

commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRM's

Any person may obtain a copy of this SNPRM by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify the notice number of this SNPRM. Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, that describes the application procedure.

#### Background

On July 18, 1995, the FAA proposed to alter V-485 from the Priest, CA, VORTAC to the San Jose, CA, VOR/DME (60 FR 36751).

This proposed action would collocate V-485 with the San Jose VOR/DME Runway 30L instrument landing system approach and utilize the San Jose VOR/DME instead of the Sausalito VORTAC.

However, the NPRM as published, incorrectly described V-485 by inadvertently omitting an intersection from the legal description of the airway.

The intended effect of this SNPRM is to correct the description of V-485.

#### The Proposal

The FAA is proposing an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter V-485 from Priest, CA, VORTAC to the San Jose, CA, VOR/DME. This action supplements the notice published on July 18, 1995 (60 FR 36751), by inserting the radials identifying the intersection in the description of V-485.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6010(a)—Domestic VOR Federal Airways

\* \* \* \* \*

V-485 [Revised]  
From Ventura, CA, via Fellows, CA; Priest, CA; INT Priest 322°T(306°M) and San Jose 137°T(121°M) radials; San Jose, CA. The airspace within W-289, the airspace within R-2519 more than 3-statute miles W of the airway centerline and the airspace within R-2519 below 5,000 feet MSL is excluded.

\* \* \* \* \*

Issued in Washington, DC, on May 22, 1997.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic, Airspace Management.*

[FR Doc. 97-14319 Filed 5-30-97; 8:45 am]

BILLING CODE 4910-13-P

**ACTION:** Proposed rule.

**SUMMARY:** The Consumer Product Safety Commission ("Commission") is proposing a rule to exempt a system of records from certain provisions of the Privacy Act of 1974, 5 U.S.C. 552a ("Privacy Act"), to the extent that the system contains investigatory material pertaining to the enforcement of criminal laws or compiled for law enforcement purposes.

**DATES:** Comments must be received by July 2, 1997.

**ADDRESSES:** Comments should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, telephone 301-504-0980.

**SUPPLEMENTARY INFORMATION:** The Consumer Product Safety Commission, under a variety of statutes, is authorized to enforce its statutes and regulations through administrative actions and civil and criminal litigation. Preparation for, and conduct of, enforcement actions requires the compilation of investigatory materials such as memoranda, investigative reports, correspondence, test reports, injury reports, and the like in a manner that facilitates easy retrieval. The two offices of the Commission that conduct enforcement actions, the Office of Compliance and the Office of the General Counsel, maintain such documentation in a system of records, identified as "Enforcement and Litigation Files—CPSC-7." Disclosure of information in these investigatory files or disclosure of the identity of confidential sources could seriously undermine the effectiveness of the Commission's enforcement actions. For example, premature disclosure of information in such files could enable subjects of an enforcement action to conceal or destroy evidence, or escape prosecution. Premature disclosure of this information could also lead to the possible intimidation of, or harm to, informants, witnesses, or Commission personnel and their families. Further, the imposition of certain Privacy Act restrictions on the manner in which information is collected, verified, or retained could significantly impede the effectiveness of an enforcement action.

Thus, the Commission is proposing to issue a rule to exempt this system of records from certain provisions of the Privacy Act where application of the Privacy Act would interfere with the investigation and conduct of an

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1014

#### Privacy Act of 1974; Implementation; Specific Exemptions

**AGENCY:** Consumer Product Safety Commission.

enforcement action. Section (k)(2) of the Privacy Act, 5 U.S.C. 552a(k)(2), provides the authority for agencies to exempt records containing investigatory material compiled for law enforcement purpose from certain other provisions of the Act.

16 CFR 1014.12 currently exempts other systems of records from certain requirements of the Privacy Act. This rule adds a new paragraph to § 1014.12 to exempt the enforcement and litigation files from certain requirements of the Privacy Act.

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Commission certifies that this rule will not have a significant impact on a substantial number of small entities. Since the rule does not require any actions to be taken, the Commission also certifies that this rule will have no environmental impact, will not preempt any state or local laws or regulations, and will have no impact on family maintenance and well being and no implications for federalism.

#### List of Subjects in 16 CFR Part 1014

Privacy.

For the reason stated in the preamble, Chapter II, Title 16 of the Code of Federal Regulations is proposed to be amended as follows:

#### PART 1014—POLICIES AND PROCEDURES IMPLEMENTING THE PRIVACY ACT OF 1974

1. The authority citation for part 1014 continues to read as follows:

**Authority:** Privacy Act of 1974 (5 U.S.C. 552a).

2. Section 1014.12, **Specific exemptions**, is amended by adding paragraph (c) to read as follows:

\* \* \* \* \*

(c) *Enforcement and Litigation Files—CPSC-7.* All portions of this system of records that fall within 5 U.S.C. 552a(k)(2) (investigatory materials compiled for law enforcement purposes) are exempt from 5 U.S.C. 552a(c)(3) (mandatory accounting of disclosures); 5 U.S.C. 552a(d) (access by individuals to records that pertain to them); 5 U.S.C. 552a(e)(1) (requirement to maintain only such information as is relevant and necessary to accomplish an authorized agency purpose); 5 U.S.C. 552a(e)(4)(G) (mandatory procedures to notify individuals of the existence of records pertaining to them); 5 U.S.C. 552a(e)(4)(H) (mandatory procedures to notify individuals how they can obtain access to and contest records pertaining to them); 5 U.S.C. 552a(e)(4)(I) (mandatory disclosure of records source

categories); and the Commission's regulations in 16 CFR part 1014 that implement these statutory provisions.

Dated: May 27, 1997.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 97-14335 Filed 5-30-97; 8:45 am]

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#### DEPARTMENT OF THE TREASURY

##### Bureau of Alcohol, Tobacco and Firearms

##### 27 CFR Part 24

[Notice No. 852]

RIN 1512-AB65

#### Implementation of Public Law 104-188, Section 1702, Amendments Related to Revenue Reconciliation Act of 1990 (96R-028T)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Notice of proposed rulemaking cross referenced to temporary regulations.

**SUMMARY:** In the Rules and Regulations portion of this **Federal Register**, the Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing temporary regulations to implement section 1702 the Small Business Job Protection Act of 1996. The new law changed the small producers' wine tax credit and wine bond provisions of the Internal Revenue Code of 1986. The wine regulations are amended to extend the application of the credit to "transferees in bond" (proprietors who store wine for a small producer, but who do not hold title to such wine) in certain circumstances, and to make conforming changes to the bond computation instructions, which were also affected by the law change. In this notice of proposed rulemaking, ATF invites comments on the temporary rule.

**DATES:** Written comments must be received on or before August 1, 1997.

**ADDRESSES:** Send written comments to: Chief, Wine, Beer & Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221, Attention: Notice Number 852.

**FOR FURTHER INFORMATION CONTACT:** Marjorie D. Ruhf, Wine, Beer & Spirits Regulations Branch, 650 Massachusetts Avenue, NW, Washington, DC 20226, (202) 927-8230.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

It has been determined that this proposed rule is not a significant regulatory action as defined by Executive Order 12866, because the economic effects flow directly from the underlying statute and not from the proposed regulations. Therefore, a regulatory assessment is not required.

##### Regulatory Flexibility Act

It is hereby certified that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. The revenue effects of this rulemaking on small businesses flow directly from the underlying statute. Likewise, any secondary or incidental effects, and any reporting, recordkeeping, or other compliance burdens flow directly from the statute. Pursuant to 26 U.S.C. 7805(f), this proposed regulation will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

##### Paperwork Reduction Act

The collections of information contained in this notice of proposed rulemaking have been submitted to the Office of Management and Budget (OMB) for review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)). Comments on the collections of information should be sent to the Office of Management and Budget, Attention: Desk Officer for the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Office of Information and Regulatory Affairs, Washington, D.C., 20503, with copies to the Bureau of Alcohol, Tobacco and Firearms at the address previously specified. Comments are specifically requested concerning:

Whether the proposed collections of information are necessary for the proper performance of the functions of the Bureau of Alcohol, Tobacco and Firearms, including whether the information will have practical utility; he accuracy of the estimated burden associated with the proposed collections of information (see below);

How the quality, utility, and clarity of the information to be collected may be enhanced; and

How the burden of complying with the proposed collections of information may be minimized, including through the application of automated collection techniques or other forms of information technology.