

**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

the **Federal Register** on Wednesday, January 2, 2002 (67 FR 48).

The rules of 26 CFR 601.601(a)(3) apply to the hearing.

Persons who have submitted written comments and wish to present oral comments at the hearing, must submit an outline of the topics to be discussed and the amount of time to be devoted to each topic (signed original and eight (8) copies) by April 10, 2002.

A period of 10 minutes is allotted to each person for presenting oral comments.

After the deadline for receiving outlines has passed, the IRS will prepare an agenda containing the schedule of speakers. Copies of the agenda will be made available, free of charge, at the hearing.

Because of access restrictions, the IRS will not admit visitors beyond the immediate entrance area more than 15 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this document.

**LaNita VanDyke,**

*Acting Chief, Regulations Unit, Associate Chief Counsel (Income Tax and Accounting).*

[FR Doc. 02-894 Filed 1-11-02; 8:45 am]

**BILLING CODE 4830-01-P**

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### 29 CFR Part 2700

#### Procedural Rules

**AGENCY:** Federal Mine Safety and Health Review Commission.

**ACTION:** Notice of proposed rulemaking; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking that proposed adding a new procedural rule setting forth settlement procedures for cases that come before the Federal Mine Safety and Health Review Commission. The new procedures were to be instituted as a pilot program for a two-year trial period. Since the issuance of the notice of proposed rulemaking, the Commission has reevaluated the pilot program and has determined that withdrawal of the notice is appropriate at this time.

**FOR FURTHER INFORMATION CONTACT:**

Norman M. Gleichman, General Counsel, Federal Mine Safety and Health Review Commission, 1730 K Street, NW., 6th Floor, Washington, DC 20006; telephone 202-653-5610 (202-

653-2673 for TDD relay). Telephone numbers are not toll-free.

**SUPPLEMENTARY INFORMATION:** On November 10, 1999, the Commission issued a notice of proposed rulemaking, which proposed amending its procedural rules, 29 CFR part 2700, by adding a new procedural rule setting forth settlement procedures which were intended to facilitate and promote the pre-hearing settlement of contested cases that come before the Commission (64 FR 61236-39). The Commission's procedural rules are currently silent regarding procedures to be utilized by administrative law judges ("ALJs") to facilitate the settlement of contested cases. The procedures used in a given case to foster pre-hearing settlement of disputes have been determined informally by the individual ALJ assigned to the case. The proposed rule, 29 CFR 2700.85, was intended to provide a structured and formal system for settlement, which would be initiated by the appointing of a settlement judge on the motion of any party or on the chief administrative law judge's own initiative.

In response to a request by the Department of Labor's Office of the Solicitor, the Commission extended the comment period on the proposed rule for 30 days. 64 FR 68649 (Dec. 8, 1999). The Commission subsequently received comments suggesting, in part, that the settlement procedures should be initiated with the consent of all parties. In considering those comments, the Commission further examined the percentage of cases that settled and the length of time it took to reach settlement under the current informal system. Based upon that examination, the Commission has reconsidered the utility of a formal settlement system at the present time, and shall further evaluate the best means of effectuating the consensual resolution of disputes.

Withdrawal of the notice of proposed rulemaking constitutes only such action, and does not preclude the Commission from issuing another notice in the future, nor does it commit the Commission to any course of action in the future.

#### Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, or the Regulatory Flexibility Act (5 U.S.C. 601-612).

#### List of Subjects in 29 CFR Part 2700

Hearing and appeal procedures, Administrative practice and procedure, Ex parte communications, Lawyers.

## Withdrawal of Notice of Proposed Rulemaking

Accordingly, the notice of proposed rulemaking that was published by the Commission in the **Federal Register** on November 10, 1999 (64 FR 61236-39) is withdrawn.

Dated: January 7, 2002.

**Theodore F. Verheggen,**

*Chairman.*

[FR Doc. 02-800 Filed 1-11-02; 8:45 am]

**BILLING CODE 6735-01-P**

## DEPARTMENT OF DEFENSE

### National Reconnaissance Office

#### 32 CFR Part 326

#### NRO Privacy Act Program

**AGENCY:** National Reconnaissance Office, DoD.

**ACTION:** Proposed rule.

**SUMMARY:** The National Reconnaissance Office (NRO) is proposing to exempt one Privacy Act system of records. The system of records is QNRO-21, Personnel Security Files. The exemptions are intended to increase the value of the systems of records for law enforcement purposes and to protect the privacy of individuals identified in the systems of records. The National Reconnaissance Office is proposing to exempt those records contained in this Privacy Act system of records when an exemption has been previously claimed for the records in another Privacy Act system of records. The exemption is intended to preserve the exempt status of the record when the purposes underlying the exemption for the original records are still valid and necessary to protect the contents of the records. The NRO is also proposing to exempt one Privacy Act system of records. The system of records is QNRO-19, Customer Security Services Personnel Security Files. The exemptions are intended to increase the value of the systems of records for law enforcement purposes, to comply with prohibitions against the disclosure of certain kinds of information, and to protect the privacy of individuals identified in the systems of records. The NRO is moving part 326 from subchapter P to subchapter O—Privacy Program.

**DATES:** Comments must be received by March 15, 2002, to be considered by the agency.

**ADDRESSES:** National Reconnaissance Office, Information Access and Release