

under 5 U.S.C. 553 for making this action effective less than 30 days after publication in the **Federal Register**.

We will consider comments we receive during the comment period for this interim rule (see **DATES** above). After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule.

#### Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

This interim rule amends the AQI user fee regulations to ensure that current fees remain in effect until adjusted through further rulemaking.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

#### Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 7 CFR Part 354

Exports, Government employees, Imports, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Travel and transportation expenses.

Accordingly, 7 CFR part 354 is amended as follows:

### PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS; AND USER FEES

1. The authority citation for part 354 is revised to read as follows:

**Authority:** 7 U.S.C. 2260; 21 U.S.C. 136 and 136a; 49 U.S.C. 80503; 7 CFR 2.22, 2.80, and 371.3.

2. Section 354.3 is amended by revising the tables in paragraphs (b)(1), (c)(1), (d)(1), (e)(1), and (f)(1) to read as follows:

#### § 354.3 User fees for certain international services.

Effective dates	Amount
January 1, 2000 through September 30, 2000 .....	465.50
October 1, 2000 through September 30, 2001 .....	474.50
October 1, 2001 .....	480.50

Effective dates	Amount
January 1, 2000 through September 30, 2000 .....	4.25
October 1, 2000 through September 30, 2001 .....	4.50
October 1, 2001 .....	4.75

Effective dates	Amount
January 1, 2000 through September 30, 2000 .....	6.75
October 1, 2000 through September 30, 2001 .....	7.00
October 1, 2001 .....	7.00

Effective dates	Amount
January 1, 2000 through September 30, 2000 .....	64.00
October 1, 2000 through September 30, 2001 .....	64.75
October 1, 2001 .....	65.25

Effective dates <sup>1</sup>	Amount
January 1, 2000 through September 30, 2000 .....	3.00

Effective dates <sup>1</sup>	Amount
October 1, 2000 through September 30, 2001 .....	3.00
October 1, 2001 .....	3.10

<sup>1</sup>Persons who issue international airline tickets or travel documents are responsible for collecting the APHIS international airline passenger user fee from ticket purchasers. Issuers must collect the fee applicable at the time tickets are sold. In the event that ticket sellers do not collect the APHIS user fee when tickets are sold, the air carrier must collect the user fee from the passenger upon departure. Carriers must collect the fee applicable at the time of departure from the traveler.

\* \* \* \* \*

Done in Washington, DC, this 27th day of August, 2002.

**Richard L. Dunkle,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 02-22313 Filed 8-30-02; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-313-AD; Amendment 39-12875; AD 94-09-11 R1]

**RIN 2120-AA64**

#### Airworthiness Directives; Raytheon Model BAe.125 Series 1000A Airplanes and Model Hawker 1000 Airplanes

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

**ACTION:** Final rule; rescission.

**SUMMARY:** This amendment rescinds an existing airworthiness directive (AD), applicable to certain Raytheon Model BAe.125 Series 1000A Airplanes and Model Hawker 1000 airplanes. That AD currently requires inspections of the thrust reverser system for integrity, and correction of any discrepancy found. The requirements of that AD were intended to prevent a significant reduction in the controllability of the airplane due to an in-flight deployment of a thrust reverser. Since the issuance of that AD, the FAA has issued a separate AD that requires the accomplishment of modifications that terminate the requirements of the existing AD.

**DATES:** Effective September 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Jeff Pretz, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas

67209; telephone (316) 946-4153; fax (316) 946-4407.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to rescind an airworthiness directive (AD) that is applicable to certain Raytheon Model BAe.125 Series 1000A and Hawker 1000 series airplanes was published in the **Federal Register** on September 10, 1999 (64 FR 49112). That action proposed the rescission of AD 94-09-11, amendment 39-8900 (59 FR 22125, April 29, 1994), in order to prevent operators from performing an unnecessary action.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received in response to the proposal.

#### Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the rescission of the rule as proposed, with the exception of the change to applicability.

#### Explanation of Change to Applicability

The FAA has revised the applicability of this final rule to identify model designations as published in the most recent type certificate data sheet for the affected models.

#### Regulatory Impact

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, Safety.

#### The Rescission

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 39-8900.

#### 94-09-11 R1 Raytheon Aircraft Company:

Amendment 39-12875. Docket No. 97-NM-313-AD. Rescinds AD 94-09-11, Amendment 39-8900.

**Applicability:** Model BAe.125 Series 1000A Airplanes and Model Hawker 1000 airplanes; as listed in Raytheon Corporate Jets Service Bulletin SB 78-12, dated January 4, 1994, certificated in any category.

This rescission is effective September 3, 2002.

Issued in Renton, Washington, on August 26, 2002.

**Vi L. Lipski,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 02-22176 Filed 8-30-02; 8:45 am]

**BILLING CODE 4910-13-P**

#### SECURITIES AND EXCHANGE COMMISSION

#### 17 CFR Part 200

[Release No. 34-46418]

#### Delegation of Authority to the General Counsel of the Commission

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is amending its rules to delegate authority to the General Counsel to issue orders raising in any Commission-instituted proceeding the matter of whether any sanction, and if so what sanction, should be imposed in the public interest. This delegation is intended to conserve Commission resources, as well as expedite the resolution of reviews of those proceedings.

**EFFECTIVE DATE:** September 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Joan Loizeaux, Office of the General Counsel, at (202) 942-0990, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549-0208.

**SUPPLEMENTARY INFORMATION:** The Commission today is amending its rules governing delegation of authority to the General Counsel. The Securities Act of 1933,<sup>1</sup> Securities Exchange Act of 1934,<sup>2</sup> Investment Advisers Act of 1940,<sup>3</sup> the Investment Company Act of 1940,<sup>4</sup> the Securities Investor Protection Act of 1970,<sup>5</sup> and rule of practice 102(e)<sup>6</sup> authorize the Commission to institute administrative proceedings, which, under appropriate circumstances, can result in the imposition of sanctions. The Commission wishes to provide prompt notice to the parties that it may review sanctions imposed in initial decisions in such proceedings with a view to making an independent assessment of what sanctions, if any, are in the public interest.

Commission rule of practice 411(d)<sup>7</sup> authorizes the Commission, prior to the issuance of a decision, to raise and determine any matters that it deems material. The Commission therefore is amending its rules to delegate to the General Counsel the authority to issue orders, pursuant to rule of practice 411(d), that would take up the issue of whether any sanction, and if so what sanction, is appropriate in the public interest. In any case in which the General Counsel believes it appropriate, he or she may submit the matter to the Commission for consideration.

#### Administrative Law Matters

The Commission finds, in accordance with section 533(b)(A) of the Administrative Procedure Act, 5 U.S.C. 553(b)(A), that this amendment relates solely to agency organization, procedure, or practice. Accordingly, notice and opportunity for public comment, as well as publication 30 days before its effective date, are unnecessary. Because notice and comment are not required for this final rule, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act.<sup>8</sup>

The rule does not contain any collection of information requirements as defined by the Paperwork Reduction

<sup>1</sup> 15 U.S.C. 77a, *et seq.*

<sup>2</sup> 15 U.S.C. 78a, *et seq.*

<sup>3</sup> 15 U.S.C. 80b-1, *et seq.*

<sup>4</sup> 15 U.S.C. 80a-1, *et seq.*

<sup>5</sup> 15 U.S.C. 78aaa, *et seq.*

<sup>6</sup> 17 CFR 201.102(e).

<sup>7</sup> 17 CFR 201.411(d).

<sup>8</sup> See 5 U.S.C. 603.