

(d) *Interview of petitioner.* An authorized representative of the petitioner may be required to appear in person before an immigration officer prior to the adjudication of the petition to be interviewed under oath concerning the eligibility of the school for approval.

(e) \* \* \*

(2) *General.* Upon approval of a petition, the district director shall notify the petitioner. An approved school is required to report immediately to the district director having jurisdiction over the school any material modification to its name, address, or curriculum for a determination of continued eligibility for approval. The approval is valid only for the type of program and student specified in the approval notice. The approval may be withdrawn in accordance with the provisions of 8 CFR 214.4, and is subject to review every 2 years.

\* \* \* \* \*

(h) *SEVIS certification and school review.*—

(1) *Review of schools for initial enrollment in SEVIS.* Each school that is currently approved for attendance by nonimmigrants under section 101(a)(15)(F)(i) or 101(a)(15)(m)(i) of the Act, is required to apply for review by the Service for continuation of approval and access to SEVIS no later than the SEVIS mandatory compliance date.

(i) *SEVIS certification process.* In order to ensure that the Service has sufficient time to review and adjudicate all submitted Forms I-17 prior to the SEVIS mandatory compliance date, schools must electronically complete a Form I-17 in SEVIS and submit a certification fee of \$580 at least 75 days prior to the SEVIS mandatory compliance date. A school may still submit a Form I-17 any time prior to the SEVIS mandatory compliance date. However schools that file petitions less than 75 days prior to the SEVIS mandatory compliance date may experience a period during which they may not issue Forms I-20 as the Service completes the review process. Schools may begin the review process by accessing the SEVIS website and entering the basic contact information required in order to receive a temporary user ID and password for SEVIS. Using this ID and password, the school official will again access the SEVIS website and complete and submit the electronic Form I-17.

(ii) *Preliminary enrollment in SEVIS.* Schools that were approved for preliminary enrollment by the Service under 8 CFR 214.12 must complete the certification review process, including submission of the required fee, prior to May 14, 2004.

(2) *Service adjudication.* The Service will review the electronic Form I-17 information submitted in SEVIS and will require an on-site visit of the school. If the Service approves the certification request, SEVIS will be updated to reflect the approval and will automatically generate permanent passwords and IDs for all Designated School Officials listed. Upon the discretion of the Service, certain schools may be conditionally enrolled in SEVIS prior to the on-site visit, as provided in § 214.12(e). If the Service does allow a school to enroll in SEVIS prior to an on-site review, the school will be subject to a full-scale review and on-site visit at a later date. If the Service denies SEVIS certification, the Service will send electronic notification through SEVIS to the school and mail written notification that includes the reasons for denial and the process for seeking review of such denial.

(3) *Two-year review of school approval.* The Service will review the approval of a school every 2 years and will charge a recertification fee to review a school's compliance with the reporting requirements of paragraph (g)(2) of this section and continued eligibility for approval pursuant to paragraph (e) of this section. If the Service determines that a recertification should be denied, the school will be notified of the reasons for denial and the process for seeking review of such denial.

(4) *Periodic review of approved schools.* In addition, the Service may, at any time, review the approval of a school to verify compliance with the reporting requirements of paragraph (g)(2) of this section and continued eligibility for approval pursuant to paragraph (e) of this section. The Service shall also, upon receipt of notification, evaluate any changes made to the name, address, or curriculum of an approved school to determine if the changes have affected the school's eligibility for approval. The Service may require the school under review to furnish a currently executed Form I-17 without fee, along with supporting documents, as a petition for continuation of school approval when there is a question about whether the school still meets the eligibility requirements. If upon completion of the review, the Service determines that the school is not eligible for continued access to SEVIS, the Service will institute withdrawal proceedings in accordance with 8 CFR 214.4(b).

\* \* \* \* \*

5. Section 214.4 is amended by adding a new paragraph (a)(3), to read as follows:

**§ 214.4 Withdrawal of school approval.**

(a) \* \* \*

(3) *Automatic withdrawal as of SEVIS mandatory compliance date.* The present approval of any school that has not filed for enrollment in SEVIS by the mandatory compliance date for attendance of nonimmigrant students under section 101(a)(15)(F)(i) or 101(a)(15)(M)(i) of the Act is automatically withdrawn as of the day following the mandatory compliance date for SEVIS. Given the time necessary to conduct a review of each school, the Service will review and adjudicate Form I-17 petitions for approval in SEVIS prior to the SEVIS mandatory compliance date only for Form I-17 petitions filed at least 75 days prior to this mandatory date. If a Form I-17 petition is filed less than 75 days prior to the mandatory compliance date and is not adjudicated prior to the mandatory compliance date, the school will not be authorized to access SEVIS and will be unable to issue any SEVIS Forms I-20 until the adjudication is complete.

Dated: September 19, 2002.

**James W. Ziglar,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 02-24337 Filed 9-24-02; 8:45 am]

BILLING CODE 4410-10-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-SW-28-AD; Amendment 39-12885; AD 2002-19-05]

RIN 2120-AA64

#### **Airworthiness Directives; Bell Helicopter Textron, Inc. Model 212 Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD) for Bell Helicopter Textron, Inc. (BHTI) Model 212 helicopters that currently requires, at specified intervals, inspecting for a cracked tail boom and replacing any cracked tail boom. That AD also requires modifying the tail fin and tail boom within 100 hours time-in-service (TIS). This amendment requires modifying and visually inspecting

certain vertical fin left-hand spar caps for cracking, loose fasteners, corrosion, or disbonding. If corrosion or loose fasteners are found, this AD requires repairing the vertical fin left-hand spar cap (spar cap) and if a crack or disbonding is found, replacing any cracked or disbonded part with an airworthy part. This AD also requires replacing certain spar caps within 24 months. This AD is prompted by an accident and four failures of the spar cap involving helicopters of similar type design. The actions specified by this AD are intended to prevent failure of a vertical fin spar, loss of a tail rotor, and subsequent loss of control of the helicopter.

**DATES:** Effective October 30, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 30, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Charles Harrison, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110, telephone (817) 222-5128, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** A proposal to amend 14 CFR part 39 by superseding AD 74-08-03, Amendment 39-1806 (39 FR 12245, April 4, 1974) for Bell Model 212 helicopters was published in the **Federal Register** on June 28, 2002 (67 FR 43572). That action proposed to require, at specified intervals, modifying and visually inspecting certain spar caps and also modifying and inspecting using a tap hammer and by dye-penetrant, respectively, each affected spar cap for a crack, loose fastener, corrosion, or disbond. That action also proposed to require, before further flight, repairing any loose fastener or corrosion and replacing any disbonded or cracked part with an airworthy part and within 24 months, replacing affected spar caps with the cold expansion spar cap.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of

the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that this AD will affect 240 helicopters of U.S. registry, that it will take approximately 4 work hours to modify and 180 work hours to inspect each spar cap and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$1,369. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$2,978,160.

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

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

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

#### 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 removing Amendment 39-1806 (39 FR 12245, April 4, 1974) and by adding a new airworthiness directive (AD), Amendment 39-12885, to read as follows:

#### 2002-19-05 Bell Helicopter Textron, Inc.:

Amendment 39-12885. Docket No. 2002-SW-28-AD. Supersedes AD 74-08-03, Amendment 39-1806, Docket No. 73-SW-80.

**Applicability:** Model 212 helicopters, with a vertical fin spar cap, part number (P/N) 212-030-125-001, with retrofit kit, P/N 212-704-087, installed; vertical fin left-hand spar cap (spar cap), P/N 212-030-125-001, without the retrofit kit installed; or spar cap, P/N 212-030-447-001 or P/N 212-030-447-101, 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 (e) 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.

To prevent failure of a vertical fin spar, loss of a tail rotor, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 25 hours time-in-service (TIS), unless accomplished previously, modify and visually inspect each spar cap, P/N 212-030-125-001, not modified by retrofit kit, P/N 212-704-087 or spar cap, P/N 212-030-447-001, for a crack, loose fasteners, or corrosion in accordance with Part I (A1), paragraphs 1., 2., 3., 4., 6., and 7., of Bell Helicopter Textron Alert Service Bulletin No. 212-00-110, Revision A, dated February 15, 2001 (ASB). Thereafter, at intervals not to exceed 8 hours TIS, visually inspect each affected spar cap in accordance with Part I (A2), paragraphs 1., 2., 3., 5., and 6., of the ASB.

(1) Before further flight, repair any loose fastener or corrosion.

(2) Before further flight, replace any cracked or disbonded spar cap with an airworthy spar cap.

(b) For each spar cap, P/N 212-030-125-001, modified by retrofit kit, P/N 212-704-087, or spar cap, P/N 212-030-447-101:

(1) Within 25 hours TIS, unless accomplished previously, modify and inspect each spar cap for a crack, loose fastener, corrosion, or disbonding in accordance with Part II (A1), paragraphs 1., 2., 3., 4., 5., 7., 8., 9., and 10., of the ASB, except you are not required to contact BHTI. Thereafter, at intervals not to exceed 8 hours TIS, visually inspect each affected spar cap in accordance with Part II (A2), paragraphs 1., 2., 3., 5., and 6., of the ASB.

(2) Within 50 hours TIS, unless accomplished previously, and thereafter at intervals not to exceed 300 hours TIS, inspect each spar cap for disbonding using a hammer in accordance with Part II (B), paragraphs 1. through 13., of the ASB.

(3) Within 50 hours TIS, unless accomplished previously, modify the vertical

fin, and dye-penetrant inspect each spar cap in accordance with Part II (C1), paragraphs 1. through 8. and 10. through 12., of the ASB. Thereafter, at intervals not to exceed 300 hours TIS, dye-penetrant inspect each spar cap in accordance with Part II (C2), paragraphs 1. through 9. and 11. through 14., of the ASB.

**Note 2:** The dye-penetrant inspection is addressed in paragraph 6–2 of the Standard Practices Manual, BHT–ALL–SPM, dated October 11, 1996.

(4) Before further flight, repair any loose fasteners or corrosion.

(5) Before further flight, replace any cracked or disbonded spar cap with an airworthy spar cap.

(c) Within 24 months, replace each affected spar cap with a cold expansion spar cap, P/N 212–030–447–117S, in accordance with the Accomplishment Instructions, paragraphs 1. through 35. and 37., and Attachments A, B, and C of Bell Helicopter Textron Technical Bulletin No. 212–00–184, Revision A, dated April 23, 2001.

**Note 3:** This AD does not apply to tailbooms with spar cap, P/N 212–030–447–117 or “117S, already installed, that used the cold-expanded fastener installation process.

(d) Replacing each spar cap in accordance with the requirements of this AD is terminating action for the requirements of this AD.

(e) 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 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

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

(g) The modification and visual inspections shall be done in accordance with Part I (A1), paragraphs 1., 2., 3., 4., 6., and 7.; Part I (A2), paragraphs 1., 2., 3., 5., and 6., Part II (A1), paragraphs 1., 2., 3., 4., 5., 7., 8., 9., and 10., Part II (A2), paragraphs 1., 2., 3., 5., and 6.; and Part II (B), paragraphs 1. through 13. The modification and dye-penetrant inspections shall be done in accordance with Part II (C1), paragraphs 1. through 8. and 10. through 12. and Part II (C2), paragraphs 1. through 9., and 11. through 14., of Bell Helicopter Textron Alert Service Bulletin No. 212–00–110, Revision A, dated February 15, 2001. The replacement of the spar cap shall be done in accordance with the Accomplishment Instructions, paragraphs 1. through 35. and 37. and Attachments A, B, and C of Bell Helicopter Textron Technical Bulletin No. 212–00–184, Revision A, dated April 23, 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 Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280–3391, fax (817) 280–6466. 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.

(h) This amendment becomes effective on October 30, 2002.

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

**Eric Bries,**

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

[FR Doc. 02–24180 Filed 9–24–02; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002–CE–13–AD; Amendment 39–12888; AD 2002–19–08]

**RIN 2120–AA64**

#### **Airworthiness Directives; Vulcanair S.p.A. P 68 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Vulcanair S.p.A. (Vulcanair) P 68 series airplanes. This AD requires you to inspect the flight and engine control systems to ensure that there is correct connecting bolt and linkage installation, no interference, and correct installation of certain components. This AD also requires you to make any necessary adjustments and modify and install the split link and full travel limit assembly. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Italy. The actions specified by this AD are intended to prevent failure of the primary flight control system caused by certain configurations. Such failure could lead to loss of airplane flight control.

**DATES:** This AD becomes effective on November 8, 2002.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of November 8, 2002.

**ADDRESSES:** You may get the service information referenced in this AD from Vulcanair S.p.A., Via G. Pascoli 7, 80026 Casoria (Naples) Italy, telephone:

+39.081.5918111; facsimile: +39.081.5918172. You may view this information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002–CE–13–AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

##### *What Events Have Caused This AD?*

The Ente Nazionale per l'Aviazione Civile (ENAC), which is the airworthiness authority for Italy, recently notified FAA that an unsafe condition may exist on certain Vulcanair Models P 68, P 68B, P 68C, P 68C–TC, P 68 “OBSERVER”, AP68TP300 “SPARTACUS”, P68TC “OBSERVER”, AP68TP 600 “VIATOR”, and P68 “OBSERVER 2” airplanes. The ENAC reports several instances of incorrectly installed bolts, missing nuts, and the presence of interference between the forward control lever assembly and the airframe.

##### *What Is the Potential Impact if FAA Took No Action?*

If not detected and corrected, these conditions could result in failure of the primary flight controls. Such failure could lead to loss of airplane flight control.

##### *Has FAA Taken Any Action to This Point?*

We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Vulcanair P 68 series airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 15, 2002 (67 FR 46427). The NPRM proposed to require you to:

- Inspect for interference between the control column interconnection chain and the engine control pedestal assembly when the flight controls are in the maximum nose-down position;
- Inspect to ensure that the split link is correctly installed in the chain and that the lock-wire is present and undamaged;
- Make any necessary adjustments;
- Modify and install the split link and full travel limit assembly;