

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, 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 the following new airworthiness directive:

99-09-19 Aerospatiale: Amendment 39-11152. Docket 99-NM-50-AD.

Applicability: All Model ATR42 and ATR72 series airplanes, certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent the airplane from stalling due to prolonged exposure to severe icing conditions, which could result in reduced performance and controllability of the airplane, accomplish the following:

(a) For Model ATR42-200, -300, and -320 series airplanes: Within 10 days after the effective date of this AD, revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) by inserting a copy of Chapter 2.06.01, page 2, of ATR 42 AFM Temporary Revision (TR), dated February 1999; and revise the Emergency Procedures section of the AFM by inserting a copy of Chapter 4.05.05, pages 5 and 6, of the TR.

(b) For Model ATR42-500 series airplanes: Within 10 days after the effective date of this AD, revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) by inserting into the AFM a copy of Chapter 2.06.01, page 2, of ATR AFM Temporary Revision, dated February 1999; and revise the Emergency Procedures section of the AFM by inserting a copy of Chapter 4.05.05, pages 5 and 6, of the TR.

(c) For Model ATR72 series airplanes: Within 10 days after the effective date of this AD, revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) by inserting into the AFM a copy of Chapter 2.06.01, page 2, of ATR 72 AFM Temporary Revision, dated February 1999; and revise the Emergency Procedures section of the AFM by inserting a copy of Chapter 4.05.05, pages 5 and 6, of the TR.

(d) For Model ATR72-212A series airplanes: Within 10 days after the effective date of this AD, revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) by inserting into the AFM a copy of Chapter 2.06.01, page 2, of ATR 72 A AFM

Temporary Revision, dated February 1999; and revise the Emergency Procedures section of the AFM by inserting a copy of Chapter 4.05.05, pages 5 and 6, of the TR.

Note 1: The AFM revisions required by paragraphs (a), (b), (c), and (d) of this AD may be accomplished by inserting a copy of the TR's into the applicable AFM. When these TR's have been incorporated into the general revisions of the AFM, the general revisions may be inserted into the AFM, provided that the information contained in the general revisions is identical to that specified in the TR's.

Alternative Methods of Compliance

(e) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

(f) 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.

Incorporation by Reference

(g) The AFM revisions shall be done in accordance with the following, as applicable:

- ATR 42 Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 2.06.01, page 2
- ATR 42 Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 4.05.05, pages 5 and 6
- ATR Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 2.06.01, page 2
- ATR Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 4.05.05, pages 5 and 6
- ATR 72 Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 2.06.01, page 2
- ATR 72 Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 4.05.05, pages 5 and 6
- ATR 72 A Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 2.06.01, page 2
- ATR 72 A Airplane Flight Manual Temporary Revision, dated February 1999, Chapter 4.05.05, pages 5 and 6

(Note: The AFM temporary revisions for Chapter 4.05.05 contain only pages 5 and 6 of the Emergency Procedures Section; no other page of that section has been revised. The AFM temporary revisions for Chapter 2.06.01 contain only page 2 of the Limitations Section; no other page of that section has been revised that pertains to this

AD.) This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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.

Note 3: The subject of this AD is addressed in French airworthiness directives 1999-014-076(B) and 1999-015-040(B), both dated January 13, 1999.

(h) This amendment becomes effective on May 19, 1999.

Issued in Renton, Washington, on April 22, 1999.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-10644 Filed 5-3-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 73**

[Airspace Docket No. 98-ANM-22]

RIN 2120-AA66

Establishment of Temporary Restricted Area, Idaho

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a temporary Restricted Area 3203D (R-3203D) at Orchard, ID, for the period June 5-26, 1999. The temporary area will be established adjacent to the existing Restricted Area R-3203A. The Idaho Army National Guard will use this temporary restricted area to support its annual training requirements.

EFFECTIVE DATE: 901 UTC, June 5, 1999.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:**History**

On February 26, 1999, the FAA proposed to establish a temporary restricted area, R-3203D, at Orchard, ID, from June 5-26, 1999, to provide essential ground maneuvering space needed to meet the Idaho Army National Guard annual training requirements (64 FR 9455). Interested

parties were invited to participate in this rulemaking proceeding by submitting written comments objecting to the proposal to the FAA. No comments were received objecting to the proposal. Except for editorial changes, this amendment is the same as that proposed in the Notice.

The coordinates for this airspace Docket are based on North American Datum 83. Section 73.32 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8F dated October 27, 1998.

The Rule

This amendment to 14 CFR part 73 of the Federal Aviation Regulations establishes a temporary Restricted Area R-3203D, at Orchard, ID, adjacent to the existing Restricted Area R-3203A. R-3203D will assist the Idaho Army National Guard in supporting its annual training requirements. The restricted area will be effective June 5-26, 1999. Expansion in the number of gun batteries assigned to field artillery units, along with requirements that each assigned battery accomplish several moves per day to different firing points, has created the need to temporarily expand the available restricted airspace to provide for more effective training. All artillery firing will be directed into existing impact areas located approximately in the center of R-3203A. The temporary restricted area will provide protected airspace to contain the projectiles during flight between the surface firing point and entry into the existing restricted area. The temporary restricted area will be utilized for Idaho Army National Guard Field Artillery firing and will be released to the FAA for public use during periods it is not required for military training.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This action is categorically excluded under FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act of 1969.

List of Subjects in 14 CFR Part 73

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 73—[AMENDED]

1. The authority citation for 14 CFR part 73 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 73.32 [Amended]

2. Section 73.32 is amended as follows:

R-3203D Orchard Training Area, ID [New]

Boundaries. Beginning at lat. 43°14'00" N., long. 116°16'30" W.; at lat. 43°17'51" N., long. 116°16'25" W.; at lat. 43°19'02" N., long. 116°14'45" W.; at lat. 43°19'02" N., long. 116°06'36" W.; at lat. 43°15'58" N., long. 116°01'12" W.; at lat. 43°15'00" N., long. 116°01'00" W.; at lat. 43°17'00" N., long. 116°05'00" W.; at lat. 43°17'00" N., long. 116°12'00" W.; to the point of beginning.

Designated altitudes. Surface to and including 22,000 feet MSL.

Times of use. As scheduled by NOTAM 24 hours in advance for the period June 5-26, 1999.

Controlling agency. FAA Boise ATCT.

Using agency. Commanding General Idaho Army National Guard.

Issued in Washington, DC, on April 27, 1999.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 99-11171 Filed 5-3-99; 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-AH76

Claims and Effective Dates for the Award of Educational Assistance

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

ACTION: Final rule.

SUMMARY: This document amends the educational assistance and educational benefit regulations of the Department of Veterans Affairs (VA). It establishes a standard for determining what constitutes a formal claim, an informal claim, and an abandoned claim that can be applied uniformly to the educational assistance programs VA administers. In addition, it establishes less restrictive effective dates for awards of educational assistance; establishes uniform time limits for acting to complete claims; and states VA's responsibilities when a claim is filed. This rule will result in a more uniform adjudication of claims for educational assistance under each of the education programs VA administers.

DATES: Effective Date: June 3, 1999.

FOR FURTHER INFORMATION CONTACT: William G. Susling, Jr., Education Adviser, Education Service (225C), Veterans Benefits Administration, (202) 273-7187.

SUPPLEMENTARY INFORMATION: In a document published in the **Federal Register** on April 29, 1998 (63 FR 23408), VA proposed amendments to several regulations. VA proposed to amend the regulations to establish a standard for determining what constitutes a formal claim, an informal claim, and an abandoned claim that can be applied uniformly to the educational assistance programs VA administers. In addition, it was proposed to establish less restrictive effective dates for awards of educational assistance; to establish uniform time limits for acting to complete claims; and to state VA's responsibilities when a claim is filed. Comments were sought under the Paperwork Reduction Act concerning the collection of information in the proposed § 21.1030.

Interested persons were given 60 days to submit comments. No comments were received. Accordingly, based on