

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 (f) 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 as indicated, unless accomplished previously.

To prevent a loose splined coupling, spline wear, loss of power to the tail rotor, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 10 hours time-in-service (TIS), re-identify the MGB, if appropriate, in accordance with the Accomplishment Instructions, paragraph 2.C., of Eurocopter France Alert Service Bulletin No. 05.40 or 05.99, dated August 7, 2001 (ASB), as applicable. Re-identifying a MGB in accordance with the Accomplishment Instructions, paragraph 2.C., of the applicable ASB is terminating action for the requirements of this AD.

(b) Within 10 hours TIS, accomplish the following procedures in accordance with the specified paragraphs of the Accomplishment Instructions of the ASB, except this AD does not require you to return the MGB to PILATUS.

(1) Inspect the magnetic drain plug and the MGB oil filter for a rust-colored deposit in accordance with paragraph 2.B.1.a) of the applicable ASB. If a rust-colored deposit is found, replace the MGB with an airworthy MGB before further flight.

(2) Inspect the angular displacement on the MGB output flange in accordance with paragraph 2.B.1.b) of the applicable ASB. If the angular displacement is 1 millimeter (0.039 inch) or more, replace the MGB with an airworthy MGB before further flight.

(3) Take an oil sample and drain the MGB in accordance with paragraph 2.B.1.c) of the applicable ASB. If the oil is rust-colored, replace the MGB with an airworthy MGB before further flight. If the oil is not rust-colored, store the sample.

(c) Between 40 and 50 hours TIS, accomplish the requirements of paragraph (b)(2) of this AD and take an oil sample from the MGB. If the oil is rust-colored, replace the MGB with an airworthy MGB before further flight. If the oil is not rust-colored, store the last sample.

(d) At intervals not to exceed 10 hours TIS, accomplish the requirements of paragraph (b)(1) of this AD.

(e) At each oil change, accomplish the requirements of paragraphs (b) and (c) of this AD, and compare the oil sample to the previous sample. If the oil is rust-colored, replace the MGB with an airworthy MGB before further flight. If the color is unchanged, store the last sample for future comparison.

(f) 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, Rotorcraft Directorate.

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

(g) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(h) The modifications and inspections shall be done in accordance with the Accomplishment Instructions, paragraphs 2.B.1.a), 2.B.1.b), 2.B.1.c), and 2.C., of Eurocopter France Alert Service Bulletin No. 05.40 or 05.99, as applicable. Both service bulletins are dated August 7, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on October 31, 2001, to all persons except those persons to whom it was made immediately effective by Emergency AD 2001-18-51, issued August 31, 2001, which contained the requirements of this amendment.

Note 3: The subject of this AD is addressed in Direction Generale de L'Aviation Civile (France) ADs T2001-366-059(A), T2001-367-062(A), and T2001-368-045(A), all dated August 13, 2001.

Issued in Fort Worth, Texas, on October 3, 2001.

Mark R. Schilling,

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

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DEPARTMENT OF STATE

22 CFR Part 41

[Public Notice 3728]

Visas: Nonimmigrant Classes: Irish Peace Process Cultural and Training Program Visitors, Q Classification

AGENCY: Bureau of Consular Affairs, Department of State.

ACTION: Interim rule with request for comments.

SUMMARY: This rule removes from the existing interim regulation on the issuance of visas in the Q-2 nonimmigrant visa category the requirements for qualification of a program participant in the Irish Peace Process Cultural and Training Program (IPPCTP) to be considered by the Program Administrator. It also adds new requirements pertaining to the content of the certification letter needed by an alien in order to obtain a visa in the Q-2 category as a participant in the IPPCTP. The existing interim regulation was published on March 17, 2000. The establishment and operation of the IPPCTP was originally published on March 17, 2000. That interim regulation is also being republished, with changes elsewhere in this issue of the **Federal Register**. These changes in the rule are being adopted as a result of a review of the IPPCTP conducted by the Departments of State and Justice during the program's initial program year. The changes are intended to distinguish the responsibilities of consular from those of the Program Administration of the IPPCTP.

DATES: *Effective Date:* This interim rule takes effect on October 16, 2001.

Comment Date: The Department will accept written comments which must be received no later than December 17, 2001.

ADDRESSES: Written comments may be submitted, in duplicate, to H. Edward Odom, Chief, Legislation and Regulations Division, Visa Office, Room L603-C, SA-1, Department of State, Washington, DC 20520-0106.

FOR FURTHER INFORMATION CONTACT: H. Edward Odom, Chief, Legislation and Regulations Division, Visa Office, Room L603-C, SA-1, Department of State, Washington, D.C. 20520-0106, (202) 663-1204; or e-mail: odomhe@state.gov.

SUPPLEMENTARY INFORMATION:

What Information Is Being Removed from the Q-2 Regulation in Part 41 and Why?

The current regulation pertaining to the Q-2 nonimmigrant visa category is found at 22 CFR 41.57(b). The Department published this rule as an interim final rule with a 60-day period for public comment (65 FR 14768, March 17, 2000). There were no comments received from the public regarding the interim rule. Nevertheless, the Department is making some changes to the interim rule following an interagency review of the IPPCTP during its initial program year. The rule as originally written contained a description of the factual elements that an alien applicant for the IPPCTP must

establish to the satisfaction of the Program Administrator. However, because the determination of those elements is, in the first instance, a responsibility of the Program Administrator under authority delegated to the Administrator by the Department of State, the elements should instead be described in the regulation relating to the structure and operation of the IPPCTP. Therefore, they are being removed from this regulation pertaining to visa issuance and appear in a separate notice that describes structure and operation of the program itself.

What Information Is Being Added to the Q-2 Regulation in Part 41 and Why?

Under the IPPCTP, participants may be selected either from among unemployed persons or from among employed persons whose employers wish them to participate in the IPPCTP in order to receive additional training to enhance their existing job skills. Requirements for participation of the latter group in the IPPCTP were still being considered at the time of the publication of the existing interim rule. Therefore the list of requirements contained in the interim rule for information to be provided in the certification letter did not adequately reflect the information required for this group of participants. The additional requirements for participation of an already employed person in the IPPCTP have now been determined and will be reflected in the requirements for the certification letter by addition of the current employer's name and the interagency group formulating the IPPCTP has determined that the necessary physical residence in Northern Ireland or in a qualifying county of the Republic of Ireland required for participation in the program should be counted backward from the date of the issuance of the letter that certifies the acceptance of the alien into the program. Therefore, that change is also reflected in the portion of the regulation that describes the requirements for the content of the certification letter.

Will Any Other Changes Be Made to the Interim Regulation?

The Department is making one other small change to the interim rule. Section 41.57(b)(ii) will be revised to indicate that the certification letter required as evidence of an alien's acceptance into the IPPCTP will "establish" rather than simply "state" the alien's qualifications for the program. This will more accurately reflect the fact that the Program Administrator has verified such qualifications and is certifying

them to the Department and to immigration and consular officers.

Interim Rule

How Is the Department of State Amending Its Regulations?

In this rule the Department is amending 22 CFR 41.57, in part, by removing part of the existing text relating to the requirements for the Q-2 Program Administrator in issuing the certification letter for the purpose of qualifying an alien for participation in the IPPCTP. The Department is publishing this rule in conjunction with a companion rule at 22 CFR 139 in which more accurately reflecting the administrative authorities relevant to implementation of the IPPCTP. The interim rule on the establishment and operation of IPPCTP was published originally at 65 FR 14764, March 17, 2000. The Department is also amending 22 CFR 41.57 by adding to the required content of the program certification letter certain information related to the employment in Ireland or Northern Ireland or already employed program participants. The rule establishes the issuance date of the certification letter as the date prior to which the length of physical residence of the applicant letter, and by changing the language regarding the certification letter to reflect the fact that the Program Administrator has established the alien's qualifications for participation in the IPPCTP.

Administrative Procedure Act

The Department's implementation of this regulation as an interim rule, with a provision for public comments, is based upon the "good cause" exceptions found at 5 U.S.C. 553(b)(B) and (d)(3). The Department decided that there was not enough time to issue a proposed rule with request for comments as the Irish Peace Process Cultural and Training Program is limited by law to a period that has already begun (FY 2000 through FY 2005, *i.e.*, October 1, 1999 through September 30, 2005). Publication of this regulation as an interim rule will expedite implementation of Public Law 105-319 that this already in effect and allow eligible aliens to apply for an participate in this program as soon as possible in light of the statutory expiration of the program on October 1, 2005.

Regulatory Flexibility Act

The Department of State, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that the rule will not have a

significant economic impact on a substantial number of small entities. Participation in the Irish Peace Process Cultural and Training Program Act of 1998 is limited to 4,000 individuals annually for three consecutive years. The activities of the participants in the United States will take place in various locations and in a number of sectors of the economy so that no significant economic impact should occur.

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 or more 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. Therefore, in accordance with the letter to the Department of State of February 4, 1994 from the Director of the Office of Management and Budget, it does not require review by the Office of Management and Budget.

Executive Order 13132

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 warrant the preparation of a federalism summary impact statement.

Paperwork Reduction Act

This rule involves the collection of information subject to the Paperwork Reduction Act of 1995 by means of two information collections that have been approved by the Office of Management and Budget. The first is OMB # 1405-0018, Nonimmigrant Visa Application; the second is OMB # 1405-0124, Irish Peace Process Cultural and Training Program (IPPCTP) Employer Information Collection.

List of Subjects in 22 CFR Part 41

Aliens, Foreign officials, Passports and visas, Reporting and recordkeeping requirements, Students.

Accordingly, amend 22 CFR part 41 as follows:

PART 41—[AMENDED]

1. The authority citation for Part 41 continues to read as follows:

Authority: 8 U.S.C. 1104; Pub. L. 105-277, 112 Stat. 2681 *et seq.*

2. Amend 41.57 by revising paragraph (b) to read as follows:

§ 41.57 International cultural exchange visitors and visitors under the Irish Peace Process Cultural and Training Program Act (IPPCTPA).

* * * * *

(b) *Trainees under INA section 101(a)(15)(Q)(ii)*—(1) *Requirements for classification under INA section 101(a)(15)(Q)(ii)*. A consular officer may classify an alien under the provisions of INA section 101(a)(15)(Q)(ii) if:

(i) The consular officer is satisfied that the alien qualifies under the provisions of that section;

(ii) The consular officer has received a certification letter prepared by a program administration charged by the Department of State in consultation with the Department of Justice with the operation of the Irish Peace Process Cultural and Training Program (IPPCTP) which establishes at a minimum:

(A) The name of the alien's employer in the United States, and, if applicable, in Ireland or Northern Ireland;

(B) If the alien is participating in the IPPCTP as an unemployed alien, that the employment in the United States is in an occupation designated by the employment and training administration of the alien's place of residence as being most beneficial to the local economy;

(C) That the program administrator has accepted the alien into the program;

(D) That the alien has been physically resident in Northern Ireland or in the counties of Louth, Monaghan, Cavan, Leitrim, Sligo, and Donegal in the Republic of Ireland and the length of

time immediately prior to the issuance of the letter that the alien has claimed such place as his or her residence;

(E) The alien's date and place of birth;

(F) If the alien is participating in the IPPCTP as an already employed participant, the length of time immediately prior to the issuance of the letter that the alien has been employed by an employer in the alien's place of physical residence;

(iii) If applicable, the consular officer is satisfied the alien is the spouse or child of an alien classified under INA section 101(a)(15)(Q)(ii), and is accompanying or following to join the principal alien.

(2) *Aliens not entitled to such classification*. The consular officer must suspend action on the alien's application and notify the alien and the designated program administrator described in paragraph (b)(1)(ii) of this section if the consular officer knows or has reason to believe that an alien does not qualify under INA section 101(a)(15)(Q)(ii).

Dated: July 23, 2001.

Mary A. Ryan,

*Assistant Secretary for Consular Affairs,
Department of State.*

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DEPARTMENT OF STATE

22 CFR Part 139

[Public Notice 3723]

Miscellaneous: Irish Peace Process Cultural and Training: Second Interim Rule

AGENCY: Bureau of European and Eurasian Affairs, Department of State.

ACTION: Interim rule.

SUMMARY: The Department issued an interim rule dated March 17, 2000, establishing a training and employment program in the United States for certain residents of Northern Ireland and designated counties of the Republic of Ireland. This program was mandated by Public Law 105-319. The Department has received a number of public comments on the interim rule and has implemented the initial phase of the program. This second interim rule reflects consideration of the comments received and incorporates several amendments based upon that experience.

DATES: *Effective Date:* This interim rule takes effect on October 16, 2001.

Comment Date: The Department will consider written comments upon the

rule that are received no later than December 17, 2001.

ADDRESSES: Submit written comments, in duplicate, to the Director, Office of United Kingdom, Benelux and Ireland Affairs, Bureau of European and Eurasian Affairs, Room 4513, Department of State, Washington, DC 20520.

FOR FURTHER INFORMATION CONTACT:

Frank Kerber, Officer for Ireland and Northern Ireland Affairs, Bureau of European and Eurasian Affairs, Room 4513, Department of State, Washington, DC 20520.

SUPPLEMENTARY INFORMATION: Irish Peace Process Cultural and Training Program. The Department of State published in the **Federal Register** on March 17, 2000 (65 FR 14764), an interim regulation to implement Public Law 105-319, 112 Stat. 3013, and requested comments. Several comments were received from one organization and will be addressed in this revised rule. Some of these comments also were addressed to companion regulations issued by the Immigration and Naturalization Service (hereafter INS) published concurrently in the **Federal Register** on March 17, 2000. This rule also addresses other issues arising out of experience under the initial interim rule.

What Is the Department's Response to Comments Received?

One comment recommended that employment changes should be considered as the rule rather than exceptional. While recognizing that more flexibility needs to be built into the regulations, the Department believes that, for a program limited in numbers and duration, the basic expectation is that each participant will stay with one employer for the duration of his or her participation. However, this interim rule will make clear that, while a participant may be expected to remain with an approved employer for up to 3 years (the duration of the program), it will allow shorter periods of participation, for example, to accept employment at home and permit one change of approved employment for the duration of stay.

Along the same lines, the comments recommended that the proposed employers of participants "self-certify" themselves to facilitate job changes. The Department considers that it continues to be necessary to concentrate jobs for participants in certain locations where cultural and community support is available and to make sure that majority of employers are in the sectors identified by authorities of Northern