

### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-70-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

### Discussion

Transport Canada, which is the airworthiness authority for Canada, has notified the FAA that an unsafe condition may exist on BHTC Model 407 helicopters. Transport Canada advises that a door latch rod assembly can disengage from the door handle and prevent the helicopter occupants from opening the door.

BHTC has issued Bell Helicopter Textron Alert Service Bulletin No. 407-98-18, dated May 27, 1998 (ASB), which specifies modifying the attachment of two rod assemblies in the door latch assemblies on all four crew and passenger doors within the next 100 hours time-in-service. Transport Canada classified this alert service bulletin as mandatory and issued AD No. CF-98-19, dated July 28, 1998, in order to assure the continued airworthiness of these helicopters in Canada.

This helicopter model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of the Transport Canada, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other BHTC Model 407 helicopters of the same type design registered in the United States, the proposed AD would require modifying each door latch assembly, part number (P/N) 20898-401, -402, -405, and -406. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

The FAA estimates that 146 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per helicopter to accomplish the modification, and that the average labor rate is \$60 per work hour. Required

parts would cost approximately \$210. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$83,220.

The regulations proposed herein would not impose substantial direct compliance costs on state and local governments or 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 Executive Order 13132, the FAA has not consulted with state or local authorities prior to publication of this proposed rule.

For the reasons discussed above, I certify that this proposed regulation (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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 Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 adding a new airworthiness directive to read as follows:

**Bell Helicopter Textron Canada:** Docket No. 98-SW-70-AD.

**Applicability:** Model 407 helicopters, serial numbers 53000 through 53228, with door latch assemblies, part number (P/N) 20898-401, -402, -405, and -406, 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 modified, altered, or repaired in the area

subject to the requirements of this AD. For helicopter that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

**Compliance:** Required within 100 hours time-in-service, unless accomplished previously.

To prevent a door latch rod assembly from disengaging from the door handle and preventing helicopter occupants from opening the door, accomplish the following:

(a) Modify each door latch assembly, P/N 20898-401, -402, -405, and -406, in accordance with the Accomplishment Instructions in Bell Helicopter Textron Alert Service Bulletin No. 407-98-18, dated May 27, 1998.

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

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

**Note 3:** The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-98-19, dated July 28, 1998.

Issued in Fort Worth, Texas, on December 9, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-32585 Filed 12-15-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

### 28 CFR Part 16

[AAG/A Order No. 186-99]

### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice proposes to exempt a Privacy Act

system of records from subsections (c)(3) and (4); (d); (e)(1), (2), (3), (5), and (8); and (g) of the Privacy Act, 5 U.S.C. 552a. The system of records is the "Worksite Enforcement Activity Record and Index (LYNX), JUSTICE/INS-025."

The "Worksite Enforcement Activity and Records Index (LYNX), JUSTICE/INS-025" relates to each enforcement inspection or investigation pursued under the Immigration and Nationality Act, Section 274A(e), involving a specific individual employer. The exemptions are necessary to avoid interference during the conduct of criminal, civil, or administrative actions or investigations. Specifically, the exemptions are necessary to prevent subjects of investigations from frustrating the investigatory process. The exemptions are necessary to avoid interference during the conduct of civil or administrative actions or investigations.

**DATE:** Submit any comments by January 18, 2000.

**ADDRESSES:** Address all comments to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 1400, National Place Building).

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill—202-307-1823.

**SUPPLEMENTARY INFORMATION:** In the notice section of today's **Federal Register**, the Department of Justice provides a description of the "Worksite Enforcement Activity and Records Index (LYNX), JUSTICE/INS-025." This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby stated that the order will not have "a significant economic impact on a substantial number of small entities."

#### List of Subjects in Part 16

Administrative Practices and Procedures, Courts, Freedom of Information Act, Government in the Sunshine Act, and the Privacy Act.

Dated: December 6, 1999.

**Stephen R. Colgate,**  
Assistant Attorney General for  
Administration.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend part 16 of Title 28 of the Code of Federal Regulations as follows:

#### PART 16—[AMENDED]

1. The authority for Part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. It is proposed to amend 28 CFR 16.99 by adding paragraphs (m) and (n) to read as follows:

#### § 16.99 Exemption of the Immigration and Naturalization Service Systems-limited access

\* \* \* \* \*

(m) The Worksite Enforcement Activity and Records Index (LYNX) (JUSTICE/INS-025) system of records is exempt under the provisions of 5 U.S.C. 552a (j)(2) from subsections (c)(3) and (4); (d); (e)(1), (2), (3), (5), and (8); and (g); but only to the extent that this system contains records within the scope of subsection (j)(2), and to the extent that records in this system are subject to exemption therefrom. In addition, this system of records is also exempt in part under the provisions of 5 U.S.C. 552a (k)(2) from subsections (c)(3); (d); and (e)(1), but only to the extent that this system contains records within the scope of subsection (k)(2), and to the extent that records in this system are subject to exemption therefrom.

(n) The following justifications apply to the exemptions from particular subsections:

(1) From subsection (c)(3) for reasons stated in paragraph (h)(1) above.

(2) From subsection (c)(4) for reasons stated in paragraph (h)(2) above.

(3) From the access and amendment provisions of subsection (d) for reasons stated in paragraph (h)(3) above.

(4) From subsection (e)(1) for reasons stated in paragraph (h)(4) above.

(5) From subsection (e)(2) for reasons stated in paragraph (h)(5) above.

(6) From subsection (e)(3) for reasons stated in paragraph (h)(6) above.

(7) From subsection (e)(5) for reasons stated in paragraph (h)(7) above.

(8) From subsection (e)(8) for reasons stated in paragraph (h)(8) above.

(9) From subsection (g) to the extent that the system is exempt from the access and amendment provisions of subsection (d).

[FR Doc. 99-32615 Filed 12-15-99; 8:45 am]

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#### DEPARTMENT OF JUSTICE

#### 28 CFR Part 16

[AAG/A Order No. 185-99]

#### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice proposes to exempt a Privacy Act system of records from subsections (c)(3) and (4); (d); (e)(1), (2), (3), (5), and (8); and (g) of the Privacy Act, 5 U.S.C. 552a. The system of records is: the "Immigration and Naturalization Service, Attorney/Representative Complaint/Petition Files, JUSTICE/INS-022."

The "Immigration and Naturalization Service (INS), Attorney/Representative Complaint/Petition Files, JUSTICE/INS-022" relates to complaints filed against nonagency attorneys and/or representatives who have engaged in unethical or unprofessional activities. The exemptions are necessary to avoid interference during the conduct of criminal, civil, or administrative actions or investigations. Specifically, the exemptions are necessary to prevent subjects of investigations from frustrating the investigatory process. The exemptions are necessary to avoid interference during the conduct of civil or administrative actions or investigations.

**DATE:** Submit any comments by January 18, 2000.

**ADDRESSES:** Address all comments to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 1400, National Place Building).

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill—202-307-1823.

**SUPPLEMENTARY INFORMATION:** In the notice section of today's **Federal Register**, the Department of Justice provides a description of the "Attorney/Representative Complaint/Petition Files, JUSTICE/INS-022." This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby stated that the order will not have "a significant economic impact on a substantial number of small entities."

#### List of Subjects in Part 16

Administrative Practices and Procedures, Courts, Freedom of Information Act, Government in the Sunshine Act, and the Privacy Act.