

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

The Boeing Company: Docket No. FAA–2019–0576; Product Identifier 2019–NM–049–AD.

(a) Comments Due Date

The FAA must receive comments by September 23, 2019.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 747–400, 747–400F, 747–8F, and 747–8 series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 34, Navigation.

(e) Unsafe Condition

This AD was prompted by reports of dual flight management computer (FMC) cold starts during a critical flight phase such as takeoff and approach. The FAA is issuing this AD to address dual FMC cold starts, which can result in a loss of flight critical data from flight deck displays during a high workload phase of flight. This condition, if not addressed, could reduce the flightcrew's situational awareness, resulting in a loss of continued safe flight and landing.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Definition

For the purposes of this AD, later-approved software versions are only those Boeing software versions that are approved as a replacement for the applicable software identified in Boeing Alert Requirements Bulletin 747–34A3119 RB, dated February 15, 2019; or Boeing Alert Requirements Bulletin 747–34A3125 RB, dated February 15, 2019; and are approved as part of the type design by the FAA or The Boeing Company Organization Designation Authorization (ODA) after February 15, 2019 (the issuance date of Boeing Alert Requirements Bulletin 747–34A3119 RB; and Boeing Alert Requirements Bulletin 747–34A3125 RB).

(h) Required Actions

(1) For airplanes that have an original airworthiness certificate or export certificate of airworthiness issued on or before the effective date of this AD: Within 6 months after the effective date of this AD, inspect the FMC left and FMC right to determine if FMC operational program software (OPS) software, part number (P/N) HNP5A–AL11–9008, or later-approved software version, as defined in paragraph (g) of this AD, is installed. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the FMC OPS can be conclusively determined from that review.

(2) If, during any inspection or records review required by paragraph (h)(1) of this

AD, FMC OPS, P/N HNP5A–AL11–9008, or later-approved software version, as defined in paragraph (g) of this AD, is not found: Within 6 months after the effective date of this AD, do all applicable actions identified in, and in accordance with, the applicable Concurrent Requirements and Accomplishment Instructions of Boeing Alert Requirements Bulletin 747–34A3119 RB, dated February 15, 2019; or Boeing Alert Requirements Bulletin 747–34A3125 RB, dated February 15, 2019; as applicable.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 747–34A3119, dated February 15, 2019, which is referred to in Boeing Alert Requirements Bulletin 747–34A3119 RB, dated February 15, 2019; and Boeing Alert Service Bulletin 747–34A3125, dated February 15, 2019, which is referred to in Boeing Alert Requirements Bulletin 747–34A3125 RB, dated February 15, 2019.

(i) Parts Installation Limitation

As of the effective date of this AD: Do not install FMC software unless it is FMC OPS, P/N HNP5A–AL11–9008 or later-approved software version, as defined in paragraph (g) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company ODA that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Related Information

(1) For more information about this AD, contact Nelson Sanchez, Aerospace Engineer, Systems and Equipment Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; telephone and fax: 206–231–3543; email: *nelson.sanchez@faa.gov*.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; internet *https://*

www.myboeingfleet.com. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Des Moines, Washington, on July 29, 2019.

Dionne Palermo,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2019–16815 Filed 8–7–19; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2019–0603; Product Identifier 2019–NM–087–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 777–300ER and 777F series airplanes. This proposed AD was prompted by an evaluation by the design approval holder (DAH) indicating that the fuselage stringers, stringer splices, and skin splice straps are subject to widespread fatigue damage (WFD). This proposed AD would require repetitive detailed inspections of certain stringer splices and skin splice straps for any cracks, repetitive high frequency eddy current (HFEC) inspections of certain stringers and stringer splices for any cracks, and applicable on-condition actions. The agency is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by September 23, 2019.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery*: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0603.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0603; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Eric Lin, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3523; email: eric.lin@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2019-0603; Product Identifier 2019-NM-087-AD" at the beginning of your comments. The agency specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM because of those comments.

The FAA will post all comments, without change, to <http://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this proposed AD.

Discussion

Fatigue damage can occur locally, in small areas or structural design details, or globally, in widespread areas. Multiple-site damage is widespread damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Widespread damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site damage and multiple-element damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane. This condition is known as WFD. It is associated with general degradation of large areas of structure with similar structural details and stress levels. As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain transport category airplanes that had already been certificated by the FAA at the time of that rule's enactment, and all transport-category airplanes to be certificated afterward. The rule requires that DAHs establish a limit of validity (LOV) of the engineering data that support the airplanes' structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless the FAA approves an extended LOV.

The WFD rule does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches its LOV. Many LOVs, however, depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty

regarding the LOV applicable to their airplanes.

The FAA has received a report indicating that aluminum chips and conical burr foreign object debris (FOD), were found on in-production model 777-300ER and 777F airplanes in the interfaces beneath stringer splices at station (STA) 825+210, STA 655, and STA 1434+189, and the circumferential splices at STA 1832. FOD has been found in splices that were built using an automated drilling and fastener installation process. This automated process is not always sufficient to close gaps that can occur as a result of the manufacturing build sequence and geometry. This process has also resulted in hole defects at these stations. A product acceptance plan has been inadequate in finding holes that were out of tolerance. FOD and hole defects can reduce the fatigue performance of the splices, and the existing Maintenance Planning Data (MPD) inspections do not provide adequate crack detection for the reduced fatigue thresholds. This could lead to undetected cracking.

This condition, if not addressed, could result in undetected fatigue cracks, which could adversely affect the structural integrity of the airplane.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019. The service information describes procedures for repetitive detailed inspections of certain stringer splices and skin splice straps for any cracks, repetitive HFEC inspections of certain stringers and stringer splices for any cracks, and applicable on-condition actions. On-condition actions include repair.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

The FAA is proposing this AD because the agency evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishment of the actions identified in Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019, described previously, except for any differences identified as exceptions

in the regulatory text of this proposed AD.

For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0603.

Explanation of Requirements Bulletin

The FAA worked in conjunction with industry, under the Airworthiness Directive Implementation Aviation Rulemaking Committee (AD ARC), to

enhance the AD system. One enhancement is a process for annotating which steps in the service information are “required for compliance” (RC) with an AD. Boeing has implemented this RC concept into Boeing service bulletins.

In an effort to further improve the quality of ADs and AD-related Boeing service information, a joint process improvement initiative was worked between the FAA and Boeing. The initiative resulted in the development of a new process in which the service information more clearly identifies the

actions needed to address the unsafe condition in the “Accomplishment Instructions.” The new process results in a Boeing Requirements Bulletin, which contains only the actions needed to address the unsafe condition (*i.e.*, only the RC actions).

Costs of Compliance

The FAA estimates that this proposed AD affects 12 airplanes of U.S. registry. The agency estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Detailed and HFEC Inspections.	Up to 79 work-hours × \$85 per hour = Up to \$6,715 per inspection cycle.	\$0	Up to \$6,715 per inspection cycle.	Up to \$80,580 per inspection cycle.

The FAA has have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

According to the manufacturer, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the agency has included all known costs in its cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance

with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, 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.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

The Boeing Company: Docket No. FAA-2019-0603; Product Identifier 2019-NM-087-AD.

(a) Comments Due Date

The FAA must receive comments by September 23, 2019.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 777-300ER and 777F series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the fuselage stringers, stringer splices, and skin splice straps are subject to widespread fatigue damage (WFD). The FAA is issuing this AD to address undetected fatigue cracks, which could adversely affect the structural integrity of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 777-53A0091, dated April 8, 2019, which is referred to in Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019.

(h) Exceptions to Service Information Specifications

(1) For purposes of determining compliance with the requirements of this AD: Where Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019, uses the phrase "the original issue date of Requirements Bulletin 777-53A0091 RB" or "the original issue date of this service bulletin," this AD requires using "the effective date of this AD," except where Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019, uses the phrase "the original issue date of this service bulletin" in a note or flag note.

(2) Where Boeing Alert Requirements Bulletin 777-53A0091 RB, dated April 8, 2019, specifies contacting Boeing for repair instructions: This AD requires doing the repair before further flight using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Related Information

(1) For more information about this AD, contact Eric Lin, Aerospace Engineer,

Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3523; email: eric.lin@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Issued in Des Moines, Washington, on July 26, 2019.

Dionne Palermo,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2019-16841 Filed 8-7-19; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Part 1**

[REG-106282-18]

RIN 1545-BP35

Limitation on Deduction for Dividends Received From Certain Foreign Corporations and Amounts Eligible for Section 954 Look-Through Exception; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to a notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: This document contains a correction to notice of proposed rulemaking by cross-reference to temporary regulations (REG-106282-18) that was published in the **Federal Register** on Tuesday, June 18, 2019.

DATES: Written or electronic comments and requests for a public hearing for the notice of proposed rulemaking by cross-reference to temporary regulations at 84 FR 28426, June 18, 2019, are still being accepted and must be received by September 16, 2019.

ADDRESSES: Send Submissions to CC:PA:LDP:PR (REG-106282-18), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to CC:PA:LDP:PR (REG-106282-18), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224. Alternatively,

taxpayers may submit comments electronically, via the Federal eRulemaking Portal at <http://www.regulations.gov> (IRS REG-106282-18).

FOR FURTHER INFORMATION CONTACT:

Concerning the proposed regulations, Logan M. Kincheloe, (202) 317-6937; concerning submission of comments and/or requests for a hearing Regina Johnson at (202) 317-6901 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:**Background**

This correction to the notice of proposed rulemaking (REG-106282-18) that is the subject of this document is issued under sections 245A, 954, and 6038 of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed rulemaking by cross-reference to temporary regulations (REG-106282-18) contains errors that may prove to be misleading and are in need of clarification.

Correction to Publication

Accordingly, the notice of proposed rulemaking by cross-reference to temporary regulations, FR 2019-12441, published at 84 FR 28426, June 18, 2019, is corrected as follows:

- 1. On page 28426, the first column, under the caption **SUMMARY**, the third line from the bottom of the last paragraph, the language "controlled foreign that receive certain" is corrected to read "controlled foreign corporations that receive certain".
- 2. On page 28427, in the first column, under the last line of the paragraph before the caption Comments and Request Public Hearing section add the following sections:

III. Unfunded Mandates Reform Act

The assessment of costs and benefits under the Unfunded Mandated Reform Act of these proposed regulations are explained in the temporary regulations under 245A, 954(c)(6), and 6038 published in 84 FR 28398 (June 18, 2019).

IV. Executive Order 13132: Federalism

The assessment of the federalism implications as required under Executive Order 13132 of these proposed regulations is explained in the temporary regulations under sections 245A, 954(c)(6), and 6038 published in 84 FR 28398 (June 18, 2019).

§ 1.245A-1 [Corrected]

- 3. On page 28427, second column, the amendatory instruction Par, 2, the