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Wade T. Carpenter,

Acting Manager, Air Traffic Division,  
Southern Region.

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 655

RIN 1205-AB23

#### Labor Certification and Petition Process for the Temporary Employment of Nonimmigrant Aliens in Agriculture in the United States; Delegation of Authority To Adjudicate Petitions; Deferral of Effective Date

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Interim final rule with request for comments ; deferral of effective date of final rule.

**SUMMARY:** The Immigration and Naturalization Service (INS) has informed the Department of Labor (DOL or Department) that it intends to delay INS' delegation to DOL of authority to adjudicate petitions for the temporary employment of nonimmigrant aliens in agriculture in the United States. Additionally, DOL has the need for additional time to effectively implement the new procedures and to train and brief members of the affected public and the employment and training community in the new procedures. Therefore, the Department has determined to defer the effective date of the Final Rule promulgated at 65 FR 43538 (July 13, 2000). Comments are being requested on this action. The rule being deferred amends the Employment and Training Administration (ETA) regulations to implement the delegation of authority to adjudicate petitions for temporary nonimmigrant agricultural workers (H-2A's) from the INS to the Department. A companion Proposed Rule setting forth the fee structure and consolidated form was published at 65 FR 43545 (July 13, 2000). The extended comment period on the Proposed Rule has ended and DOL continues to review the comments.

**DATES:**

*Effective Date:* The effective date of the final rule in FR Doc. 00-17641, published at 65 FR 43538 (July 13, 2000), is deferred from November 13, 2000, until October 1, 2001.

**Comments:** Comments are invited on the deferral of the effective date. Submit comments on or before January 12, 2001.

**ADDRESSES:** Send comments to Assistant Secretary of Labor for Employment and Training, Attention: Division of Foreign Labor Certifications, Employment and Training Administration, 200 Constitution Avenue, NW., Room N-4456, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Denis M. Gruskin, Senior Specialist, Division of Foreign Labor Certifications, Employment and Training Administration, 200 Constitution Avenue, NW., Room N-4456, Washington, DC 20210. Telephone: (202) 693-2953 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The Department of Labor (DOL or Department) published a final rule in this rulemaking in the **Federal Register** on 65 FR 43538 (July 13, 2000), with an effective date of November 13, 2000.

It is DOL's understanding that INS has or will publish a rule delaying the effective date of that agency's delegation of authority to DOL, which would defer DOL's legal authority to exercise INS' role with respect to H-2A visas.

In addition, the Department found it impracticable to engage in adequate training of federal and State staff and briefing of stakeholders and other members of the public on the new system. This can be accomplished by delaying the effective date of the Final Rule.

DOL has determined to defer the effective date through the end of the current Fiscal Year. This deferral will allow employers, workers, and government personnel time to familiarize themselves with the new system and forms and to resolve concerns over the change. In addition, comments are being sought from interested parties on the deferral of the effective date.

The regulatory certifications set forth in the July 13, 2000, final rule apply to this deferral as well. For the above reasons, the Department finds good cause that prior notice on this rule was impracticable and contrary to the public interest, although in the interest of affording the public as much opportunity as possible to express their views, a post-publication comment period is being offered. 5 U.S.C. 553(b) and (c). The same reasons which justify not having a pre-publication period of notice and comment provide good cause to make this deferral effective upon publication in the **Federal Register**. 5 U.S.C. 553(d)(3).

Accordingly, the effective date of the final rule in FR Doc. 00-17641, published at 65 FR 43538 (July 13, 2000), is deferred until October 1, 2001.

Signed at Washington, D.C., this 7th day of November, 2000.

Raymond L. Bramucci,

Assistant Secretary of Labor for Employment and Training.

[FR Doc. 00-28897 Filed 11-9-00; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 736

RIN 0703-AA60

#### Disposition of Property

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final Rule; Correction.

**SUMMARY:** The Department of the Navy published a document in the **Federal Register** on September 5, 2000, (65 FR 53589) amending regulations on disposition of property. One amendment inadvertently removed the authority of the Department of the Navy to sell property not excess to its needs. This document corrects that error.

**DATES:** Effective on November 13, 2000.

**FOR FURTHER INFORMATION CONTACT:** Major Chris Carlson, USMC, Regulations and Legislation, FOIA/PA Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave. SE., Suite 3000, Washington Navy Yard, DC 20374-5066. Phone (703) 604-8219.

**SUPPLEMENTARY INFORMATION:** The Department of the Navy (DON) published a document in the **Federal Register** on September 5, 2000, (65 FR 53589) amending Part 736. In FR Doc. 00-22445, published in the **Federal Register** on September 5, 2000, § 736.5(e) was inadvertently amended. This correction adds back the language on the sale of property that was deleted in the revision to § 736.5(e).

In rule FR doc. 00-22445 published on September 5, 2000, (65 FR 53589) make the following correction. On page 53590, in the third column, at amendment 4(d) correct the paragraph to read:

**§ 736.5 Disposition of real and personal property under special statutory authority.**

\* \* \* \* \*

(e) Exchange or sale of property for replacement purposes. Under the authority of section 201(c) of the Federal Property Act (40 U.S.C. 481(c)) and

consistent with Department of Defense implementing regulations, DOD 4140.1-R and the Defense Federal Acquisition Regulation Supplement, the Department of the Navy is authorized in the acquisition of new equipment to exchange or sell similar items which are not excess to its needs, and apply the exchange allowance or proceeds of sale in whole or part payment for the items acquired.

Dated: October 31, 2000.

**C.G. Carlson,**

*U.S. Marine Corps, Alternate Federal Register, Liaison Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-00-239]

#### Drawbridge Operation Regulations: Danvers River, MA.

**AGENCY:** Coast Guard, DOT.

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

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the Massachusetts Bay transportation Authority (MBTA)/Amtrak Bridge, at mile 0.05, across the Danvers River between Beverly and Salem, Massachusetts. This deviation allows the bridge owner to keep the bridge in the closed position from 6 a.m. on Saturday November 18, 2000, through 6 p.m. on Sunday November 19, 2000. This action is necessary to facilitate replacement of the submarine power cables at the bridge.

**DATES:** This deviation is effective from November 18, 2000, to November 19, 2000.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The MBTA/Amtrak Bridge, at mile 0.05, across the Danvers River, has a vertical clearance of 3 feet at mean high water, and 12 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.595(b).

The bridge owner requested a temporary deviation from the drawbridge operating regulations to facilitate the necessary maintenance for

the replacement of the submarine power cables at the bridge. This deviation from the operating regulations allows the bridge owner to keep the bridge in the closed position from 6 a.m. on Saturday, November 18, 2000, through 6 p.m. on Sunday, November 19, 2000. Vessels that can pass under the bridge without an opening may do so at all times during the closed period.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 31, 2000.

**G.N. Naccara,**

*Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.*

[FR Doc. 00-28997 Filed 11-9-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 52 and 81

[M174-02-7282a; FRL-6896-3]

#### Approval and Promulgation of State Implementation Plans; Michigan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is adjusting the applicability date for reinstating the 1-hour ozone National Ambient Air Quality Standard (NAAQS) in Genesee, Bay, Midland, and Saginaw Counties, Michigan and is determining that these areas have attained the 1-hour ozone NAAQS. This determination is based on 3 consecutive years of complete, quality-assured, ambient air monitoring data for the 1997-1999 ozone seasons that demonstrate that the areas have attained the ozone NAAQS. On the basis of this determination, EPA is also determining that certain attainment demonstration requirements, and certain related requirements of part D of subchapter I of the Clean Air Act (CAA), do not apply to Genesee, Bay, Midland, and Saginaw Counties.

EPA is also approving the State of Michigan's request to redesignate Genesee, Bay, Midland, and Saginaw Counties to attainment for the 1-hour ozone NAAQS. Michigan submitted the redesignation request for these areas on May 9, 2000. EPA is also approving the State's plan for maintaining the 1-hour ozone standard for the next 10 years as

a revision to the Michigan State Implementation Plan (SIP).

In the proposed rules section of this **Federal Register**, EPA is proposing approval of, and soliciting comments on, this SIP revision. If we receive adverse comments on this action, we will withdraw this final rule and address the comments received in response to this action in a final rule on the related proposed rule. We will not open a second public comment period. Parties interested in commenting on this action should do so at this time.

**DATES:** This "direct final" rule is effective January 16, 2001, unless EPA receives adverse written or critical comments by December 13, 2000. If the rule is withdrawn, EPA will publish timely notice in the **Federal Register**.

**ADDRESSES:** Send written comments to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. (We recommend that you telephone John Mooney at (312) 886-6043 before visiting the Region 5 Office.)

A copy of the SIP revision is available for inspection at the Office of Air and Radiation (OAR) Docket and Information Center (Air Docket 6102), Room M1500, United States Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260-7548.

**FOR FURTHER INFORMATION CONTACT:** John M. Mooney, Regulation Development Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6043.

#### SUPPLEMENTARY INFORMATION:

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