

§ 39.13 [Amended]

2. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

DG Flugzeugbau GMBH: Docket No. 99–CE–89–AD.

(a) *What sailplanes are affected by this AD?* This AD affects Model DG–500MB

sailplanes, all serial numbers equipped with a SOLO 2625 02 engine, that are certificated in any category.

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

(c) *What problem does this AD address?* The actions specified by this AD are intended to correct propeller drive belt tension that

could cause damage to the engine crankshaft and to replace an inadequate circuit breaker. Such failure could lead to engine failure and loss of control of the sailplane.

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

Actions	Compliance time	Procedures
(1) Remove the engine from the propeller mount.	Within the next 25 hours time-in-following service (TIS) after the effective date of this AD.	Do this action following the maintenance manual. Ship engine to the engine manufacturer, SOLO, or a licensed repair station, for modification according to the SOLO Technical Note (TN) 4600–1.
(2) Install additional access holes in the propeller mount.	Before further flight after removing the engine and before installing the modified engine to the propeller mount.	Do this action following drawing 5M102 of DG Flugzeugbau Technical Note 843/13, dated November 3, 1999.
(3) Install the modified engine to the propeller mount.	Before further flight after removing the engine and after the engine modification.	Do this action following the maintenance manual.
(4) Do a ground test run	Before further flight after the previous action ..	Do this action following DG Flugzeugbau Technical Note 843/13, dated November 3, 1999.
(5) Replace the digital engine indicator (DEI) circuit breaker with a new 5 ampere Klixon 7277–2–5A circuit breaker (or FAA-approved equivalent part number).	Before further flight after the previous actions	Do this action following DG Flugzeugbau Technical Note 843/13, dated November 3, 1999.
(6) Do not install any engine that has not been modified following SOLO TN 4600–1.	As of the effective date of this AD	Not Applicable.
(7) Do not install any DEI circuit breaker that is not a 5 ampere Klixon 7277–2–5A circuit breaker (or FAA-approved equivalent part number).	As of the effective date of this AD	Not Applicable.

(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, Small Airplane Directorate, approves your alternative. Send your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 1: This AD applies to each sailplane 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 sailplanes 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 Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; facsimile: (816) 329–4090.

(g) *What if I need to fly the sailplane 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 sailplane 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 DG Flugzeugbau GmbH, Postbox 41 20, D–76646 Bruchsal, Federal Republic of Germany. You may read these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Note 2: The subject of this AD is addressed in German AD 1999–383, dated December 1, 1999.

Issued in Kansas City, Missouri, on December 19, 2000.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

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POSTAL SERVICE

39 CFR Part 266

Privacy Act of 1974; Implementation

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: The Postal Service is proposing to amend its regulations

implementing the Privacy Act of 1974, 5 U.S.C. 552a. This amendment modifies existing regulations (39 CFR 266.9) to exempt system of records, Office of Inspector General-Investigative File System, USPS 300.010, from certain provisions of the Act and corresponding agency regulations.

DATES: Comments must be received on or before January 26, 2001.

ADDRESSES: Written comments should be addressed to the Manager, Finance Administration/FOIA, Postal Service, 475 L’Enfant Plaza SW, Room 8141, Washington, DC 20260–5202. Copies of all written comments will be available Monday through Friday for public inspection and photocopying between 9 a.m. and 4 p.m. at the above address.

FOR FURTHER INFORMATION CONTACT: Gladis Griffith, Legal Director, Office of Inspector General (703) 248–4683.

SUPPLEMENTARY INFORMATION: The Office of Inspector General (OIG) is a component of the Postal Service that performs as one of its principal functions investigations into violations of criminal law in connection with Postal Service programs and operations, pursuant to the Inspector General Act of 1978, as amended, 5 U.S.C. App.3. The OIG Investigative File System falls within the scope of subsections (j)(2), (k)(2), and (k)(5) of the Act.

The Postal Service has exempted certain systems of records that it maintains from specific provisions of the Privacy Act. At the time it adopted the exemptions contained in its Privacy Act regulations (39 CFR 266.9), the Postal Service stated its reason for each exemption in the preamble of the notice of proposed rulemaking (40 FR 37227, August 26, 1975). These reasons were added to the text of § 266.9 by final rule published July 13, 1994 (59 FR 35625). This proposed rule does not change the current application of exemptions, except to apply certain exemptions to the OIG Investigative File System.

List of subjects in 39 CFR Part 266 Privacy.

PART 266—[Amended]

Accordingly, 39 CFR is amended as set forth below:

1. The authority citation for Part 266 continues to read as follows:

Authority: 39 U.S.C. 401; 5 U.S.C. 552a.

2. In § 266.9 revise paragraphs (b)(1)(vii), (b)(2) introducing text, (b)(2)(i), (b)(2)(ii), (b)(2)(iii) and add paragraph (b)(2)(viii) to read as follows:

§ 266.9 Exemptions.

* * * * *

- (b) * * *
- (1) * * *

(vii) Subsection (e)(4)(G) and (H) requires an agency to publish a **Federal Register** notice of its procedures whereby an individual can be notified upon request whether the system of records contains information about the individual, how to gain access to any record about the individual contained in the system, and how to contest its content. Subsection (e)(4)(I) requires the foregoing notice to include the categories of sources in the system.

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(2) Inspection Requirements—Investigative File System, USPS 080.010, Inspection Requirements—Mail Cover Program, USPS 080.020, and Office of Inspector General—Investigative File System, USPS 300.010. These systems of records are exempt from 5 U.S.C. 552a (c)(3) and (4), (d)(1)–(4), (e)(1)–(3), (e)(4) (G) and (H), (e)(5) and (8), (f), (g), and (m). In addition, system 300.010 is exempt from 5 U.S.C. 552a(e)(4)(I). The reasons for exemption follow:

(i) Disclosure to the record subject pursuant to subsections (c)(3), (c)(4), or (d)(1)–(4) could:

(A) Alert subjects that they are targets of an investigation or mail cover by the Postal Inspection Service or an

investigation by the Office of Inspector General;

(B) Alert subjects of the nature and scope of the investigation and of evidence obtained;

(C) Enable the subject of an investigation to avoid detection or apprehension;

(D) Subject confidential sources, witnesses, and law enforcement personnel to harassment or intimidation if their identities were released to the target of an investigation;

(E) Constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation;

(F) Intimidate potential witnesses and cause them to be reluctant to offer information;

(G) Lead to the improper influencing of witnesses, the destruction or alteration of evidence yet to be discovered, the fabrication of testimony, or the compromising of classified material; and

(H) Seriously impede or compromise law enforcement, mail cover, or background investigations that might involve law enforcement aspects as a result of the above.

(ii) Application of subsections (e)(1) and (e)(5) is impractical because the relevance, necessity, or correctness of specific information might be established only after considerable analysis and as the investigation progresses. As to relevance (subsection (1)), effective law enforcement requires the keeping of information not relevant to a specific Postal Inspection Service investigation or Office of Inspector General investigation. Such information may be kept to provide leads for appropriate law enforcement and to establish patterns of activity that might relate to the jurisdiction of the Office of Inspector General, Postal Inspection Service, and/or other agencies. As to accuracy (subsection (e)(5)), the correctness of records sometimes can be established only in a court of law.

(iii) Application of subsections (e)(2) and (3) would require collection of information directly from the subject of a potential or ongoing investigation. The subject would be put on alert that he or she is a target of an investigation by the Office of Inspector General, or an investigation or mail cover by the Postal Inspection Service, enabling avoidance of detection or apprehension, thereby seriously compromising law enforcement, mail cover, or background investigations involving law enforcement aspects. Moreover, in certain circumstances the subject of an investigation is not required to provide information to investigators, and

information must be collected from other sources.

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(viii) The requirement of subsection (e)(4)(I) does not apply to system 300.010, because identification of record source categories could enable the subject of an investigation to improperly interfere with the conduct of the investigation.

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Stanley F. Mires,

Chief Counsel, Legislative.

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POSTAL SERVICE

39 CFR Part 266

Privacy Act of 1974; Implementation

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: The U.S. Postal Service proposes to amend its regulations implementing the Privacy Act of 1974, 5 U.S.C. 552a. This proposed rule would amend its regulation to exempt a new system of records, USPS 050.080, Finance Records-Suspicious Transaction Reports, from certain provisions of the Privacy Act. The exemptions are intended to comply with legal prohibitions against the disclosure of certain kinds of information, and to protect certain information about individuals maintained in the system of records.

DATES: Comments must be received on or before January 26, 2001.

ADDRESSES: Written comments should be addressed to the Manager, Finance Administration/FOIA, U.S. Postal Service, 475 L'Enfant Plaza SW, room 8141, Washington, DC 20260–5202. Copies of all written comments will be available Monday through Friday for public inspection and photocopying between 9 a.m. and 4 p.m. at the above address.

FOR FURTHER INFORMATION CONTACT: Henry Gibson, (202) 268–4203.

SUPPLEMENTARY INFORMATION: Pursuant to the Bank Secrecy Act, 31 U.S.C. 5318(g), anti-money laundering provisions, and implementing regulations of the U.S. Treasury, 31 CFR Part 103, the Postal Service is required to report to the Department of the Treasury certain suspicious financial transactions that are relevant to a possible violation of law or regulation. Further, the Postal Service is prohibited from notifying any participant in the