

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 (e) 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 failure of the collective pitch control tubes, collective stick housings, and collective pitch tube assemblies, loss of collective pitch control, and subsequent loss of control of the helicopter, accomplish the following:

(a) On or before reaching 400 hours time-in-service (TIS), apply the serial number (S/N) listed in McDonnell Douglas Helicopter

Systems Mandatory Service Bulletin No. 600N-009, dated February 24, 1998 (SB), to the two collective stick housings, P/N's 369A7347 and 369A7820; the pilot collective pitch control tube, P/N 369A7348; and the co-pilot collective pitch control tube, P/N 369A7809, in the most visible spot for the specified aircraft S/N.

(b) Remove and replace the following flight control components according to the stated life-limits:

| P/N | Component | Life-Limit (Hours TIS) |
|------------------|--|---------------------------|
| 369A7347 | Housing, collective stick | 450 |
| 369A7348 | Tube, collective pitch control (pilot) | 400 |
| 369H7354-3 | Tube assembly, collective pitch (pilot) | 600 |
| 369A7809 | Tube, collective pitch control (co-pilot) | 1,800 |
| 369A7820 | Housing, collective stick | 450 |
| 369H7837 | Housing, collective stick | 450 |
| 369H7838-3 | Tube assembly, collective pitch (co-pilot) | 1,000 |

(c) Create a component history card or equivalent record in the helicopter log and record the helicopter TIS at installation for each of the components listed in paragraph (b) of this AD.

(d) This AD revises the Airworthiness Limitations Section of the maintenance manual by reducing the life-limits of the pilot collective pitch control tube, the collective stick housings, and the collective pitch tube assemblies, and adding the co-pilot collective pitch control tube to the Airworthiness Limitations section, Component Mandatory Replacement Schedule.

(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, Los Angeles Aircraft 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, 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.

(f) Special flight permits may be issued in accordance with §§ 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.

(g) The application of serial numbers shall be done in accordance with the Accomplishment Instructions of McDonnell Douglas Helicopter Systems Mandatory Service Bulletin No. 600N-009, dated February 24, 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 MD Helicopters Inc., Attn: Customer Support Division, 5000 E. McDowell Rd., Mail Stop M615-G048, Mesa, Arizona 85215-9797, telephone 1-800-388-3378 or 480-891-6342, datafax 480-891-6782. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest

Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on September 24, 1999.

Issued in Fort Worth, Texas, on August 12, 1999.

Eric Bries,

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

[FR Doc. 99-21572 Filed 8-19-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-06-AD; Amendment 39-11266; AD 99-17-20]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 757-200 and -300 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 757-200 and -300 series airplanes, that requires modification of the off-wing emergency evacuation slide system. This amendment is prompted by reports that a certain type of off-wing escape slide aboard several airplanes separated from the airplane during flight. The actions specified by this AD are intended to prevent separation of the emergency evacuation slide from the airplane, which could result in damage to the fuselage and unavailability of an

escape slide during an emergency evacuation.

DATES: Effective September 24, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 24, 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 Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** Keith Ladderud, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2780; fax (425) 227-1181.

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 certain Boeing Model 757-200 and -300 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on June 11, 1999 (64 FR 31523). That action proposed to require modification of the off-wing emergency evacuation slide system.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due

consideration has been given to the comments received.

Support for the Proposal

Three commenters support the proposed rule, and one commenter states that the rule does not affect it.

Request To Delay Effective Date

One commenter supports the proposed rule, but requests that the effective date of the AD be set after July 31, 1999, to allow the scheduled modification to be accomplished during the operator's scheduled "4C" check. The FAA notes that the effective date of the AD will be after July 31, 1999. No change to the final rule is necessary.

Request To Require New Repetitive Inspections

One commenter to the NPRM that preceded the supplemental NPRM favors adding a requirement for a functional test to the proposed AD. The commenter requests that the FAA consider rulemaking to require repetitive tests of the emergency evacuation slides on each airplane to ensure that they work properly.

The FAA does not concur with the commenter's request. Adding a requirement to this final rule would require the issuance of a new supplemental notice of proposed rulemaking to reopen the public comment period. To delay this final rule in this way would be inappropriate, because the FAA has determined that an unsafe condition exists and the required actions must be accomplished to ensure continued safety. The FAA notes, however, that operators are required, per their maintenance procedures, to periodically deploy one escape slide on one airplane in its fleet to ensure proper function. No change to the final rule is necessary.

Conclusion

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.

Cost Impact

There are approximately 503 Model 757-200 and -300 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 441 airplanes of U.S. registry will be affected by this AD.

For airplanes identified in Boeing Service Bulletin 757-25-0182, Revision 1 (301 U.S.-registered airplanes), it will take approximately 40 work hours per airplane to accomplish the required modification of the door latch system, at an average labor rate of \$60 per work

hour. Required parts will cost approximately \$1,450 per airplane. Based on these figures, the cost impact of the required modification on U.S. operators is estimated to be \$1,158,850, or \$3,850 per airplane.

For airplanes identified in Boeing Service Bulletin 757-25-0200 (441 U.S.-registered airplanes), it will take approximately 4 work hours to accomplish the required installation of the bumper assembly and placards, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$457 per airplane. Based on these figures, the cost impact of the required installation on U.S. operators is estimated to be \$307,377, or \$697 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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.

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:

99-17-20 Boeing: Amendment 39-11266. Docket 99-NM-06-AD.

Applicability: Model 757-200 and -300 series airplanes equipped with off-wing emergency evacuation slides, as listed in Boeing Service Bulletin 757-25-0182, Revision 1, dated June 12, 1997, or Boeing Service Bulletin 757-25-0200, dated January 21, 1999; certificated in any category.

Note 1: This AD applies to each airplane 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 airplanes 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 as indicated, unless accomplished previously.

To prevent separation of the emergency evacuation slide from the airplane, which could result in damage to the fuselage and unavailability of an escape slide during an emergency evacuation, accomplish the following:

Modification

(a) Within 18 months after the effective date of this AD: Modify the left and right off-wing emergency evacuation slide systems by accomplishment of paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For airplanes listed in Boeing Service Bulletin 757-25-0182, Revision 1, dated June 12, 1997: Modify the door latch system of the left and right off-wing emergency evacuation slide systems in accordance with the service bulletin.

Note 2: Modification of the door latch system of the off-wing emergency evacuation slide system, prior to the effective date of this AD, in accordance with Boeing Service Bulletin 757-25-0182, dated October 10, 1996, is considered acceptable for compliance with paragraph (a)(1) of this AD.

(2) For airplanes listed in Boeing Service Bulletin 757-25-0200, dated January 21, 1999: Install a bumper assembly on the bottom of the left and right off-wing escape slide carriers, and install new placards in the area of the maintenance access door, in accordance with the service bulletin.

Alternative Methods of Compliance

(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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. 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: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(c) Special flight permits may be issued in accordance with §§ 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

(d) The actions shall be done in accordance with Boeing Service Bulletin 757-25-0182, Revision 1, dated June 12, 1997, or Boeing Service Bulletin 757-25-0200, dated January 21, 1999; as applicable. 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 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.

(e) This amendment becomes effective on September 24, 1999.

Issued in Renton, Washington, on August 13, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-21571 Filed 8-19-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

31 CFR Part 103

RIN 1506-AA09

Amendment to the Bank Secrecy Act Regulations—Definitions Relating to, and Registration of, Money Services Businesses

AGENCY: Financial Crimes Enforcement Network ("FinCEN"), Treasury.

ACTION: Final rule.

SUMMARY: This document contains amendments to the regulations implementing the statute generally referred to as the Bank Secrecy Act. The

amendments revise the definitions of certain non-bank financial institutions for purposes of the Bank Secrecy Act and group the revised definitions together in a separate category called "money services businesses." The amendments also require certain money services businesses to register with the Department of the Treasury and to maintain a current list of their agents for examination, on request, by any appropriate law enforcement agency. The amendments regarding registration and maintenance of agent lists by money services businesses reflect changes to the law made by the Money Laundering Suppression Act of 1994.

DATES: *Effective Date:* September 20, 1999.

Applicability Date: Registration of money services businesses will not be required prior to December 31, 2001, and maintenance of the agent list will not be required prior to January 1, 2002. See § 103.41(f) of the final rule contained in this document.

FOR FURTHER INFORMATION CONTACT:

Peter Djinis, Associate Director, FinCEN, (703) 905-3930; Charles Klingman, Financial Institutions Policy Specialist, FinCEN, (703) 905-3602; Stephen R. Kroll, Chief Counsel, Cynthia L. Clark, Deputy Chief Counsel, and Albert R. Zarate and Christine L. Schuetz, Attorney-Advisors, Office of Chief Counsel, FinCEN, (703) 905-3590.

SUPPLEMENTARY INFORMATION:

I. Statutory Provisions—General

The Bank Secrecy Act, Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5330, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, and to implement counter-money laundering programs and compliance procedures. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311-5330) appear at 31 CFR Part 103. The authority of the Secretary to administer Title II of the Bank Secrecy Act has been delegated to the Director of FinCEN.

31 U.S.C. 5312. The Bank Secrecy Act generally applies to financial institutions, a term broadly defined in 31 U.S.C. 5312(a)(2)(A-Z). The statutory definition includes, *inter alia*:

* * * * *

(I) a currency exchange;

(K) an issuer, redeemer, or cashier of travelers' checks, checks, money orders, or similar instruments;

* * * * *

(R) a licensed sender of money;

* * * * *

(Y) any business or agency which engages in any activity which the Secretary of the Treasury determines, by regulation, to be an activity which is similar to, related to, or a substitute for any activity in which any business described in this paragraph is authorized to engage; or

(Z) any other business designated by the Secretary whose cash transactions have a high degree of usefulness in criminal, tax, or regulatory matters.

31 U.S.C. 5330. 31 U.S.C. 5330 was added to the Bank Secrecy Act by section 408 of the Money Laundering Suppression Act of 1994 (the "Money Laundering Suppression Act"), Title IV of the Riegle Community Development and Regulatory Improvement Act of 1994, Public Law 103-325 (September 23, 1994). Under that section, any person who owns or controls a money services business (which the statute refers to as a "money transmitting business"¹), whether or not the business is licensed as a money services business in any State, must register the business with the Secretary of the Treasury. 31 U.S.C. 5330(a). (A money services business required to be registered under 31 U.S.C. 5330 remains subject to any State law requirements relating to the operation of the business in the State. 31 U.S.C. 5330(a)(3).) The form and manner of registration must be prescribed by regulations.

The purpose of the registration requirement is to assist supervisory and law enforcement agencies in the enforcement of criminal, tax, and regulatory laws and to prevent money services businesses from engaging in illegal activities. See, section 408(a), of the Money Laundering Suppression Act. 31 U.S.C. 5311 (Note). In requiring the registration of money services businesses, Congress found that such businesses are largely unregulated and are frequently used in sophisticated schemes to transfer large amounts of money that are the proceeds of unlawful enterprises and to evade the

¹ The statute uses the term "money transmitting business" to name those businesses subject to registration. See 31 U.S.C. 5330(a)(1) and (d)(1). However, FinCEN believes that the statute's use of this term to refer to all the types of businesses subject to registration and its later use of the nearly identical term "money transmitting service" to refer to a particular type of business subject to registration, compare 31 U.S.C. 5330(d)(1)(A) with 31 U.S.C. 5330(d)(2), may lead to confusion. Therefore, FinCEN has adopted the term "money services business" in place of the term "money transmitting business" throughout this document and under the final rule.