Immigration Court with either the EOIR Form 40 or the Form I–881 application for suspension of deportation or special rule cancellation of removal to respond to that completed motion. If the alien fails to submit the required application within 150 days after the effective date of the rule implementing section 203 of NACARA, the motion will be denied as abandoned.

Dated: March 4, 1999.

Eric H. Holder, Jr.,

Deputy Attorney General.

[FR Doc. 99–6633 Filed 3–19–99; 8:45 am]

BILLING CODE 4410–30–M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 123

Disaster Loan Program; Correction

AGENCY: Small Business Administration (SBA).

ACTION: Correcting amendments.

SUMMARY: This document contains a correction to the final regulation published in the **Federal Register** on January 31, 1996, 61 FR 3304, concerning the SBA's disaster regulations. This regulation is contained in § 123.3 of volume 13 of the Code of Federal Regulations. Under the disaster regulations, a State Governor must make certification of economic injury within 120 days of the physical disaster. This correction reinstates a provision which gives the SBA Administrator authority, in cases of undue hardship, to accept a Governor's certification more than 120 days after the disaster.

DATES: Effective March 22, 1999.

FOR FURTHER INFORMATION CONTACT: Herbert L. Mitchell, 202–205–6734.

SUPPLEMENTARY INFORMATION: Under SBA's disaster regulations, a State Governor may certify to the SBA that small businesses suffered substantial economic injury as a result of a disaster in the State. The Governor must submit such certification to the local SBA disaster office within 120 days of the disaster. That office evaluates the request and makes its recommendation to SBA's Headquarters office. The SBA Administrator takes final action and decides whether to make an economic injury disaster declaration. Under disaster regulations prior to 1996, the SBA Administrator had authority, in cases of undue hardship, to accept a Governor's certification after the 120-day period had elapsed. When SBA revised its regulations in 1996, it inadvertently omitted this provision from 13 CFR 123.3 (formerly § 123.23(c) prior to 1996). This correction reinstates the SBA Administrator's authority to accept a Governor's certification after 120 days.

Before a Governor submits a request for SBA to declare an economic injury, the affected small businesses in the community must prepare and submit documentation with respect to the economic injuries they have incurred as a result of a disaster in the State. There are times when the paperwork is delayed in getting to the State Governor, with the result that the Governor's request to SBA arrives more than 120 days after the disaster incident. Thus, the SBA Administrator needs authority to accept late requests from a governor to protect small businesses. This technical correction will allow the SBA Administrator to act so that small businesses would not suffer undue economic hardship.

Compliance With Executive Orders 12612, 12778, and 12866, the Regulatory Flexibility Act (5 U.S.C., et seq.), and the Paperwork Reduction Act (44 U.S.C. Ch 35)

SBA certifies that this correction does not constitute a significant rule within the meaning of Executive Order 12866, since it is not likely to have an annual effect on the economy of $100 million or more, result in a major increase in costs or prices, or have a significant adverse effect on competition or the U.S. economy.

SBA certifies that this correction will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* SBA certifies that this correction does not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C. chapter 35.

For purposes of Executive Order 12612, SBA certifies that this proposed rule has no federalism implications warranting preparation of a Federalism Assessment.

For purposes of Executive Order 12778, SBA certifies that this correction is drafted, to the extent practicable, to comply with the standards set forth in section 2 of that Order.

List of Subjects in 13 CFR Part 123

Disaster assistance, loan programs-businesses, small businesses.

For the reasons set forth in the above preamble, SBA amends 13 CFR part 123 as follows:

PART 123—DISASTER LOAN PROGRAM

1. The authority citation for part 123 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6), 636(b), 636(c) and 636(f); Pub. L. 102–395, 106 Stat. 1828, 1864; and Pub. L. 103–75, 107 Stat. 739.

2. Amend § 123.3 by adding a new sentence at the end of paragraph (a)(4) to read as follows:

§ 123.3 How are disaster declarations made?

(a) * * *

(4) * * * The Administrator may, in a case of undue hardship, accept such request after 120 days have expired.

* * * * *

Dated: March 16, 1999.

Fred Hochberg,

Deputy Administrator.

[FR Doc. 99–6856 Filed 3–19–99; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–56–AD; Amendment 39–11079; AD 99–06–16]

RIN 2120–AA64

Airworthiness Directives; CFM International CFM56–5 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to CFM International CFM56–5 series turbofan engines, that reduces the low cycle fatigue (LCF) retirement lives for certain high pressure turbine rotor (HPTR) front air seals, and provides a drawdown schedule for those affected parts with reduced LCF retirement lives. This amendment is prompted by results of a refined life analysis performed by the manufacturer that revealed minimum calculated LCF lives significantly lower than the published LCF retirement lives. The actions specified by this AD are intended to prevent a LCF failure of the HPTR front air seal, which could result in an uncontained engine failure and damage to the aircraft.

DATES: Effective April 21, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of April 21, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from CFM International, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215; telephone (513) 552–2981, fax (513) 552–2816. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Ganley, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7138; fax (781) 238–7199.

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 CFM International CFM56–5 series turbofan engines was published in the **Federal Register** on September 18, 1998 (63 FR 49879). That action proposed to require reducing the low cycle fatigue (LCF) retirement lives for certain high pressure turbine rotor (HPTR) front air seals, and provide a drawdown schedule for those affected parts with reduced LCF retirement lives in accordance with CFM International CFM56–5 Service Bulletin No. 72–541, dated July 27, 1998.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter states that the total cost impact of the proposed AD on the industry will be greater than that presented in the proposed AD's economic analysis. This commenter states that numerous engines currently in their fleet, and engines to be delivered in 1999, will require premature removal due to the life reduction of the HPTR front air seal. The commenter further states that engines prematurely removed will still have serviceable life remaining at the time of removal. The FAA does not concur. The proposed AD's economic analysis already accounts for the cost impact associated with a premature removal of the HPTR front air seal due to the life reduction. Therefore, the FAA has determined that there is no need to revise the cost impact section of the AD.

One commenter supports the AD as proposed.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

There are approximately 863 engines of the affected design in the worldwide fleet. The FAA estimates that 131 engines installed on aircraft of U.S. registry would be affected by this AD, and that it will not take any additional work hours per engine to accomplish the required actions. Assuming that the parts cost is proportional to the reduction of the LCF retirement lives, the required parts would cost approximately $14,000 per engine. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $1,834,000.

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.

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 location provided under the caption **ADDRESSES.**

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:

99–06–16 CFM International: Amendment 39–11079. Docket 98–ANE–56–AD.

Applicability: CFM International CFM56–5 series turbofan engines installed on, but not limited to, Airbus A319 and A320 series aircraft.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (g) 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 as indicated, unless accomplished previously.

To prevent a low cycle fatigue failure of the high pressure turbine rotor (HPTR) front air seal, which could result in an uncontained engine failure and damage to the aircraft, accomplish the following:

(a) Remove from service CFM International CFM56–5–A1 and -5–A1/F HPTR front air seals, Part Number (P/N) 1319M11P06, 1319M11P07, 1319M11P08, and 1319M11P09, and CFM56–5–A1 HPTR front air seals, P/N 1319M11P05, and replace with a serviceable part, in accordance with CFM56–5 Service Bulletin (SB) No. 72–541, dated July 27, 1998, as follows:

(1) For seals that have accumulated less than 4,000 cycles since new (CSN) on the effective date of this AD, remove the seal from service prior to accumulating 11,000 CSN.

(2) For seals that have accumulated 4,000 CSN or more, but less than 11,000 CSN on the effective date of this AD, accomplish the following:

(i) For engines that have an engine shop visit (ESV) prior to the seal accumulating 11,000 CSN, remove the seal from service prior to the seal accumulating 11,000 CSN.

(ii) For engines that do not have an ESV prior to the seal accumulating 11,000 CSN, remove the seal from service prior to the seal accumulating 7,000 cycles in service (CIS) after the effective date of this AD, or prior to the seal accumulating 15,300 CSN, whichever occurs first.

(3) For seals that have accumulated 11,000 CSN or more on the effective date of this AD, remove the seal from service at the next ESV, or prior to the seal accumulating 15,300 CSN, whichever occurs first.

(b) Remove from service CFM International CFM56–5A3 HPTR front air seals, P/N 1319M11P06, 1319M11P07, 1319M11P08, and 1319M11P09, and replace with a serviceable part, in accordance with CFM56–

5 SB No. 72–541, dated July 27, 1998, as follows:

(1) For seals that have accumulated less than 3,000 CSN on the effective date of this AD, remove the seal from service prior to accumulating 7,700 CSN.

(2) For seals that have accumulated 3,000 CSN or more, but less than 7,700 CSN on the effective date of this AD, accomplish the following:

(i) For engines that have an ESV prior to the seal accumulating 7,700 CSN, remove the seal from service prior to the seal accumulating 7,700 CSN.

(ii) For engines that do not have an ESV prior to the seal accumulating 7,700 CSN after the effective date of the AD, remove the seal from service prior to the seal accumulating 4,700 CIS after the effective date of this AD, or prior to the seal accumulating 13,000 CSN, whichever occurs first.

(3) For seals that have accumulated 7,700 CSN or more on the effective date of this AD, remove the seal from service at the next ESV, or prior to the seal accumulating 13,000 CSN, whichever occurs first.

(c) For CFM56–5A4, –5A4/F, –5A5, and –5A5/F HPTR front air seals, P/N 1319M11P05, 1319M11P06, 1319M11P07, 1319M11P08, and 1319M11P09, that have previously operated in CFM56–5–A1, –5–A1/F, or –5A3 engine models, recalculate the HPTR front air seal total cycles remaining using 11,000 cycles for the CFM56–5–A1 and CFM56–5–A1/F engine models, and 7,700 cycles for the CFM56–5A3 engine model, in accordance with CFM56–5 SB No. 72–541, dated July 27, 1998, within 750 CIS after the effective date of this AD.

Note 2: The current HPTR front air seal retirement life for the CFM56–5A4, –5A4/F, –5A5, and –5A5/F engine models is 9,100 cycles, and is not affected by this AD.

Note 3: For additional information on recalculating the HPTR front air seal total cycles remaining see Chapter 05, Section 05–11–00, of the CFM56–5 series Engine Shop Manual, CFMI–TP.SM.7.

(d) This AD establishes new LCF retirement lives of 11,000 cycles for CFM56–5–A1 and –5–A1/F HPTR front air seals, and 7,700 cycles for CFM56–5A3 HPTR front air seals, which is published in Chapter 05, Section 05–11–03, of the CFM56–5 series Engine Shop Manual, CFMI–TP.SM.7. The following conditions also apply:

(1) Except as provided in paragraph (g) of this AD, no alternative retirement lives may be approved for the CFM56–5–A1, –5–A1/F, and –5A3 HPTR front air seals.

(2) After the effective date of this AD, no CFM56–5–A1 and –5–A1/F HPTR front air seals may be installed or reinstalled on an engine if the seals have accumulated more than 11,000 CSN.

(3) After the effective date of this AD, no CFM56–5A3 HPTR front air seals may be installed or reinstalled on an engine if the seals have accumulated more than 7,700 CSN.

(e) For the purpose of this AD, an ''engine shop visit'' is defined as the induction of an engine into the shop for maintenance involving the separation of any major mating engine flanges, or the removal of a disk or spool, except that the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance does not constitute an engine shop visit.

(f) For the purpose of this AD, a ''serviceable part'' is defined as one that has not exceeded its respective new retirement life as set out in this AD.

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 4: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

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

(i) The actions required by this AD shall be done in accordance with the following CFM International SB:

Document No.	Pages	Date
CFM56–5 SB No. 72–541 ..... Total Pages: 8.	1–8	July 27, 1998.

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 CFM International, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215; telephone (513) 552–2981, fax (513) 552–2816. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW, suite 700, Washington, DC.

(j) This amendment becomes effective on April 21, 1999.

Issued in Burlington, Massachusetts, on March 11, 1999.

David A. Downey,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 99–6555 Filed 3–19–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–171–AD; Amendment 39–11082; AD 99–06–18]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–400, –400D, and –400F Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747–400, –400D, and –400F series airplanes, that requires modification of the P212 and P213 panels of the cabin pressure control system. For certain airplanes, this amendment also requires modification of the P5, P6, and P7 panels, and the W4701, W4703, and W4908 wire bundles, as applicable. This amendment is prompted by a report of in-flight loss of cabin pressurization control due to a single failure of the auxiliary power unit (APU) battery. The actions specified by this AD are intended to prevent loss of control of the cabin pressurization system, which could result in rapid depressurization of the airplane. Such rapid depressurization could result in deleterious physiological effects on the passengers and crew; and airplane diversions, which represent an increased risk to the airplane, passengers, and crew.

DATES: Effective April 26, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 26, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules