

this proposed AD and placed it in the AD docket.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by adding the following new AD:

**British Aerospace Regional Aircraft:** Docket No. FAA-2010-0942; Directorate Identifier 2010-CE-049-AD.

#### Comments Due Date

(a) We must receive comments by November 12, 2010.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to British Aerospace Regional Aircraft Models Jetstream Series 3101 and Jetstream Model 3201 airplanes, all serial numbers, certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 32: Landing Gear.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

As a result of the fatigue-testing programme on the Jetstream fatigue test specimen, it has been identified that failure of the undercarriage jack mounting shaft assembly can occur.

This condition, if not corrected, could lead to a Main Landing Gear (MLG) collapse on the ground or during landing and consequently damage to the aeroplane or injury to the occupants.

BAE SYSTEMS have now defined safe life limits for these components.

For the reasons described above, this AD requires the application of safe life limits to these components.

#### Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within 30 days after the effective date of this AD, establish the number of landings accumulated since installation of each left and right main landing gear radius rod mounting shaft assemblies following paragraph 2.(A) of BAE Systems British Aerospace Jetstream Series 3100 & 3200

Service Bulletin 05-JA090143, dated April 30, 2009.

(2) Replace the left and right main landing gear radius rod mounting shaft assembly with an airworthy assembly following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA990142, dated March 26, 1999, within the following:

(i) *For Model Jetstream Series 3101:* Within 38,220 total landings accumulated on each main landing gear radius rod mounting shaft assembly or within 1,000 landings after the effective date of this AD, whichever occurs later; and

(ii) *For Model Jetstream Model 3201:* Within 31,038 total landings accumulated on each main landing gear radius rod mounting shaft assembly or within 1,000 landings after the effective date of this AD, whichever occurs later.

(3) After replacing each main landing gear radius rod mounting shaft assembly as required by paragraph (f)(2) of this AD, repetitively thereafter replace each assembly with an airworthy assembly at intervals not to exceed the following life limits:

(i) *For Model Jetstream Series 3101:* Within 38,220 total landings; and

(ii) *For Model Jetstream Model 3201:* Within 31,038 total landings.

(4) For operators that do not have landing records, determine the number of landings by multiplying the number of hours time-in-service (TIS) accumulated on each main landing gear radius rod mounting shaft assembly by 0.75. For the purpose of this AD:

(i) 1,000 landings equals 1,333 hours TIS;

(ii) 31,038 landings equals 41,384 hours TIS; and

(iii) 38,220 landings equals 50,960 hours TIS.

(5) Compliance with the life limits set in paragraph (f)(3) of this AD may be done by incorporating these limits into the limitations section of the aircraft maintenance manual. You may do this by inserting a copy of this AD into the limitations section of aircraft maintenance manual.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4138; *fax:* (816) 329-4090; *e-mail:* [taylor.martin@faa.gov](mailto:taylor.martin@faa.gov). Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective

actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2010-0162, dated August 4, 2010; BAE Systems British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 05-JA090143, dated April 30, 2009; and British Aerospace Regional Aircraft British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA990142, dated March 26, 1999, for related information.

Issued in Kansas City, Missouri, on September 21, 2010.

**Patrick R. Mullen,**

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

[FR Doc. 2010-24180 Filed 9-24-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1, 31, 40, and 301

[REG-153340-09]

RIN 1545-BJ13

#### Electronic Funds Transfer of Depository Taxes; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document cancels a public hearing on proposed regulation relating to Federal tax deposits (FTDs) by Electronic Funds Transfer (EFT). The proposed regulations affect all taxpayers that currently use FTD coupons.

**DATES:** The public hearing, originally scheduled for September 27, 2010 at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Regina Johnson of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Thursday, August

26, 2010, (75 FR 52485) announced that a public hearing was scheduled for September 27, 2010 at 10 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 7430 of the Internal Revenue Code.

The public comment period for these regulations expired on September 22, 2010. Outlines of topics to be discussed at the hearing were due on September 20, 2010. The notice of proposed rulemaking and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak, and an outline of the topics to be addressed. As of Wednesday, September 22, 2010, no one has requested to speak. Therefore, the public hearing scheduled for September 27, 2010, is cancelled.

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief  
Counsel.*

[FR Doc. 2010-24155 Filed 9-24-10; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 199

[DOD-2009-HA-0175]

RIN 0720-AB38

#### **TRICARE: Elimination of Copayments for Authorized Preventive Services for Certain TRICARE Standard Beneficiaries**

**AGENCY:** Office of the Secretary, Department of Defense.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule implements Section 711 of the Duncan Hunter National Defense Authorization Act (NDAA) for Fiscal Year 2009 (FY 2009). Section 711 eliminates copayments for authorized preventive services for TRICARE Standard beneficiaries other than Medicare-eligible beneficiaries. This proposed rule also realigns the covered preventive services listed in the Exclusions section of the TRICARE regulation to the Special Benefits section in the regulation.

**DATES:** Written comments received at the address indicated below by November 26, 2010 will be accepted.

**ADDRESSES:** You may submit comments, identified by docket number or Regulatory Information Number (RIN)

and title, by any of the following methods:

*Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, District of Columbia 20301-1160.

*Instructions:* All submissions received must include the agency name and docket number or RIN for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Ms. Joy Saly, Medical Benefits and Reimbursement Branch, TRICARE Management Activity, telephone (303) 676-3742.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

TRICARE currently covers those preventive services authorized by statute for all TRICARE Standard beneficiaries. The NDAA for FY 1996 (Pub. L. 104-106) and NDAA FY 1997 (Pub. L. 104-201) provided authority for such care. Although beneficiaries enrolled in TRICARE Prime receive preventive services with no copayment requirement, prior to enactment of Section 711 of the Duncan Hunter NDAA FY 2009 (Pub. L. 110-417), TRICARE Standard beneficiaries who received preventive care were required to pay a cost-share. For further information on TRICARE, to include preventive services covered under TRICARE Prime and TRICARE Standard, and cost-shares, please visit <http://www.tricare.mil>.

##### **II. Section 711 of the Duncan Hunter NDAA for FY 2009**

This proposed rule implements section 711 of the Duncan Hunter NDAA for FY 2009. The language in Section 711 reads as follows:  
**SEC. 711. WAIVER OF CO-PAYMENTS FOR PREVENTIVE SERVICES FOR CERTAIN TRICARE BENEFICIARIES.**

(a) Waiver of Certain Co-payments—Subject to subsection (b) and under regulations prescribed by the Secretary of Defense, the Secretary shall—

(1) Waive all co-payments under sections 1079(b) and 1086(b) of title 10, United States Code, for preventive services for all beneficiaries who would otherwise pay copayments; and

(2) Ensure that a beneficiary pays nothing for preventive services during a year even if the beneficiary has not paid the amount necessary to cover the beneficiary's deductible for the year.

(b) Exclusion for Medicare-Eligible Beneficiaries—Subsection (a) shall not apply to a medicare-eligible beneficiary.

(c) Refund of Co-payments—

(1) Authority—Under regulations prescribed by the Secretary of Defense, the Secretary may pay a refund to a medicare-eligible beneficiary excluded by subsection (b), subject to the availability of appropriations specifically for such refunds, consisting of an amount up to the difference between—

(A) The amount the beneficiary pays for copayments for preventive services during Fiscal Year 2009; and

(B) The amount the beneficiary would have paid during such fiscal year if the copayments for preventive services had been waived pursuant to subsection (a) during that year.

(2) Co-payments Covered—The refunds under paragraph (1) are available only for copayments paid by medicare-eligible beneficiaries during Fiscal Year 2009.

(d) Definitions—In this section:

(1) Preventive Services—The term “preventive services” includes, taking into consideration the age and gender of the beneficiary:

- (A) Colorectal screening.
- (B) Breast screening.
- (C) Cervical screening.
- (D) Prostate screening.
- (E) Annual physical exam.
- (F) Vaccinations.

(G) Other services as determined by the Secretary of Defense.

(2) Medicare-Eligible—The term “medicare-eligible” has the meaning provided by section 1111(b) of Title 10, United States Code.

##### **III. General**

This language requires all co-payments to be eliminated for authorized preventive services for certain TRICARE Standard beneficiaries who would otherwise pay co-payments and that certain TRICARE Standard beneficiaries pay nothing for the preventive services during a year, even if the beneficiary has not paid the amount necessary to cover the beneficiary's deductible for the year. The language does not expand coverage of preventive services not otherwise authorized by law under the TRICARE preventive care benefit.

##### **IV. Medicare-Eligible Beneficiaries**

Section 711 specifically states that elimination of the co-payment shall not