

airplane shall be returned to service following such conversion unless the modification required by paragraph (b) of this AD has been accomplished on that airplane.

(g) 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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 3:** Alternative methods of compliance, approved previously in accordance with AD 91-06-06, amendment 39-6921, are not considered to be approved as alternative methods of compliance with this AD.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(h) 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 airplane to a location where the requirements of this AD can be accomplished.

(i) The actions shall be done in accordance with Boeing Service Bulletin 727-53-0072, Revision 5, dated June 1, 1989; and Boeing Document D6-54929, "Aging Airplane Corrosion Prevention and Control Program, Model 727," Revision A, dated July 28, 1989.

(1) The incorporation by reference of Boeing Service Bulletin 727-53-0072, Revision 5, dated June 1, 1989, is approved by the Director of the Federal Register, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Boeing Document D6-54929, "Aging Airplane Corrosion Prevention and Control Program, Model 727," Revision A, dated July 28, 1989, was approved previously by the Director of the Federal Register as of December 31, 1990 (55 FR 49258, November 27, 1990).

(3) Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on December 14, 1998, to all persons except those persons to whom it was made immediately effective by telegraphic AD T98-23-51, issued on November 27, 1998, which contained the requirements of this amendment.

Issued in Renton, Washington, on December 1, 1998.

**John J. Hickey,**

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

[FR Doc. 98-32472 Filed 12-8-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-33-AD; Amendment 39-10936; AD 98-25-10]

RIN 2120-AA64

#### Airworthiness Directives; Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH Seat Restraint Systems

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems, installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft. This action requires an inspection to ensure the locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. This amendment is prompted by the manufacturer reporting two failures of the seat restraint system in the field. The actions specified in this AD are intended to prevent failure of the seat restraint system due to the buckle assembly locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing.

**DATES:** Effective December 24, 1998.

Comments for inclusion in the Rules Docket must be received on or before February 8, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-33-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Rob Romero, Aerospace Engineer, Airplane Certification Office, ASW-150, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5102, fax (817) 222-5960.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD that is applicable to Aircraft Belts, Inc. Model

CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft. This action requires, within 10 hours time-in-service (TIS), a one-time inspection to ensure the locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. This amendment is prompted by manufacturer's reports of two failures of the seat restraint system that occurred in the field. The actions specified in this AD are intended to prevent failure of the seat restraint system due to the buckle assembly locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing.

The FAA has reviewed Aircraft Belts, Inc. Service Bulletin dated June 16, 1998, which describes procedures for inspecting the buckle assembly on certain restraint systems to ensure the locking mechanism engages properly.

Since an unsafe condition has been identified that is likely to exist or develop on other Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems of the same type design, this AD is being issued to prevent failure of the seat restraint system due to the buckle assembly locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing. This AD requires, within 10 hours TIS, a one-time inspection to ensure the seat restraint system locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the aircraft. Therefore, the one-time inspection and replacement, if necessary, is required within 10 hours TIS, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

## Cost Impact

The FAA estimates that 12,278 seat restraint systems will be affected by this proposed AD, that it will take approximately one-half work hour per seat restraint system to accomplish the inspection and replacement (if necessary), and that the average labor rate is \$60 per work hour. Replacement parts will cost \$10 per buckle half. However, the manufacturer has stated that it will provide the buckle half to owners/operators at no cost. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$368,340.

## Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-SW-33-AD." The postcard will be date stamped and returned to the commenter.

## Regulatory Impact

The regulations adopted herein 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

## 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 98-25-10 Aircraft Belts, Inc.:**

Amendment 39-10936. Docket No. 98-SW-33-AD.

**Applicability:** Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems

installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft, certificated in any category.

**Note 1:** This AD applies to each seat restraint system identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For seat restraint systems that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any seat restraint system from the applicability of this AD.

**Compliance:** Required within 10 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent failure of the seat restraint system due to the buckle assembly (buckle) locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing, accomplish the following:

**Note 2:** The part number (P/N) of the seat restraint system is on the identification label located on each end of the seat restraint system near the anchor point (Example: P/N MD A2626-E010). The model is designated by the first two letters of the P/N.

(a) Visually inspect all affected seat restraint systems to determine if the locking mechanism is engaging properly in accordance with the following:

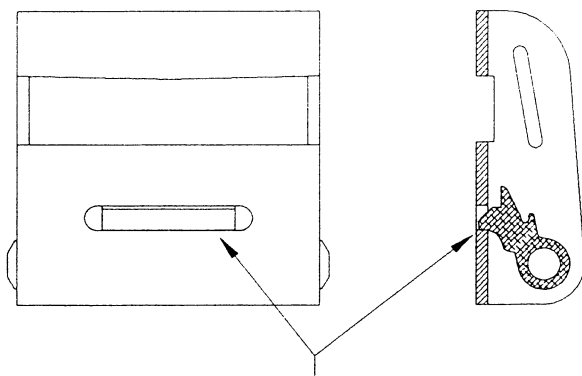
(1) Open the lift lever of the buckle fully until it will not open any further. This will cause the locking mechanism to pivot on the pivot pin.

(2) Allow the spring to close the lift lever slowly until the lift lever is back to its at-rest position.

(3) After the lever is completely closed, examine the slot in the bottom of the buckle. The locking mechanism should be firmly seated against the edge of the slot as shown in Figure 1.

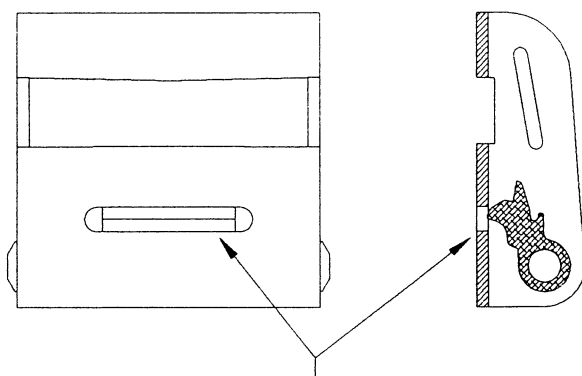
**BILLING CODE 4910-13-P**

RIGHT



THE LEDGE OF THE LOCKING MECHANISM MUST BE FIRMLY SEATED ON THE BOTTOM EDGE AS SHOWN.

WRONG



THE LEDGE OF THE LOCKING MECHANISM IS NOT FIRMLY SEATED ON THE BOTTOM EDGE.

**Figure 1**

(b) If the locking mechanism does not seat properly, replace the buckle with an airworthy buckle.

(c) 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, Airplane Certification Office, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Airplane Certification Office.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Airplane Certification Office.

(d) 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 aircraft to a location where the requirements of this AD can be accomplished.

(e) This amendment becomes effective on December 24, 1998.

Issued in Fort Worth, Texas, on December 3, 1998.

**Mark R. Schilling,**

*Acting Manager, Rotorcraft Directorate,  
Airplane Certification Service.*

[FR Doc. 98-32619 Filed 12-8-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 21

RIN 2900-AJ42

#### Dependents Education: Increase in Educational Assistance Rates

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** A provision of the Internal Revenue Service Restructuring and Reform Act of 1998 provides for an increase of approximately 20% in educational assistance rates payable under Survivors' and Dependents' Educational Assistance (DEA) effective October 1, 1998. The regulations

governing those rates are changed to show the rates indicated in the Act.

**DATES:** Effective Dates: This final rule is effective October 1, 1998.

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

**SUPPLEMENTARY INFORMATION:** The Internal Revenue Service Restructuring and Reform Act of 1998 (Pub. L. 105-206) amended sections 3532, 3534, and 3542 of title 38, U.S. Code to provide an increase of approximately 20% in educational assistance rates payable under DEA effective October 1, 1998. Changes are made to the regulations governing rates payable under DEA to reflect the statutory changes.

Nonsubstantive changes also are made for the purpose of clarity.

Substantive changes made by this final rule merely reflect statutory requirements. Accordingly, there is a basis for dispensing with prior notice and comment and delayed effective date provisions of 5 U.S.C. 552 and 553.

The Secretary of Veterans Affairs hereby certifies 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 and does not directly affect small entities. This final rule directly affects only individuals. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance number for the program affected by this final rule is 64.117.

#### 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 programs, Loan programs-education, Loan

programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: December 2, 1998.

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

*Secretary of Veterans Affairs.*

For the reasons set out above, 38 CFR part 21, subparts C is amended as set forth below.

## PART 21—VOCATIONAL REHABILITATION AND EDUCATION

### Subpart C—Survivors' and Dependents' Educational Assistance Under 38 U.S.C. Chapter 35

1. The authority citation for part 21, subpart C, continues to read as follows:

**Authority:** 38 U.S.C. 501(a), 512, 3500-3566, unless otherwise noted.

2. In § 21.3045, paragraph (h) is revised to read as follows:

#### § 21.3045 Entitlement charges.

\* \* \* \* \*

(h) *Entitlement charge for correspondence courses.* The charge against entitlement for pursuit of a course exclusively by correspondence will be 1 month for each:

(1) \$404 paid after December 31, 1989, and before October 1, 1998, to a spouse or surviving spouse as an educational assistance allowance;

(2) \$485 paid after September 30, 1998.

(Authority: 38 U.S.C. 3686(a))

\* \* \* \* \*

3. In § 21.3131, paragraph (a) is revised to read as follows:

#### § 21.3131 Rates—educational assistance allowance—38 U.S.C. chapter 35.

(a) *Rates.* Except as provided in § 21.3132, educational assistance allowance is payable at the following rates effective October 1, 1998:

Type of course	Monthly rate
Institutional:	
Full-time .....	\$485.
¾ time .....	\$365.
½ time .....	\$242.
Less than ½ but more than ¼ time <sup>1</sup> .....	\$242.
¼ time or less <sup>1</sup> .....	\$121.
Cooperative training (other than farm cooperative) (Full time only) .....	\$485
Apprentice or on-job (full time only) <sup>2</sup> :	
First six months .....	\$353.
Second six months .....	\$264.
Third six months .....	\$175.
Fourth six months and thereafter .....	\$88.
Farm cooperative:	
Full time .....	\$392.