occurs first, perform a detailed visual inspection to detect certain discrepancies of the locking indication system on the drag strut jack on the MLG, in accordance with Messier-Dowty Technical Instruction No. 20403, Issue 2, dated March 1998. Prior to reassembling the parts, replace all the seals and backup rings with new parts, in accordance with the Technical Instruction.

(1) If no corrosion is found on either plunger, prior to further flight, inspect for the free displacement of both plungers, in accordance with the Technical Instruction.

(i) If the displacement of both plungers is free without any hard points, repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 72 months.

(ii) If the displacement of either plunger is not free, prior to further flight, replace the plunger with a new plunger, in accordance with the Technical Instruction. Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 72 months.

(2) If corrosion is found on either plunger, prior to further flight, replace the plunger with a new plunger, in accordance with the Technical Instruction. Repeat the inspection thereafter at intervals not to exceed 72 months.

(3) If no corrosion, marking, binding, or peening is found on any disassembled part removed from the stacking, other than the plungers, repeat the inspection thereafter at intervals not to exceed 72 months.

(4) If any corrosion, marking, binding or peening is found on any disassembled parts removed from the stacking, other than the plungers, prior to further flight, replace the part with a new part, in accordance with the Technical Instruction. Repeat the inspection thereafter at intervals not to exceed 72 months.

**Note 2:** For the purposes of this AD, a detailed visual inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

**Alternative Methods of Compliance**

(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, International Branch, ANM–116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

**Special Flight Permits**

(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 airplane to a location where the requirements of this AD can be accomplished.

**Note 4:** The subject of this AD is addressed in French airworthiness directive 98–179–021(B), dated May 6, 1998.

Issued in Renton, Washington, on September 3, 1999.

**Dorenda D. Baker,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99–23621 Filed 9–9–99; 8:45 am]

BILLING CODE 4910–13–P

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## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

**[Docket No. 98–NM–312–AD]**

**RIN 2120–AA64**

## Airworthiness Directives; Cessna Model 560 Series Airplanes

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

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

**SUMMARY:** This document proposes the supersedure of an existing airworthiness directive (AD), applicable to certain Cessna Model 560 series airplanes, that currently requires revising the FAA-approved Airplane Flight Manual (AFM) to provide the flightcrew with limitations, operational procedures, and performance information to be used during approach and landing when residual ice is present or can be expected. That action was prompted by reports indicating that, while operating in icing conditions or when ice is on the wings, some of these airplanes have experienced uncommanded roll at (or slightly higher than) the speed at which the stall warning system is activated. This action would require revising the AFM and would revise the applicability of the existing AD. This action also would require modification of the stall warning system of the angle-of-attack computer. The actions specified by the proposed AD are intended to prevent uncommanded roll of the airplane during approach and landing when residual ice is present or can be expected.

**DATES:** Comments must be received by October 25, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–312–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Cessna Aircraft Co., P.O. Box 7706, Wichita, Kansas 67277. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas.

**FOR FURTHER INFORMATION CONTACT:** Carlos Blacklock, Aerospace Engineer, Flight Test and Program Management Branch, ACE–117W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4166; fax (316) 946–4407.

**SUPPLEMENTARY INFORMATION:**

### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 98–NM–312–AD.'' The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–312–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

**Discussion**

On November 29, 1996, the FAA issued AD 96–24–06, amendment 39–9844 (61 FR 64456, December 5, 1996), applicable to certain Cessna Model 560 series airplanes, to require revising the FAA-approved Airplane Flight Manual (AFM) to provide the flightcrew with limitations, operational procedures, and performance information to be used during approach and landing when residual ice is present or can be expected. That action was prompted by reports indicating that, while operating in icing conditions or when ice is on the wings, some of these airplanes have experienced uncommanded roll at (or slightly higher than) the speed at which the stall warning system is activated. The requirements of that AD are intended to prevent uncommanded roll of the airplane during approach and landing when residual ice is present or can be expected.

**Actions Since Issuance of Previous Rule**

In the preamble of AD 96–24–06, the FAA indicated that the actions required by that AD were considered ''interim action'' and that further rulemaking action was being considered. The FAA now has determined that further rulemaking action is indeed necessary; this AD follows from that determination.

The manufacturer has developed a modification to the stall warning system of the angle-of-attack computer, which will increase the stall warning margin during flight in icing conditions. Additionally, the manufacturer has made changes to the AFM, which provide limitations, operational procedures, and performance information to be used during approach and landing when residual ice is present or can be expected.

**Explanation of Relevant Service Information**

The FAA has reviewed and approved Cessna Model 560 Citation V Ultra, AFM Revision 7, dated July 16, 1998, and Cessna Model 560 Citation V, AFM Revision 11, dated July 16, 1998. These AFM revisions provide the flightcrew with limitations, operational procedures, and performance information to be used during approach and landing when residual ice is present or can be expected.

The FAA also has reviewed and approved Cessna Service Bulletins SB560–34–69, Revision 2, dated July 24, 1998, and SB560–34–70, dated July 14, 1998. These service bulletins describe procedures for modification of the stall warning system of the angle-of-attack computer. This modification involves replacing the angle-of-attack computer with a new, improved computer and installing related wiring. Accomplishment of the action specified in the applicable service bulletin and AFM is intended to adequately address the identified unsafe condition.

**Explanation of Requirements of Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede all the requirements of AD 96–24–06. This proposed AD would require revising the AFM and would revise the applicability of the existing AD to exclude certain airplanes on which the modification was accomplished during manufacturing. This action also would require modification of the stall warning system of the angle-of-attack computer. The actions would be required to be accomplished in accordance with the applicable service bulletin and revision to the AFM described previously.

**Cost Impact**

There are approximately 437 airplanes of the affected design in the worldwide fleet. The FAA estimates that 327 airplanes of U.S. registry would be affected by this proposed AD.

For all airplanes, the new AFM revision that is proposed in this AD action would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the AFM revision proposed by this AD on U.S. operators is estimated to be $19,620, or $60 per airplane.

For airplanes listed in Cessna Service Bulletin SB560–34–69, the new modification that is proposed in this AD action would take approximately 40 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts would cost approximately $8,036 per airplane. Based on these figures, the cost impact of the modification proposed by this AD on U.S. operators is estimated to be $10,436 per airplane.

For airplanes listed in Cessna Service Bulletin SB560–34–70, the new modification that is proposed in this AD action would take approximately 40 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts would cost approximately $7,762 per airplane. Based on these figures, the cost impact of the modification proposed by this AD on U.S. operators is estimated to be $10,162 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

**Regulatory Impact**

The regulations proposed herein would not 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 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 removing amendment 39–9844 (61 FR

64456, December 5, 1996), and by adding a new airworthiness directive (AD), to read as follows:

**Cessna Aircraft Company:** Docket 98–NM–312–AD. Supersedes AD 96–24–06, Amendment 39–9844.

*Applicability:* Model 560 series airplanes having serial numbers (S/N) 560–0001 through 560–0437 inclusive; certificated in any category.

**Note 1:** This AD applies to each airplane 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 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 (d) 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 the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent uncommanded roll of the airplane during approach and landing when residual ice is present or can be expected, accomplish the following:

**Airplane Flight Manual (AFM) Revisions**

(a) Within 10 days after the effective date of this AD, revise the FAA-approved AFM; to provide the flightcrew with limitations, operational procedures, and performance information to be used during approach and landing when residual ice is present or can be expected; in accordance with the applicable revision of the AFM specified in paragraph (a)(1) or (a)(2) of this AD.

(1) For airplanes having S/N's 560–0001 through 560–0259 inclusive: AFM Model 560 Citation V, Revision 11, dated July 16, 1998.

(2) For airplanes having S/N's 560–0260 through 560–0437 inclusive: AFM Model 560 Citation V Ultra, Revision 7, dated July 16, 1998.

**Modification**

(b) Within 6 months after the effective date of this AD, modify the stall warning system of the angle-of-attack computer of the navigational system, in accordance with paragraph (b)(1) or (b)(2), as applicable, of this AD.

(1) For airplanes having S/N's 560–0001 through 560–0055 inclusive: Modify in accordance with Cessna Service Bulletin SB560–34–70, dated July 14, 1998.

(2) For airplanes having S/N's 560–0056 through 560–0437 inclusive: Modify in accordance with Cessna Service Bulletin SB560–34–69, Revision 2, dated July 24, 1998.

**Spares**

(c) As of the effective date of this AD, no person shall install on any airplane an angle-of-attack computer having part number C11606–2 or C11606–3.

**Alternative Methods of Compliance**

(d) 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, Wichita Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

**Special Flight Permits**

(e) 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 airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on September 3, 1999.

**Dorenda D. Baker,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99–23620 Filed 9–9–99; 8:45 am]

BILLING CODE 4910–13–P

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## DEPARTMENT OF JUSTICE

## Executive Office for Immigration Review

## 28 CFR Part 16

**[AAG/A Order No. 174–99]**

## Exemption of Records System Under the Privacy Act

**AGENCY:** Executive Office for Immigration Review, Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice proposes to exempt a Privacy Act system of records from subsection (d) of the Privacy Act, 5 U.S.C. 552a. This system of records, the ''Practitioner Complaint/Disciplinary Files,'' (Justice/EOIR–003) may contain information which relates to official Federal investigations and matters of law and regulatory enforcement of the Executive Office for Immigration Review (EOIR). Accordingly, where applicable, the exemptions are necessary to avoid interference with the law and regulatory enforcement functions of EOIR. Specifically, the exemptions are necessary for the following: To prevent subjects of investigations from frustrating the investigatory process; to preclude the disclosure of investigative techniques; to impede the identification of confidential sources and of law and regulatory enforcement personnel, as well as to protect their physical safety; to ensure EOIR's ability to obtain facts from information sources; to protect the privacy of third parties; and to safeguard classified information as required by Executive Order 12958.

**DATES:** Submit any comments by October 12, 1999.

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

**FOR FURTHER INFORMATION CONTACT:** Mary E. Cahill, (202) 307–1823.

**SUPPLEMENTARY INFORMATION:** In the notice section of todays' **Federal Register**, the Department of Justice provides a description of the ''Practitioner Complaint/Disciplinary Files (JUSTICE/EOIR 003).''

**Regulatory Flexibility Act**

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.''

**Executive Order 12988**

The rule complies with the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order No. 12988.

**Executive Order 12866**

The Attorney General has determined that this rule is not a significant regulatory action under Executive Order No. 12966, and accordingly, this rule has not been reviewed by the Office of Management and Budget.

**List of Subjects in Part 16**

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

Dated: August 25, 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 29 CFR part 16 as follows:

## PART 16—[AMENDED]

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