

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. 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 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 42**

Aliens, Immigrants, Passports and visas.

Accordingly, the Department of State amends 22 CFR as set forth below.

**PART 42—[AMENDED]**

1. The authority citation for part 42 continues to read:

**Authority:** 8 U.S.C. 1104.

2. Amend § 42.74 by revising paragraph (b)(1) to read as follows:

**§ 42.74 Issuance of new or replacement visas.**

\* \* \* \* \*

(b) *Replacement immigrant visa for an immediate relative or for an alien subject to numerical limitation.*

(1) A consular officer may issue a replacement visa under the original number of a qualified alien entitled to status as an immediate relative (INA 201(b)(2)), a family or employment preference immigrant (INA 203(a) or (b)), or a diversity immigrant (INA 203(c)), if—

(i) The alien is unable to use the visa during the period of its validity due to reasons beyond the alien's control;

(ii) The visa is issued during the same fiscal year in which the original visa was issued, or in the following year, in the case of an immediate relative only, if the original number had been reported as recaptured;

(iii) The number has not been returned to the Department as a "recaptured visa number" in the case of a preference or diversity immigrant;

(iv) The alien pays anew the statutory application and issuance fees; and

(v) The consular officer ascertains whether the original issuing office knows of any reason why a new visa should not be issued.

\* \* \* \* \*

Dated: November 27, 2001.

**Mary A. Ryan,**

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

[FR Doc. 02-269 Filed 1-10-02; 8:45 am]

**BILLING CODE 4710-06-P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 301**

[TD 8969]

RIN 1545-AW37

**Payment by Credit Card and Debit Card; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final regulations and removal of temporary regulations.

**SUMMARY:** This document contains corrections to final regulations (TD 8969) which were published in the **Federal Register** on Friday, December 14, 2001 (66 FR 64740). These

regulations relate to the payment by credit card and debit card.

**DATES:** These corrections are effective December 14, 2001.

**FOR FURTHER INFORMATION CONTACT:** Brinton Warren, (202) 622-4940 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations and removal of temporary regulations that are the subject of this correction is under sections 6103 through 6311 of the Internal Revenue Code.

**Need for Correction**

As published, final regulations (TD 8969) contain errors which may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of final regulations and removal of temporary regulations (TD 8969), which are the subject of FR Doc. 01-30934, is corrected as follows:

**§ 301.6311-2 [Corrected]**

1. On page 64743, column 3, § 301.6311-2(d)(2)(i)(D), line 4, the language "Action (15 U.S.C. 1666), section 908 of" is corrected to read "Act (15 U.S.C. 1666), section 908 of".

2. On page 64743, column 3, § 301.6311-2(d)(2)(i)(D), line 6, the language "U.S.C. 1693f; or similar provisions of" is corrected to read "U.S.C. 1693f), or similar provisions of".

**LaNita VanDyke,**

*Acting Chief, Regulations Unit, Associate  
Chief Counsel (Income Tax and Accounting).*

[FR Doc. 02-661 Filed 1-10-02; 8:45 am]

**BILLING CODE 4830-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

[CGD08-01-051]

**Drawbridge Operating Regulation; Falgout Canal, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117.444 governing the operation of the SR 315 drawbridge across the Falgout Canal, mile 3.1, in

Terrebonne Parish, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to maintain the bridge in the closed-to-navigation position from 8 a.m. until 4 p.m. each day from January 7 through January 18, 2002, to allow for maintenance to the bridge. During the scheduled closure, the bridge will open for the passage of vessels at 10 a.m., 12 noon and 2 p.m. and the bridge owner will open the draw as soon as practicable for an emergency aboard a vessel.

**DATES:** This deviation is effective from 8 a.m. on Monday, January 7, 2002, until 4 p.m. on Friday, January 18, 2002.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (obc), 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** David Frank, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:**

Presently, the draw is required to open on signal if at least three hours notice is given; except that, from 15 August to 5 June, the draw need not be opened from 7 a.m. to 8 a.m. and from 3 p.m. to 4 p.m., Monday through Friday except holidays. The draw shall open on signal at any time for an emergency aboard a vessel.

During the closure period, the bridge will open at two-hour intervals to allow for the passage of traffic. In case of an emergency, the bridge owner will be able to open the draw as soon as practicable. Navigation on the waterway consists of small tugs with tows, fishing vessels, sailing vessels, and other recreational craft.

The Louisiana Department of Transportation and Development requested this temporary deviation from the normal operation of the drawbridge in order to allow for the removal and replacement of the main pivot pier drive cylinder anchor frames and the bolts connecting the drive cylinders to the anchor frames and overhead pivot girder for the connection of new submarine cables to operate the draw spans of the bridge.

This deviation allows the draw of the SR 315 bridge across the Falgout Canal,

mile 3.1, in Terrebonne Parish, Louisiana to remain closed to navigation from 8 a.m. until 4 p.m. each day from January 7 through January 18, 2002. During the scheduled closure, the bridge will open for the passage of vessels at 10 a.m., 12 noon and 2 p.m. The bridge owner will open the draw as soon as practicable for an emergency aboard a vessel.

Dated: December 31, 2001.

**J.R. Whitehead,**

*Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist., Acting.*

[FR Doc. 02-724 Filed 1-10-02; 8:45 am]

**BILLING CODE 4910-15-U**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-01-053]

#### Drawbridge Operating Regulation; Lake Pontchartrain, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117.467 governing the operation of the bascule spans of the Greater New Orleans Expressway Commission Causeway across Lake Pontchartrain between Metairie, Jefferson Parish and Mandeville, St. Tammany Parish, Louisiana. This deviation allows the draws of the bridge to remain closed to navigation from 6 a.m. on Monday, January 14, 2002 until 6 a.m. on Wednesday, January 16, 2002, to allow for the connection of new submarine control cables to operate the draw spans of the bridge. If inclement weather does not allow the work to proceed on these dates the work will be rescheduled and the draws of the bridge will be allowed to remain closed to navigation for the backup dates from 6 a.m. on Wednesday, January 16, 2002 until 6 a.m. on Friday, January 18, 2002.

**DATES:** This deviation is effective from 6 a.m. on Monday, January 14, 2002 until 6 a.m. on Friday, January 18, 2002.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (obc), 501 Magazine Street,

New Orleans, Louisiana, 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** David Frank, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** Presently, the draw is required to open on signal if at least three hours notice is given; except that, the draw need not be opened for the passage of vessels Monday through Friday except Federal holidays from 5:30 a.m. to 9:30 a.m. and from 3 p.m. until 7 p.m. The draw opens on signal for any vessel in distress or vessels waiting immediately following the closures listed above.

During the closure period, the bridge will not be able to open for vessels to transit through the bascule spans of the bridge. The bridge has a vertical clearance of 42 feet above mean high water in the closed-to-navigation position. In case of an emergency, the bridge owner will be able to hand crank the draws of the bridge to the open-to-navigation position. As an alternate route, the south channel fixed spans of the bridge provide a vertical clearance of 50 feet above mean high water. Navigation on the waterway consists of small tugs with tows, fishing vessels, sailing vessels, and other recreational craft.

The Greater New Orleans Expressway Commission requested a temporary deviation from the normal operation of the drawbridge in order to allow for the connection of new submarine control cables to operate the draw spans of the bridge.

This deviation allows the draws of the bridges of the Greater New Orleans Expressway Commission Causeway across Lake Pontchartrain to remain closed to navigation from 6 a.m. on Monday, January 14, 2002 until 6 a.m. on Wednesday, January 16, 2002. If inclement weather does not allow the work to proceed on these dates the work will be rescheduled and the draws of the bridge will be allowed to remain closed to navigation for the backup dates from 6 a.m. on January 16, 2002 until 6 a.m. on January 18, 2002.

Dated: December 31, 2001.

**J.R. Whitehead,**

*Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist., Acting.*

[FR Doc. 02-725 Filed 1-10-02; 8:45 am]

**BILLING CODE 4910-15-U**