000). It also had an effective date of November 13, 2000.

Subsequently, the INS deferred through October 1, 2001, the effective date of the delegation. 65 FR 67616 (November 13, 2000). DOL also deferred through October 1, 2001, its acceptance of the delegation. 65 FR 67628 (November 13, 2000). The Department invited comments on the deferral of the effective date, but no comments were received in response to the invitation.

When the delegation originally was made, the Department had published a companion Notice of Proposed Rulemaking (NPRM) setting forth implementation measures necessary for the successful implementation of the delegation of authority to adjudicate petitions. 65 FR 43545 (July 13, 2000). Among the implementation measures was a new form, Form ETA 9079, Application for Alien Employment Certification and H-2A Petition, which consolidated two current forms, Form ETA 750 (Application for Alien Employment Certification) and INS I-129 (Petition for Nonimmigrant Workers). The NPRM also set forth the implementation of a new fee schedule to collect a combined fee for processing the petition and labor certification application. It was contemplated that under the administrative procedures arrived at by INS and the Department's Employment and Training Administration (ETA) to implement the delegation of the petition authority from INS to DOL, that DOL would collect the petition fee on behalf of INS and would have been reimbursed by INS for the