

# Proposed Rules

Federal Register

Vol. 67, No. 9

Monday, January 14, 2002

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 236

[INS Order No. 1906-98]

RIN 1115-AF05

#### Processing, Detention, and Release of Juveniles

**AGENCY:** Immigration and Naturalization Service, Department of Justice.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** On July 24, 1998, at 64 FR 39759, the Immigration and Naturalization Service (Service) published a proposed rule in the **Federal Register** proposing to establish procedures for processing juveniles in Service custody. Specifically, the proposed rule set forth proposed service policy for the release of juveniles from custody, as well as standards regarding the placement of juveniles in Service custody into state-licensed programs and detention facilities. The rule also proposed amendments concerning the transportation and transfer of juveniles in Service custody. The original comment period for the proposed rule closed on September 22, 1998. This document reopens the comment period to March 15, 2002. The Service is reopening the comment period to hear from the public on the following issues: determinations of who speaks for the child with respect to immigration matters, circumstances under which detention in a secure juvenile facility is necessary, and any additional ideas that may be helpful to minimize the number of juveniles who must be placed in Service custody.

**DATES:** Written comments must be submitted on or before March 15, 2002.

**ADDRESSES:** Please submit written comments to Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, 425 I Street, NW., Room 4034, Washington, DC 20536. To ensure proper handling,

please reference INS No. 1906-98 on your correspondence. You may also submit comments to the Service electronically at [insregs@usdoj.gov](mailto:insregs@usdoj.gov). When submitting comments electronically please include INS No. 1906-98 in the subject box. Comments are available for public inspection at the above address by calling (202) 514-3048 to arrange for an appointment.

#### FOR FURTHER INFORMATION CONTACT:

Mark A. Matese, Director, Juvenile Affairs Division, Headquarters Office of Detention and Removal, Immigration and Naturalization, 425 I Street, NW., Washington, DC 20536, 202-305-2734 or 202-353-8228.

#### SUPPLEMENTARY INFORMATION:

#### Why is the Service Reopening the Comment Period?

The Service is currently examining the appropriate infrastructure and policies for managing and developing its programs relating to unaccompanied minors. As part of that process, the Service has decided to offer the public an additional opportunity to comment on the proposed rule, and particularly invites comments that relate to issues that have come to the public's attention since the close of the original comment period in 1998. The Service is reopening the comment period to hear from the public on the following issues: determinations of who speaks for the child with respect to immigration matters, circumstances under which detention in a secure juvenile facility is necessary, and any additional ideas that may be helpful to minimize the number of juveniles who must be placed in Service custody.

#### Where Can the Public View the July 24, 1998 Proposed Rule?

The July 24, 1998, proposed rule can be viewed on the Government Printing Office Web site at: <http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1998register&docid=98-19712-filed>

Dated: November 19, 2001.

**James W. Ziglar,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 02-811 Filed 1-11-02; 8:45 am]

**BILLING CODE 4410-10-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-CE-32-AD]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Aircraft Company Model 58P, 60, A60, B60, and 65-88 Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Raytheon Aircraft Company (Raytheon) Model 58P, 60, A60, B60, and 65-88 airplanes. This proposed AD would require you to install new exterior operating instruction placards for the exit doors. The proposed AD is the result of Raytheon improving the visibility and understandability of the door operating instruction placards. This was done as a result of difficulty opening the emergency exits of a similar type design airplane. The actions specified by the proposed AD are intended to assure that clear and complete operating instructions are visible for opening the exit doors. If not visible or understandable, this could result in the inability to open the exit door during an emergency situation.

**DATES:** The Federal Aviation Administration (FAA) must receive any comments on this proposed rule on or before March 12, 2002.

**ADDRESSES:** Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-32-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

You may get service information that applies to this proposed AD from Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140. You may also view this information at the Rules Docket at the address above.

#### FOR FURTHER INFORMATION CONTACT:

Steven E. Potter, Aerospace Engineer,

FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4407.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

*How do I comment on this proposed AD?* The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date. We may amend this proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this proposed AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of this proposed AD I should pay attention to?* The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this proposed rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each contact we have with the public that

concerns the substantive parts of this proposed AD.

*How can I be sure FAA receives my comment?* If you want FAA to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2001-CE-32-AD." We will date stamp and mail the postcard back to you.

**Discussion**

*What events have caused this proposed AD?* The FAA believes that the instructions for opening the exit doors are either not visible or not easy to understand on Raytheon Model 58P, 60, A60, B60, and 65-88 airplanes. This is based on an accident that resulted in the issuance of AD 97-04-02. AD 97-04-02 was later superseded by AD 98-21-20 to incorporate more visible and understandable instructions.

*What are the consequences if the condition is not corrected?* If the exterior door operating instruction placards are not visible or understandable, this could result in the inability to open the exit doors during an emergency situation.

*Is there service information that applies to this subject?* Raytheon has issued Mandatory Service Bulletin SB 11-3404, Issued: June, 2001.

*What are the provisions of this service information?* The service bulletin includes procedures for installing new exterior placards with improved

operating instructions for the exit doors on the affected airplanes.

**The FAA's Determination and an Explanation of the Provisions of this Proposed AD**

*What has FAA decided?* After examining the circumstances and reviewing all available information related to the incidents described above, we have determined that:

- The unsafe condition referenced in this document exists or could develop on other Raytheon Model 58P, 60, A60, B60, and 65-88 airplanes of the same type design;
- The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and
- AD action should be taken in order to correct this unsafe condition.

*What would this proposed AD require?* This proposed AD would require you to install new exterior operating instruction placards for the exit doors.

**Cost Impact**

*How many airplanes would this proposed AD impact?* We estimate that this proposed AD affects 850 airplanes in the U.S. registry.

*What would be the cost impact of this proposed AD on owners/operators of the affected airplanes?* We estimate the following costs to accomplish the proposed modification:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
2 workhours X \$60 per hour = \$120 .....	\$40	\$160	\$136,000

The manufacturer will provide warranty credit for parts to the extent noted under MATERIAL INFORMATION in Raytheon Mandatory Service Bulletin SB 11-3404, Issued: June, 2001.

**Compliance Time of This Proposed AD**

*What would be the compliance time of this proposed AD?* The compliance time of this proposed AD is "within the next 100 hours time-in-service (TIS) after the effective date of this AD or within the next 12 calendar months after the effective date of this AD, whichever occurs first".

*Why is the compliance time of this proposed AD presented in both hours TIS and calendar time?* The unsafe condition on these airplanes is not a result of the number of times the airplane is operated. Airplane operation varies among operators. For example,

one operator may operate the airplane 50 hours TIS in 3 months while it may take another operator 12 months or more to accumulate 50 hours TIS. For this reason, the FAA has determined that the compliance time of the proposed AD should be specified in both hours time-in-service (TIS) and calendar time in order to assure this condition is not allowed to go uncorrected over time.

**Regulatory Impact**

*Would this proposed AD impact various entities?* The regulations proposed herein would 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 proposed rule

would not have federalism implications under Executive Order 13132.

*Would this proposed AD involve a significant rule or regulatory action?* For the reasons discussed above, I certify that this proposed 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) 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 has been placed 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, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**Raytheon Aircraft Company:** Docket No. 2001-CE-32-AD.

(a) *What airplanes are affected by this AD?* This AD affects the following airplane models and serial numbers that are certificated in any category:

Model	Serial Nos.
58P .....	TJ-3 through TJ-497.
60 .....	P-4 through P-122 and P-124 through P-126.
A60 .....	P-123 and P-127 through P-246.

Model	Serial Nos.
B60 .....	P-247 through P-596.
65-88 .....	LP-1 through LP-26, LP-28, and LP-30 through LP-47.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to assure that clear and complete operating instructions are visible for opening the exit doors. If not visible or understandable, this could result in the inability to open the exit doors during an emergency situation.

(d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following:

Actions	Compliance	Procedures
Modify the exterior door operating procedures by installing the applicable placard as specified in the service bulletin.	Within the next 100 hours time-in-service (TIS) after the effective date of this AD or within the next 12 calendar months after the effective date of this AD, whichever occurs first.	In accordance with the Accomplishment Instructions section of Raytheon Mandatory Service Bulletin SB 11-3404, Issued: June, 2001.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Wichita Aircraft Certification Office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note:** This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Steven E. Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4407.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from

Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on January 4, 2002.

**Dorenda D. Baker,**  
*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 02-798 Filed 1-11-02; 8:45 am]

**BILLING CODE 4910-33-U**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

**[REG-142299-01 and REG-209135-88]**

**RINS 1545-BA36 and 1545-AW92**

**Certain Transfers of Property to Regulated Investment Companies and Real Estate Investment Trusts; Hearing**

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

**ACTION:** Notice of public hearing on proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document contains a notice of public hearing on proposed rulemaking by cross-reference to temporary regulations relating to certain transfers of property to regulated investment companies and real estate investment trusts.

**DATES:** The public hearing is being held on May 1, 2002, at 10 a.m. The IRS must

receive outlines of the topics to be discussed at the hearing by April 10, 2002.

**ADDRESSES:** The public hearing is being held in the Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. Due to building security procedures, visitors must enter at the Main entrance, located on Constitution Avenue, NW. In addition, all visitors must present photo identification to enter the building.

*Mail outlines to:* CC:IT&A:RU (REG-142299-01), Room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Hand deliver outlines Monday through Friday between the hours of 8 a.m. and 5 p.m. to: CC:IT&A:RU (REG-142299-01), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. Submit outlines electronically via the Internet by selecting the "Tax Regs" option on the IRS Home Page, or by submitting them directly to the IRS Internet site at [http://www.irs.gov/tax\\_regs/reglist.html](http://www.irs.gov/tax_regs/reglist.html).

**FOR FURTHER INFORMATION CONTACT:** Concerning the regulations, Lisa Fuller, (202) 622-7750; concerning submissions of comments, the hearing, and/or to be placed on the building access list to attend the hearing, Donna Poindexter (202) 622-7180 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is the notice of proposed rulemaking by cross-reference to temporary regulations (REG-142299-01) that was published in