

proposal. No comments were received on the proposal.

Due to the weak navigational signal affecting these proposed routes, they could not pass flight inspection. The FAA is therefore withdrawing this proposed rule.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Withdrawal

In consideration of the foregoing, the Notice of Proposed Rulemaking, Airspace Docket No. 00–AAL–08, as published in the **Federal Register** on February 13, 2001 (66 FR 9990), is hereby withdrawn.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 June 4, 2002.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 02–14687 Filed 6–11–02; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 31 CFR Part 1

#### Privacy Act, Implementation

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

**ACTION:** Proposed rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, the Department of the Treasury gives notice of a proposed amendment to this part to exempt a new Internal Revenue Service (IRS) system of records, the Employee Complaint and Allegation Referral Records, IRS 00.007, from certain provisions of the Privacy Act.

**DATES:** Comments must be received no later than July 12, 2002.

**ADDRESSES:** Please submit comments to the Director, Commissioner's Complaint Processing and Analysis Group, 1111 Constitution Avenue, N:ADC:C, NW., Washington, DC 20224. 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.

**FOR FURTHER INFORMATION CONTACT:** Jim D'Elia, Commissioner's Complaint Processing and Analysis Group, N:ADC:C, 1111 Constitution Avenue,

NW., Washington, DC 20224. Telephone number (202) 622–5212.

**SUPPLEMENTARY INFORMATION:** The Commissioner of the IRS has established a Complaint Processing and Analysis Group in the IRS National Headquarters. The purpose of the Group is (1) to promote public confidence in the integrity of the IRS; (2) to identify and monitor complaints, allegations and other information received concerning current and former IRS employees and IRS contractors; (3) to ensure that the IRS provides a timely and appropriate response to those complaints, allegations and other information; (4) to advise complainants of the status and results of investigations or inquiries conducted as a result of the IRS's receipt of their complaints, and (5) to compile summary reports. The reports will provide non-identifying information about the type of complaints, allegations and resulting actions concerning current and former IRS employees and IRS contractors and will be distributed to IRS and Department of the Treasury executives, managers and employees, the Congress and the public.

Specifically, section 1211 of Public Law 104–168, Taxpayer Bill of Rights 2 (TBOR2), requires that the Secretary of the Treasury submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report of instances involving the misconduct of employees of the IRS. Section 3701 of Public Law 105–206, the IRS Restructuring and Reform Act (RRA) of 1998 requires that the Secretary or the Secretary's delegate maintain records of taxpayer complaints of misconduct by IRS employees on an individual employee basis to prepare the report required by section 1211 of TBOR2.

Under 5 U.S.C. 552a(k)(2), the head of an agency may promulgate rules to exempt a system of records from certain provisions of 5 U.S.C. 552a if the system is investigatory material compiled for law enforcement purposes. To ensure appropriate and complete response to complaints or allegations, the Complaint Processing and Analysis Group will frequently need to forward complaints, allegations, or related information to the Treasury Inspector General for Tax Administration (TIGTA) for investigation to determine if there has been a violation of a rule, regulation, or statute. Copies of the information forwarded to TIGTA will be retained in the Employee Complaint and Allegation Referral Records pending completion of investigation by TIGTA. The results of investigation completed by TIGTA will also be retained in the Employee

Complaint and Allegation Referral Records in accordance with the procedures in Internal Revenue Manual 1.15.2, Records Disposition Handbook.

The IRS is hereby giving notice of a proposed rule to exempt IRS 00.007, Employee Complaint and Allegation Referral Records, from certain provisions of the Privacy Act of 1974 pursuant to 5 U.S.C. 552a(k)(2). The proposed exemption is from provisions 552a (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f) because the system contains investigatory material compiled for law enforcement purposes. The following are the reasons why this system of records maintained by the IRS is exempt pursuant to 5 U.S.C. 552a(k)(2) of the Privacy Act of 1974.

(1) 5 U.S.C. 552a(c)(3). These provisions of the Privacy Act provide for the release of the disclosure accounting required by 5 U.S.C. 552a(c)(1) and (2) to the individual named in the record at his/her request. The reasons for exempting this system of records from the foregoing provisions are:

(i) The release of disclosure accounting would put the subject of an investigation on notice that an investigation exists and that such person is the subject of that investigation.

(ii) Such release would provide the subject of an investigation with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to which disclosure was made. The release of such information to the subject of an investigation would provide the subject with significant information concerning the nature of the investigation and could result in the altering or destruction of documentary evidence, the improper influencing of witnesses, and other activities that could impede or compromise the investigation.

(iii) Release to the individual of the disclosure accounting would alert the individual as to which agencies were investigating the subject and the scope of the investigation and could aid the individual in impeding or compromising investigations by those agencies.

(2) 5 U.S.C. 552a(d), (e)(4)(G), (e)(4)(H), and (f). These provisions of the Privacy Act relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requested access to records, the agency procedures relating to access to records and the content of the information contained in such records and the civil remedies available

to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in record systems. The reasons for exempting this system of records from the foregoing provisions are as follows: To notify an individual at the individual's request of the existence of an investigative file pertaining to such individual or to grant access to an investigative file pertaining to such individual could interfere with investigative and enforcement proceedings; deprive co-defendants of a right to a fair trial or an impartial adjudication; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by such sources; and, disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. The reasons an exemption from this provision has been claimed, are as follows:

(i) Revealing categories of sources of information could disclose investigative techniques and procedures;

(ii) Revealing categories of sources of information could cause sources who supply information to investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality.

(4) 5 U.S.C. 552a(e)(1). This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The reasons for exempting this system of records from the foregoing are as follows:

(i) The IRS will limit the Employee Complaint and Allegation Referral Records to those relevant and necessary for identifying, monitoring, and responding to complaints, allegations and other information received concerning current and former IRS employees and IRS contractors. However, an exemption from the foregoing is needed because, particularly in the early stages of an investigation, it is not possible to determine the relevance or necessity of specific information.

(ii) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when first received may subsequently be determined to be irrelevant or unnecessary. It is only after the

information is evaluated that the relevance and necessity of such information can be established with certainty.

(iii) When information is received by the IRS relating to violations of law within the jurisdiction of other agencies, the IRS processes this information through IRS systems in order to forward the material to the appropriate agencies.

As required by Executive Order 12866, it has been determined that this proposed rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

The regulation will not have a substantial direct effect on the States, on the relationship between the Federal 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 does not have federalism implications under Executive Order 13132.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby certified that these regulations will not significantly affect a substantial number of small entities. The proposed rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department of the Treasury has determined that this proposed rule would not impose new record keeping, application, reporting, or other types of information collection requirements.

List of Subjects in 31 CFR Part 1

Privacy.

Part 1, Subpart C of title 31 of the Code of Federal Regulations is amended as follows:

PART 1—[AMENDED]

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552 as amended. Subpart C also issued under 5 U.S.C. 552a.

2. Section 1.36 paragraph (g)(1)(viii) is amended by adding the following text to the table in numerical order.

§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.

|        |   |                |   |   |
|--------|---|----------------|---|---|
| *      | * | *              | * | * |
| (g)    | * | *              | * |   |
| (1)    | * | *              | * |   |
| (viii) | * | *              | * |   |
|        |   |                |   |   |
| Number |   | Name of system |   |   |

| Number     |       | Name of system                                     |   |   |
|------------|-------|----------------------------------------------------|---|---|
| *          | *     | *                                                  | * | * |
| IRS 00.007 | ..... | Employee Complaint and Allegation Referral Records |   |   |
| *          | *     | *                                                  | * | * |

Dated: May 20, 2002.  
**W. Earl Wright, Jr.,**  
*Chief Management and Administrative Programs Officer.*  
[FR Doc. 02-14745 Filed 6-11-02; 8:45 am]  
**BILLING CODE 4830-11-P**

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 155

[USCG-1998-3417]

RIN 2115-AF60

Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil

**AGENCY:** Coast Guard, DOT.  
**ACTION:** Proposed rulemaking; notice of public meetings.

**SUMMARY:** The Coast Guard announces three public meetings to receive comments on a notice of proposed rulemaking addressing the salvage and marine firefighting requirements for tank vessels transporting oil. The meetings will be held at three locations in order to allow for greater public involvement.

**DATES:** The public meetings will be held at the following locations:

Texas City, TX, July 9, 2002, from 9:30 a.m. to 4:00 p.m.  
Philadelphia, PA, July 17, 2002, from 9:30 a.m. to 4:00 p.m.  
Seattle, WA, July 25, 2002, from 9:30 a.m. to 4:00 p.m.

The meetings may conclude before the allotted time if all matters of discussion have been addressed.

**ADDRESSES:** The public meetings will be held at the following locations:

Texas City, TX—The Texas City/Charles T. Doyle Convention Center, 2010 5th Ave N., Stephen F. Austin Room, Texas City, TX 77590  
Philadelphia, PA—U.S. Coast Guard Marine Safety Office, One Washington Avenue, Multi-Purpose Room, Philadelphia, PA 19147-4395  
Seattle, WA—Henry M. Jackson Federal Building, 915 Second Ave., North Auditorium, Room 3448, Seattle, WA 98174-1067