

# Proposed Rules

Federal Register

Vol. 70, No. 227

Monday, November 28, 2005

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 TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2002-13524; Airspace Docket No. 02-AWP-07]

#### Proposed Revision of VOR Federal Airway V-257

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

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

**SUMMARY:** This action withdraws the notice of proposed rulemaking (NPRM) published in the **Federal Register** on November 7, 2002 (67 FR 67801). In that action, the FAA proposed to revise Federal Airway V-257 between the Phoenix, AZ, Very High Frequency Omni-directional Radio Range and Tactical Air Navigation Aids (VORTAC) and the Drake, AZ, VORTAC. The FAA has determined that withdrawal of the proposed rule is warranted since the proposed action would require the revision of numerous instrument procedures in the Phoenix area.

**EFFECTIVE DATE:** 0901 UTC, November 28, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:** On November 7, 2002, an NPRM was published in the **Federal Register** proposing to amend 14 Code of Federal Regulations (14 CFR) part 71 to revise Federal Airway V-257 between the Phoenix, AZ, Very High Frequency Omni-directional Radio Range and Tactical Air Navigation Aids (VORTAC) and the Drake, AZ, VORTAC (67 FR 67801). A review of airspace in the Phoenix area revealed that numerous procedures would need to be revised if the revision to Federal Airway V-257

proceeds, therefore the FAA has determined to withdraw the proposed action.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Withdrawal

In consideration of the foregoing, the NPRM for FAA Docket No. FAA-2002-13524, Airspace Docket No. 02-AWP-07, as published in the **Federal Register** on November 7, 2002 (67 FR 67801), is hereby withdrawn.

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

Issued in Washington, DC, on November 17, 2005.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. 05-23307 Filed 11-25-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 31 CFR Part 1

#### Privacy Act of 1974, Proposed Implementation

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Proposed rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, 5 U.S.C. 552a, as amended, the Department of the Treasury gives notice of a proposed amendment to this part to exempt Internal Revenue Service (IRS) system of records, Treasury/IRS 34.022—National Background Investigation Center Management Information System.

**DATES:** Comments must be received no later than December 28, 2005.

**ADDRESSES:** Comments should be submitted to Governmental Liaison and Disclosure, 1111 Constitution Avenue NW., Washington, DC 20224, attention: David Silverman, room 7562. Comments may also be submitted through the Federal rulemaking portal at <http://www.regulations.gov> (follow the instructions for submitting comments). Comments will be made available for inspection at the IRS Freedom of

Information Reading Room, also located at 1111 Constitution Avenue, NW. The telephone number for the Reading Room is (202) 622-5164 (this is not a toll free number).

**FOR FURTHER INFORMATION CONTACT:** Mary Anderson, Program Analyst, (703) 647-5477 (this is not a toll free number).

**SUPPLEMENTARY INFORMATION:** Currently, Treasury/IRS 34.022 is exempt under (j)(2) of the Privacy Act. After careful review, the Internal Revenue Service proposes an amendment to change the basis for the exemption claimed for the system of records from that which is provided under 5 U.S.C. 552a(j)(2) to that which is provided under 5 U.S.C. 552a(k)(5).

The (k)(5) exemption is more appropriate because the investigatory material contained in this system of records is collected and maintained solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information.

Under 5 U.S.C. 552a(k)(5), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the system is investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Thus to the extent that the records in this system can be disclosed without revealing the identity of a confidential source, they are not within the scope of this exemption and are subject to all the requirements of the Privacy Act.

The system of records will be exempt from the following provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5): 5 U.S.C. 552a(c)(3), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f).

The sections of 5 U.S.C. 552a from which the system of records is exempt include in general those providing for