entities thereof, and officers and employees hired by INTELSAT less than six months prior to the date of privatization, are not entitled to such status.

Regulatory Analysis and Notices

Administrative Procedure Act

The Department is publishing this rule as an interim rule, with a 60-day provision for post-promulgation public comments, based on the ''good cause'' exceptions set forth at 5 U.S.C. 553(b)(3)(B) and 553(d)(3). The rule makes no substantive changes in visa operations. It merely rectifies any confusion deriving from the earlier amendment noting that a different statute conferred the designation of ''international organization'' in this instance.

Regulatory Flexibility Act

Pursuant to section 605 of the Regulatory Flexibility Act, the Department has assessed the potential impact of this rule, and the Assistant Secretary for Consular Affairs hereby certifies that is not expected to have a significant economic impact on a substantial number of small entities and will benefit those that engage temporary agricultural workers.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12866

The Department of State does not consider this rule to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review. In addition, the Department is exempt from Executive Order 12866 except to the extent that it is promulgating regulations in conjunction with a domestic agency that are significant regulatory actions. The Department has nevertheless reviewed the regulation to ensure its consistency with the regulatory philosophy and principles set forth in that Executive Order.

Executive Order 131332

This regulation will not have substantial direct effects 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. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement.

Paperwork Reduction Act

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

List of Subjects in 22 CFR Part 41

Aliens, Nonimmigrants, Passports and visas.

Accordingly, the Department amends 22 CFR Chapter I as follows:

PART 41—[AMENDED]

1. The authority citation for part 41 is revised to read:

Authority: 8 U.S.C. 1104; Pub. L. 105–277, 112 Stat. 2681–795 through 2681–801.

2. Amend § 41.24 by revising paragraph (a) and adding paragraph (c) to read as follows:

§ 41.24 International organization aliens.

(a) *Definition of international organization.* ''International organization'' means:

(1) Any public international organization which has been designated by the President by Executive Order as entitled to enjoy the privileges, exemptions, and immunities provided for in the International Organizations Immunities Act (59 Stat. 669, 22 U.S.C. 288); and

(2) For the purpose of special immigrant status under INA 101(a)(27)(I), INTELSAT or any successor or separated entity thereof.

* * * * *

(c) *Officers and employees of privatized INTELSAT, their family members and domestic servants.* (1) Officers and employees of privatized INTELSAT who both were employed by INTELSAT, and held status under INA 101(a)(15)(G)(iv) for at least six months prior to privatization on July 17,2001, will continue to be so classifiable for so long as they are officers or employees of INTELSAT or a successor or separated entity thereof.

(2) Aliens who had had G–4 status as officers and employees of INTELSAT but became officers or employees of a successor or separated entity of INTELSAT after at least six months of such employment, but prior to and in anticipation of privatization and subsequent to March 17, 2000, will also continue to be classifiable under INA 101(a)(15)(G)(iv) for so long as that employment continues.

(3) Family members of officers and employees described in paragraphs (c)(1) and (2) of this section who qualify as ''immediate family'' under § 41.21(a)(3) and who are accompanying or following to join the principal are also classifiable under INA 1010(a)(15)(G)(iv) for so long as the principal is so classified.

(4) Attendants, servants, and personal employees of officers and employees described in paragraphs (c)(1) and (2) of this section are not eligible for classification under INA 101(a)(15)(G)(v), given that the officers and employees described in paragraphs (c)(1) and (2) of this section are not officers or employees of an ''international organization'' for purposes of INA 101(a)(15)(G).

Dated: March 9, 2002.

Mary A. Ryan,

Assistant Secretary for Consular Affairs, Department of State.

[FR Doc. 02–8549 Filed 4–16–02; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 75

RIN 1219–AA75

High-Voltage Longwall Equipment Standards for Underground Coal Mines; Correction

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Final rule; correction.

SUMMARY: This corrects the Mine Safety and Health Administration's final rule establishing new mandatory standards for the design, installation, use, and maintenance of high-voltage longwall mining systems used in underground coal mines published March 11, 2002.

DATES: Effective on May 10, 2002.

FOR FURTHER INFORMATION CONTACT: Marvin W. Nichols, Jr., Director, Office of Standards, Regulations and Variances, MSHA, 4015 Wilson Boulevard, Arlington, Virginia 22203–1984. Mr. Nichols can be reached at *nichols-marvin@msha.gov* (Internet E-mail), 703–235–1910 (voice), or 703–235–5551 (fax). The Correction also is available on the Internet at *http://www.msha.gov/REGSINFO.HTM*.

SUPPLEMENTARY INFORMATION: On March 11, 2002, the Mine Safety and Health Administration published a final rule (67 FR 10972) revising our electrical safety standards for underground coal mines. This document corrects the final rule by adding the heading for Appendix A to Subpart I and corrects the placement of the appendix.

Dated: April 12, 2002.

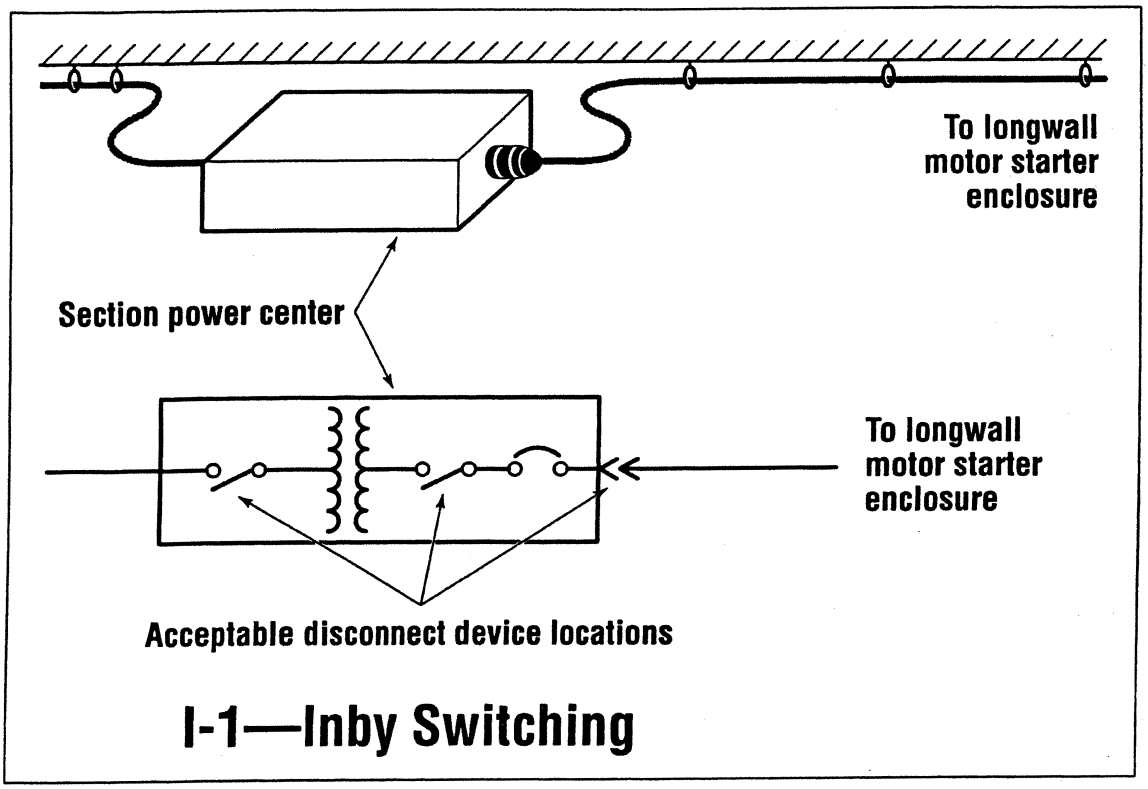
Marvin W. Nichols, Jr.,

Director, Office of Standards, Regulations and Variances.

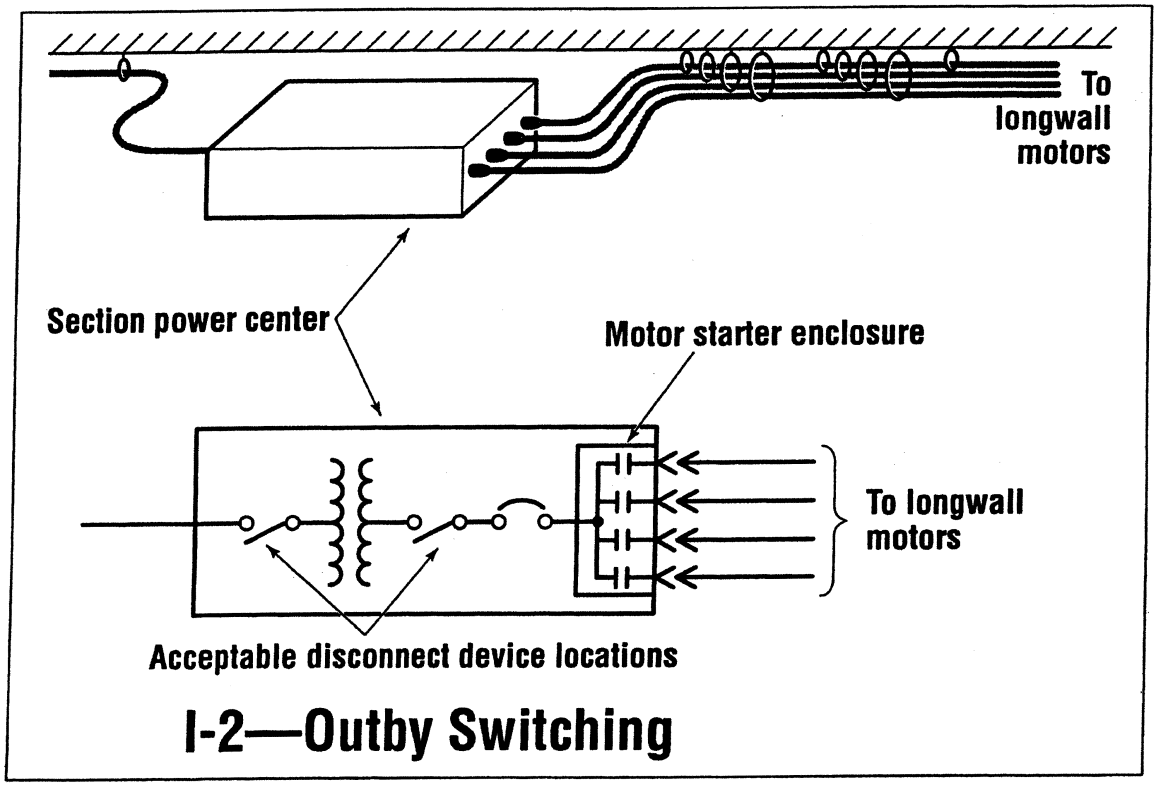
In the **Federal Register** of March 11, 2002, the illustration that appears on page 11005 should be corrected to read as set forth below and moved to appear immediately after § 75.822 on page 11003.

BILLING CODE 4510–43–P

Appendix A to Subpart I - Diagrams of Inby and Outby Switching



I-1—Inby Switching



I-2—Outby Switching

[FR Doc. 02–9298 Filed 4–16–02; 8:45 am]
BILLING CODE 4510–43–C

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

RIN–0720–AA70

Civilian Health and Medical Program of the Uniformed Service (CHAMPUS): Enuretic Devices, Breast Reconstructive Surgery, PFPWD Valid Authorization Period, Early Intervention Services

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes the exclusion of enuresis alarms, corrects contradictory language as it relates to breast reconstructive surgery, changes the valid period of an authorization for services and items under the Program for Persons with Disabilities, implements Section 640 of Public Law 105–17, which establishes the Civilian Health and Medical Program of the Uniformed Service (CHAMPUS) payment relationship for IDEA Part C services and items.

EFFECTIVE DATE: This final rule is effective May 17, 2002.

FOR FURTHER INFORMATION CONTACT: Margaret Brown and Michael Kottyan, TRICARE Management Activity, Office of Medical Benefits and Reimbursement Systems (303) 676–3581 and (303) 676–3520 respectively.

SUPPLEMENTARY INFORMATION: On November 15, 2000 (65 FR 68957), the Department of Defense published a proposed rule with a public comment period. All respondents concurred with the proposed amendments. Five suggested several minor changes. Therefore, all comments were analyzed and considered in the formulation of this final rule.

Comments and Responses

Comment: PFPWD—Early Intervention: One comment stated that it was not clear from the materials provided whether CHAMPUS as first payer for allowable medical services and items provided as early intervention services (EIS) is a change to comply with the law or whether it is a clarification of present policy.

Response: This action is not a change in that it merely codifies Section 640 of Public Law 105–17, which defines the payment relationship of CHAMPUS and funds provided in accordance with that law.

Comment: Another comment suggested that the rule stipulate that families who reside on base are not eligible for TRICARE/CHAMPUS payment if the on-base program can provide the required EIS.

Response: Early Intervention Services (EIS) available from or through Military Treatment Facilities (MTFs), or other on-base programs, should be utilized to the extent appropriate. However, to restrict services to those not available from or through an MTF would require a mechanism similar to a non-availability statement, could precipitate a delay in delivery of necessary services, and is beyond the scope of this rule. Consequently, we have retained the language as originally proposed.

Comment: PFPWD Double Coverage Plan—Another comment suggested that we change the sentence ''medical services and items that are provided under Part C of the IDEA'' to ''services and devices provided under Part C of the IDEA that are medically or psychologically necessary.''

Response: We agreed to make this change. However, we did not change the term ''items'' to ''devices'' because items is the language used elsewhere in CHAMPUS' regulations and policies.

Comment: PFPWD Valid Authorization Period—The last comment regarding PFPWD and suggested that we change the sentence ''maximum of twelve months'' to ''maximum of twelve consecutive months.''

Response: We agreed to make this change.

Comment: Breast reconstructive surgery—One comment suggested that we change ''structures of the body in order to improve the patient's appearance and self-esteem remains an exclusion'' to ''structures of the body for the sole purpose of electively improving the patient's appearance remains an exclusion'' to clarify the intent of when reconstructive surgery is not paid.

Response: We agreed to make this change.

Comment: Statement at the paragraph 199.4(g)(15)(i)(D)—It was also suggested that we define the term ''reliable evidence'' by making a reference to the definition of reliable evidence in 32 CFR 199.2.

Response: This change is not necessary, because paragraph 199.4(g)(15)(i)(D) already contains a reference to the definition at the end of the paragraph.

Comment: Enuretic Devices—The last comment regarding enuretic devices suggested that we change the word ''physician'' to ''health care provider'' to expand the personnel available to provide professional guidance on the use of the enuretic devices, such as a physician's assistant or nurse practitioner.

Response: We agreed to make this change.

Overview of Changes

The following provides an overview of the changes in this final rule to §§ 199.2; 199.4; 199.5; and 199.8.

This final rule removes the exclusion of enuresis alarms, corrects contradictory language as it relates to breast reconstructive surgery, changes the valid period of an authorization for services and items under the Program for Persons with Disabilities (PFPWD), and establishes the CHAMPUS payment relationship for IDEA Part C services and items, and revises a statement to the paragraph at 32 CFR 199.4(g)(15)(i)(D).

Enuretic Devices

The TRICARE Management Activity received a request from the medical community that we re-evaluate our policy regarding enuretic devices, which currently are excluded from cost sharing under the CHAMPUS Basic Program. Recent literature review indicates that the medical community considers enuresis alarms the most effective method for treating enuresis. Having found no contradictory evidence, we agree that enuretic devices should be removed from the exclusions in the regulation. The removal of this exclusion allows physicians to select rational treatment options and insure that CHAMPUS pays only for the most appropriate and highest quality medical care possible.

Enuretic conditioning programs are also specifically excluded from CHAMPUS cost sharing. Enuretic conditioning programs will continue to be excluded. The basis for excluding enuretic conditioning programs is to restrict the payment for professional guidance on the use of these devices to an authorized health care provider, such as, the attending physician or a physician's assistant or a nurse practitioner.

Breast Reconstructive Surgery.

Benefits under the basic program are not available for cosmetic, reconstructive, or plastic surgery. However, the regulation provides exceptions for procedures that are essentially cosmetic when performed in response to a congenital anomaly, post mastectomy breast reconstruction for malignancy, fibrocystic disease, or other covered mastectomies, an accidental injury or disfiguring scars resulting from neoplastic surgery.