

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]

BILLING CODE 4910-13-M

## 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]

BILLING CODE 4830-01-P

## 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-

Vietnam Era Veterans' Educational Assistance program. This program is funded by DOD and administered by VA. DOD, the Department of Transportation (Coast Guard), and VA are jointly issuing this final rule insofar as it relates to the Montgomery GI Bill—Selected Reserve. This program is funded by DOD and the Coast Guard, and is administered by VA. VA alone is issuing the remainder of this final rule.

#### Paperwork Reduction Act

The collection of information contained in this final rule in 38 CFR 21.4138(a) has been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501–3520) and has been assigned OMB control number 2900–0604. The collection of information implements a statutory provision that mandates that an individual who wishes to receive an advance payment of educational assistance must ask for it. We received no comments on the proposed collection of information.

OMB assigns a control number for each collection of information it approves. VA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number assigned to the collection of information in this final rule is displayed at the end of the affected section of the regulations.

#### Administrative Procedure Act

Under 5 U.S.C. 553, there is a basis for dispensing with a 30-day delay of the effective date since the changes made by this final rule are nonsubstantive.

#### Executive Order 12866

This final rule has been reviewed by OMB under Executive Order 12866.

#### Regulatory Flexibility Act

The signers of this document hereby certify that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The adoption of this final rule does not make substantive changes. It removes provisions that no longer apply and makes other changes for purposes of clarification.

The Catalog of Federal Domestic Assistance numbers for programs affected by this final rule are 64.117, 64.120, and 64.124. The final rule will also affect the Montgomery GI Bill—Selected Reserve for which there is no

Catalog of Federal Domestic Assistance number.

#### List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs-education, Grant programs-veterans, Health care, Loan programs-education, Loan programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: March 25, 1999.

**Togo D. West, Jr.,**

*Secretary of Veterans Affairs.*

Approved: April 29, 1999.

**Curtis B. Taylor,**

*Colonel, U.S. Army, Principal Director, (Military Personnel Policy)*

*Department of Defense.*

Approved: May 27, 1999.

**F. L. Ames**

*Read Admiral, U.S. Coast Guard, Assistant Commandant For Human Resources.*

For the reasons set out in the preamble, 38 CFR part 21 is amended as set forth below.

### PART 21—VOCATIONAL REHABILITATION AND EDUCATION

#### Subpart D—Administration of Educational Assistance Programs

1. The authority citation for subpart D is revised to read as follows:

**Authority:** 10 U.S.C. 2141 note, ch. 1606; 38 U.S.C. 501(a), 38 U.S.C. chs. 30, 32, 34, 35, 36, unless otherwise noted.

2. In § 21.4138, the introductory text is removed; paragraphs (c) and (d) are removed and reserved; paragraphs (a) and (b) are revised; and a parenthetical is added to the end of the section, to read as follows:

#### § 21.4138 Certifications and release of payments.

(a) *Advance payments.* (1) VA will make payments of educational assistance in advance when:

(i) The veteran, servicemember, reservist, or eligible person has specifically requested such a payment;

(ii) The student is enrolled for half time or more;

(iii) The educational institution at which the veteran, servicemember, reservist, or eligible person is accepted or enrolled has agreed to and can satisfactorily carry out the provisions of

38 U.S.C. 3680(d)(4)(B) and (C) and (5) pertaining to receipt, delivery, or return of checks and certifications of delivery and enrollment;

(iv) The Director of the VA field facility of jurisdiction has not acted under paragraph (a)(4) of this section to prevent advance payments being made to the veteran's, servicemember's, reservist's, or eligible person's educational institution;

(v) There is no evidence in the veteran's, servicemember's, reservist's, or eligible person's claim file showing that he or she is not eligible for an advance payment;

(vi) The period for which the veteran, servicemember, reservist, or eligible person has requested a payment either—

(A) Is preceded by an interval of nonpayment of 30 days or more; or

(B) Is the beginning of a school year that is preceded by a period of nonpayment of 30 days or more; and

(vii) The educational institution or the veteran, servicemember, reservist, or eligible person has submitted the certification required by § 21.7151.

(2) The amount of the advance payment to a veteran, reservist, or eligible person is the educational assistance for the month or fraction thereof in which the term or course will begin plus the educational assistance for the following month. The amount of the advance payment to a servicemember is the amount payable for the entire term, quarter, or semester, as applicable.

(3) VA will mail advance payments to the educational institution for delivery to the veteran, servicemember, reservist, or eligible person. The educational institution will not deliver the advance payment check more than 30 days in advance of the first date of the period for which VA makes the advance payment.

(4) The Director of the VA field station of jurisdiction may direct that advance payments not be made to individuals attending an educational institution if:

(i) The educational institution demonstrates an inability to comply with the requirements of paragraph (a)(3) of this section;

(ii) The educational institution fails to provide adequately for the safekeeping of the advance payment checks before delivery to the veteran, servicemember, reservist, or eligible person or return to VA; or

(iii) The Director determines, based on compelling evidence, that the educational institution has demonstrated its inability to discharge its responsibilities under the advance payment program.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3034, 3680(d))

(b) *Lump-sum payments.* A lump-sum payment is a payment of all educational assistance due for an entire quarter, semester, or term. VA will make a lump-sum payment to:

(1) A veteran or servicemember pursuing a program of education at less than the half-time rate under 38 U.S.C. chapter 30;

(2) A servicemember pursuing a program of education at the half-time rate or greater under 38 U.S.C. chapter 30, provided that VA did not make an advance payment to the servicemember for the term for which a lump-sum payment would otherwise be due; and

(3) An eligible person pursuing a program of education at less than the half-time rate under 38 U.S.C. chapter 35.

(Authority: 38 U.S.C. 3034(c), 3680(f))

\* \* \* \* \*

(The Office of Management and Budget has approved the information collection requirements in this section under control number 2900-0604)

#### Subpart G—Post-Vietnam Era Veterans' Educational Assistance Under 38 U.S.C. Chapter 32

3. The authority citation for part 21, subpart G continues to read as follows:

**Authority:** 38 U.S.C. 501(a), chs. 32, 36, unless otherwise noted.

4. Section 21.5135 is revised to read as follows:

##### § 21.5135 Advance payments.

VA will apply the provisions of § 21.4138(a) in making advance payments to veterans and servicemembers.

(Authority: 38 U.S.C. 3241, 3680)

#### Subpart K—All Volunteer Force Educational Assistance Program (Montgomery GI Bill—Active Duty)

5. The authority citation for part 21, subpart K continues to read as follows:

**Authority:** 38 U.S.C. 501(a), chs. 30, 36, unless otherwise noted.

6. The heading of § 21.7040 is revised to read as follows:

##### § 21.7040 Categories of basic eligibility.

7. The heading of § 21.7042 and the parenthetical at the end of the section are revised to read as follows:

##### § 21.7042 Basic eligibility requirements.

\* \* \* \* \*

(The Office of Management and Budget has approved the information collection requirements in this section under control number 2900-0594)

8. In § 21.7140, paragraph (b) is removed; paragraphs (c), (d), (e), (f), and (g) are redesignated as paragraphs (b), (c), (d), (e), and (f), respectively; and paragraph (a) is revised, to read as follows:

##### § 21.7140 Certifications and release of payments.

(a) *Advance payments and lump-sum payments.* VA will apply the provisions of § 21.4138(a) and (b) in making advance payments and lump-sum payments to veterans and servicemembers.

(Authority: 38 U.S.C. 3034 and 3680)

\* \* \* \* \*

#### Subpart L—Educational Assistance for Members of the Selected Reserve

9. The authority citation for part 21, subpart L is revised to read as follows:

**Authority:** 10 U.S.C. ch. 1606; 38 U.S.C. 501(a), 512, ch. 36, unless otherwise noted.

10. In § 21.7640, the authority citations for paragraphs (b), (c), (e), and (f) are amended by removing “; Pub. L. 98-525”; paragraph (e) is amended by removing “paragraph (d) of this section” and adding, in its place, “§ 21.4138(a)”; and paragraph (d) is revised to read as follows:

##### § 21.7640 Release of payments.

\* \* \* \* \*

(d) *Advance payments.* VA will apply the provisions of § 21.4138(a) in making advance payments to reservists.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3680)

\* \* \* \* \*

[FR Doc. 99-25284 Filed 9-29-99; 8:45 am]

BILLING CODE 8320-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 198-0175a; FRL-6445-6]

#### Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Luis Obispo County Air Pollution Control District, South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action on revisions to the California State Implementation Plan. The revisions concern the rescission of rules from the San Luis Obispo County Air

Pollution Control District (SLOCAPCD) and the South Coast Air Quality Management District (SCAQMD). The intended effect of this action is to bring the SLOCAPCD and the SCAQMD State Implementation Plans (SIP) up to date in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA is finalizing the approval of these revisions from the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards, and plan requirements for nonattainment areas.

**DATES:** This rule is effective on November 29, 1999, without further notice, unless EPA receives adverse comments by November 1, 1999. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** Written comments must be submitted to Andrew Steckel, Chief, Rulemaking Office, Air Division at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812

San Luis Obispo County Air Pollution Control District 3433 Roberto Court, San Luis Obispo, California 93401

South Coast Air Quality Management District, 21865 East Copley Drive, Diamond Bar, California 91765-4182

**FOR FURTHER INFORMATION CONTACT:** Julie A. Rose, Rulemaking Office, AIR-4, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1184.

#### SUPPLEMENTARY INFORMATION:

##### I. Applicability

The rules being approved for rescission from the California SIP include: SLOCAPCD Rule 102, Compliance by Existing Installation, SLOCAPCD Rule 408, Gasoline Specifications, and SCAQMD Rule 432, Gasoline Specifications. The SLOCAPCD rule rescissions were submitted by the California Air Resources Board (CARB)