

operating and maintenance records to insure their accuracy.

For engines lacking complete, accurate time-in-service (TIS) and operating records, the time remaining on life-limited parts is considered unknown, therefore, such parts are considered unairworthy and must be removed from service. For those engines having accurate TIS and service history records, the applicant must develop a conversion factor(s) to convert TIS of past engine usage in military service to the equivalent civil engine cycles which includes cumulative partial cycles. The procedure for such conversions must be submitted to and approved by the FAA. The applicant must use the published life limit in civil engine manuals for all life-limited engine hardware to establish the remaining cycles. If applicable, the applicant must also develop procedures approved by the FAA to account for anticipated additional life to be consumed from other aircraft operating modes, such as external load and repetitive heavy lift operations, that are not considered in the published life in the civil engine manuals.

5. Continued Airworthiness

The applicant will be required to provide Instructions for Continued Airworthiness in accordance with 14 CFR 33.4. The type certificate holder must report failures, malfunctions, and defects; support required design changes; and maintain records concerning the continued airworthiness of the engines in accordance with 14 CFR Parts 21, 33, and 43.

6. Identification Marking

The existing military identification marking (data plate) shall remain attached to the engine. A supplemental data plate, in compliance with the requirements of part 45, will be used to further identify the engine.

7. Airworthiness Directives (AD's)

The type certificate holder must comply with all FAA AD's pertaining to the equivalent civil engine and with certain military Time Compliance Technical Orders (i.e., the military equivalent to AD's) that are approved by the FAA for the engine.

8. Overhaul

The engine must be newly overhauled, in accordance with the current civil engine model overhaul manual(s), by a maintenance facility certificated by the FAA to perform such overhauls.

Issued in Fort Worth, Texas on September 22, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-25452 Filed 9-29-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-80-AD; Amendment 39-11342; AD 99-20-12]

RIN 2120-AA64

Airworthiness Directives; MD Helicopters Inc. Model 369D, D369E, 369FF, 500N, and 600N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to MD Helicopters, Inc. Model 369D, 369E, 369FF, 500N, and 600 N helicopters, that requires replacing the oil cooler blower bracket (bracket). This amendment is prompted by three reports of cracked brackets. The actions specified by this AD are intended to prevent failure of a bracket, loss of cooling of engine oil and transmission oil, and subsequent forced landing.

EFFECTIVE DATE: November 4, 1999.

FOR FURTHER INFORMATION CONTACT: Bruce Conze, Aerospace Engineer, FAA, Los Angeles Aircraft, Certification Office, 3960 Paramount Blvd, Lakewood, California 90712, telephone (562) 627-5261, fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to MD Helicopters Inc. Model 369D, 369E, 369FF, 500N, and 600N helicopters was published in the **Federal Register** on June 23, 1999 (64 FR 33447). That action proposed to require replacing the bracket.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 100 helicopters of U.S. registry will be affected by this AD, that it will take

approximately 2.5 work hours per helicopter to replace the bracket, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$225 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$37,500.

The regulations adopted therein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 adding a new airworthiness directive to read as follows:

AD 99-20-12 MD Helicopters, Inc. (MDHI): Amendment 39-11342. Docket No. 98-SW-80-AD.

Applicability: Model 369D, 369E, 369FF, 500N, and 600N helicopters, with oil cooler blower bracket (bracket), part number (P/N)

369F5190-1, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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 (b) 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 within 100 hours time-in-service, unless accomplished previously.

To prevent failure of a bracket, loss of cooling of engine oil and transmission oil, and a subsequent forced landing, accomplish the following:

(a) Remove the bracket, P/N 369F5190-1, and replace it with an airworthy bracket P/N 369F5194-1.

(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, Los Angeles Aircraft Certification Office. Operators shall submit their request through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this Ad, if any, may be obtained from the Los Angeles Aircraft Certification Office.

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

(d) This amendment becomes effective on November 4, 1999.

Issued in Fort Worth, Texas, on September 22, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-25375 Filed 9-29-99; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8825]

RIN 1545-AU33

Regulations Under Section 382 of the Internal Revenue Code of 1986; Application of Section 382 in Short Taxable Years and With Respect to Controlled Groups; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to TD 8825, which was published in the **Federal Register** on Friday, July 2, 1999 (64 FR 36175). These regulations relate to limitations on net operating loss carryovers and certain built-in losses following an ownership change of a corporation.

EFFECTIVE DATE: July 2, 1999.

FOR FURTHER INFORMATION CONTACT: Lee A. Kelley at (202) 622-7550 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections are under section 382 of the Internal Revenue Code.

Need for Correction

As published, TD 8825 contains errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of the final regulations (TD 8825), which are the subject of FR Doc. 99-16163, is corrected as follows:

1. On page 36177, column 2, instructional paragraph 2, the language “**Par 2.** Section 382-1 is amended by” is corrected to read “**Par. 2.** Section 1.382-1 is amended by:”.

2. On page 36177, column 3, the section heading “§ 1.382-2 [Amended]” is corrected to read “§ 1.382-2 [Amended]”.

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 99-25233 Filed 9-29-99; 8:45 am]

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DEPARTMENT OF DEFENSE

DEPARTMENT OF TRANSPORTATION

Coast Guard

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AI31

Advance Payments and Lump-Sum Payments of Educational Assistance; Miscellaneous Nonsubstantive Changes

AGENCIES: Department of Defense, Department of Transportation (Coast Guard), and Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the educational assistance regulations dealing with the advance payment and lump-sum payment of educational assistance. We are amending these regulations by removing provisions that no longer apply and by making other changes for the purpose of clarification. This will make these regulations easier to use. In addition, this document makes nonsubstantive changes for the purpose of clarification in the educational assistance regulations concerning eligibility for the Montgomery GI Bill—Active Duty program.

DATES: *Effective Date:* September 30, 1999.

FOR FURTHER INFORMATION CONTACT: William G. Susling, Jr., Education Adviser, Education Service, Veterans Benefits Administration, 202-273-7187.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 20, 1998 (63 FR 27701), the Department of Veterans Affairs (VA), the Department of Defense (DOD), and the Department of Transportation (Coast Guard) proposed amending the educational assistance regulations concerning advance payments and lump-sum payments of educational assistance. We proposed removing obsolete provisions and clarifying other provisions.

Interested persons were given 60 days in which to submit comments to VA. We received no comments. Based on the rationale set forth in the proposed rule and this document, the provisions of the proposed rule are adopted without change, except that nonsubstantive changes are made for the purpose of clarification and authority citations are changed.

DOD and VA are jointly issuing this final rule insofar as it relates to the Post-