

(6) Within 12 calendar months, remove fin spar P/N 205-030-899-001, or -089, or P/N 205-030-846-001, -003, -047, or -049, or P/N 204-030-825-063, or -065. Replace it with an airworthy fin spar configuration that has been demonstrated to the FAA to satisfy the structural fatigue requirements of repeated high torque events and is approved by the Manager, Rotorcraft Standards Staff.

(7) Installation of a replacement fin spar approved by the Manager, Rotorcraft Standards Staff, constitutes a terminating action for the requirements of this AD.

(b) For Model 205A and 205A-1 helicopters:

(1) Within 8 hours TIS, modify the vertical fin and visually inspect the fin spar for cracks in accordance with Part I (A1), paragraphs 1 through 5 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(i) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(ii) After inspection, apply MIL-PRF-81352 TYI clear lacquer or equivalent to the inside of the two lower rivet holes and on the surface where paint and primer were removed. Spray, brush, or wipe on a protective coat of MIL-C-16173, Grade 2, or equivalent, over the clear lacquer. To facilitate subsequent inspections do not replace the two lower rivets. See figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Fasten the forward left-hand fin skin and the retainer, P/N 205-032-851-045, to the fin spar assembly using Hi-Loks and blind rivets as specified in Figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998. Reinstall clip and radius block (if existing) removed in paragraph 2 of Part 1 (A1) of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(v) Refinish the reworked area.

(2) After initial modification and inspection of the vertical fin, thereafter, inspect the fin spar for cracks at intervals not to exceed 8 hours TIS as follows:

(i) Accomplish Part I (A2), paragraphs 1 through 3 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) After inspection, accomplish Part I (A2), paragraphs 5 and 6, of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(3) Within 25 hours TIS, modify and inspect the vertical fin as follows:

(i) Accomplish Part I (C1), paragraph 1 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) Remove the clip, P/N 212-030-099-091, and radius block, P/N 212-030-099-095, if present. Remove the retainer, P/N 205-032-851-045, and sufficient rivets from the bottom row of the forward left-hand fin skin to allow trimming of the forward left-hand fin skin along the "skin cutline", at approximately Fin Station 66.31 (see Figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998).

(iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Accomplish Part I (C1), paragraphs 3, 4, and 6 in BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(v) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(vi) Accomplish Part I (C1) paragraphs 10 through 14 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(4) After the initial modification and dye-penetrant inspection of the fin spar, thereafter, at intervals not to exceed 300 hours TIS, inspect the fin spar as follows:

(i) Accomplish Part I (C2), paragraphs 1, 2, 3, 4, 5, and 7 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) Accomplish Part I (C2), paragraphs 11 through 14 of ASB 205-98-71, Revision A, dated September 21, 1998.

(5) Within 25 hours TIS, and thereafter at intervals not to exceed 300 hours TIS inspect the fin spar as follows:

(i) Accomplish Part I (B), paragraphs 1 through 13 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) Repair any disbonding discovered during the inspection before further flight.

(6) Within 12 calendar months, remove fin spar, P/N 205-030-899-001, or -089, or P/N 205-030-846-087, or -089, or P/N 205-032-851-003, -007, or -009. Replace it with an airworthy fin spar configuration that has been demonstrated to the FAA to satisfy the structural fatigue requirements of repeated high torque events and is approved by the Manager, Rotorcraft Standards Staff, or replace it with fin spar assembly, P/N 205-530-514-103, as specified in BHTI ASB 205-98-73, dated September 25, 1998.

(7) Installing fin spar, P/N 205-530-514-103, or a fin spar that has been approved by the Manager, Rotorcraft Standards Staff, constitutes terminating action for the requirements of this AD.

(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, FAA, Rotorcraft Directorate, Rotorcraft Certification Office. Operators shall submit their requests

through a FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Certification Office.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft 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 helicopter to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on May 18, 1999.

**Mark R. Schilling,**

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

[FR Doc. 99-13319 Filed 5-25-99; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF JUSTICE

### 28 CFR Part 81

[AG Order No. 2226-99]

RIN 1105-AA65

### Office of the Attorney General; Designation of Agencies To Receive and Investigate Reports Required Under the Protection of Children From Sexual Predators Act

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule is intended to carry out the Attorney General's responsibilities under the child pornography reporting provisions of the Protection of Children from Sexual Predators Act of 1998 (PCSPA). The PCSPA requires providers of an electronic communication service or a remote computing service to the public, through a facility or means of interstate or foreign commerce, to report incidents of child pornography, as defined by section 2251, 2251A, 2252, 2252A, or 2260 of title 18, United States Code, to the appropriate Federal agency. In order to facilitate effective reporting, the PCSPA requires the Attorney General to designate "a law enforcement agency or agencies" to receive and investigate such reports of child pornography. This proposed rule sets forth the Attorney General's proposed designations and certain other matters covered by the PCSPA's reporting requirements.

**DATES:** Written comments must be submitted on or before July 26, 1999.

**ADDRESSES:** Please submit written comments, in triplicate, to the Chief, Child Exploitation and Obscenity Section, Criminal Division, Department

of Justice, 1331 F Street, NW, Suite 600, Washington, DC 20530. Comments are available for public inspection at the above address by calling (202) 514-5780 to arrange for an appointment.

**FOR FURTHER INFORMATION CONTACT:**

Terry R. Lord, Chief, Child Exploitation and Obscenity Section, Criminal Division, (202) 514-5780, or in writing at 1331 F Street, NW, Suite 600, Washington, DC 20530.

**SUPPLEMENTARY INFORMATION:** The child pornography reporting provisions of the Protection of Children from Sexual Predators Act (PCSPA) were enacted as Section 604 of the Act, Public Law 105-314, 112 Stat. 2974, codified at 42 U.S.C. 13032, and 18 U.S.C. 2702(b)(6). As set forth at 42 U.S.C. 13032, the PCSPA requires providers of electronic communication services or remote computing services to the public, through a facility or means of interstate or foreign commerce, who obtain knowledge of facts or circumstances from which a violation of sections 2251, 2251A, 2252, 2252A, or 2260 of title 18, United States Code, involving child pornography, as defined in section 2256 of title 18, United States Code, is apparent, to make a report of such facts or circumstances to a law enforcement agency or agencies designated by the Attorney General. Set forth below for public comment is the proposed rule promulgating the Attorney General's designation of the agencies to receive and investigate these reports of child pornography. Under the proposed rule, reports of child pornography made pursuant to 42 U.S.C. 13032 are to be submitted to the Federal agencies that currently have jurisdiction to investigate reports of child pornography on electronic communication services or remote computing services.

**Regulatory Flexibility Act**

The Attorney General in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact upon a substantial number of small entities. Rather than requiring the costly submission of a written report and accompanying evidence to the FBI or U.S. Customs Service, the proposed regulation requires that the electronic communication service or remote computing service notify the FBI or U.S. Customs Service by telephone, either to a local office or an "800" number, or by a special Internet tip line operated by the agencies. In this manner, the proposed regulation complies with the reporting statute, while limiting the

service provider's costs as much as possible.

**Unfunded Mandates Reform Act of 1995**

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

**Small Business Regulatory Enforcement Fairness Act of 1996**

This rule is not a major rule as defined by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

**Executive Order 12866**

This regulation has been drafted and reviewed in accordance with Executive Order 12866, § 1(b), Principles of Regulation. The Department of Justice has determined that this rule is not a "significant regulatory action" under § 3(f) of Executive Order 12866, Regulatory Planning and Review because it will have an annual effect on the economy of less than \$100 million. As noted, the costs of compliance for the electronic communications and remote computing service industry have been limited to the costs of a telephonic report. Accordingly, this rule has not been reviewed by the Office of Management and Budget.

**Executive Order 12612**

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Executive Order 12988—Civil Justice Reform**

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

**Plain Language Instructions**

We try to write clearly. If you suggest how to improve the clarity of these regulations, call or write Terry R. Lord, Chief, Child Exploitation and Obscenity Section, Criminal Division, 1331 F Street, NW, Suite 600, Washington, DC 20530, (202) 514-5780.

**List of Subjects in 28 CFR Part 81**

Child abuse, Federal buildings and facilities, Child pornography, Electronic communication services, Remote computing services.

By virtue of the authority vested in me as Attorney General, including 28 U.S.C. 509 and 510, 5 U.S.C. 301, 42 U.S.C. 13032, and Public Law 105-314, 112 Stat. 2974, Part 81 of title 28, Code of Federal Regulations, is proposed to be amended as follows:

**PART 81—CHILD ABUSE AND CHILD PORNOGRAPHY REPORTING DESIGNATIONS AND PROCEDURES**

1. The heading for Part 81 is revised as set forth above.
2. The authority citation for Part 81 is revised to read as follows:

**Authority:** 28 U.S.C. 509, 510; 42 U.S.C. 13031, 13032.

3. Sections 81.1 through 81.5 are designated as subpart A and a new subpart heading is added to read as follows:

**Subpart A—Child Abuse Reporting Designations and Procedures**

4. Section 81.1 is amended by removing the words "this part" and inserting in their place "this subpart A."
5. Part 81 is amended by adding at the end thereof the following new subpart B to read as follows:

**Subpart B—Child Pornography Reporting Designations and Procedures**

Sec.

- 81.11 Purpose.
- 81.12 Submission of reports; designation of agencies in cases where identifying information about the perpetrator is known.
- 81.13 Designation of FBI and United States Customs Service in cases where the identity of the perpetrator is unknown.
- 81.14 Contents of report; no duty to develop additional information or monitor customer use or content.
- 81.15 Definitions.

**§ 81.11 Purpose.**

The regulations in this subpart B designate the agencies that are authorized to receive and investigate reports of child pornography under the provisions of 42 U.S.C. 13032.

**§ 81.12 Submission of reports; designation of agencies in cases where identifying information about the perpetrator is known.**

Where the provider of the electronic communication service or remote computing service to the public learns of information concerning a violation of federal child pornography statutes, as defined by section 2251, 2251A, 2252, 2252A, or 2260 of title 18, United States Code, it shall report the violation, as required by 42 U.S.C. 13032, to the Federal Bureau of Investigation or the United States Customs Service. If the provider knows the location of the perpetrator, it shall report the violation to the Federal Bureau of Investigation in the state where the perpetrator lives. If the provider knows that the perpetrator is located in a foreign country, it shall report the violation to the United States Customs Service. The Federal Bureau of Investigation and the United States Customs Service are hereby respectively designated as the agency to receive and investigate such reports, pursuant to 42 U.S.C. 13032(b)(2).

**§ 81.13 Designation of Federal Bureau of Investigation and United States Customs Service in cases where the identity of the perpetrator is unknown.**

For cases where the identity of the perpetrator is unknown, the Federal Bureau of Investigation is hereby designated as the agency to receive and investigate reports of child pornography made pursuant to 42 U.S.C. 13032. For cases where the identity of the perpetrator is unknown, but the items of child pornography are believed to be of foreign origin, the United States Customs Service is designated as the agency to receive and investigate reports of child pornography made pursuant to 42 U.S.C. 13032. The provider shall report the violation to the Federal Bureau of Investigation or the United States Customs Service in the state where the provider is located.

**§ 81.14 Contents of report; no duty to develop additional information or monitor customer use or content.**

(a) The provider shall report whatever information it obtained that led it to conclude that a violation of federal child pornography statutes, as defined by section 2251, 2251A, 2252, 2252A, or 2260 of title 18, United States Code, has occurred. The report could include information concerning: visual

depictions of child pornography; the identity of persons or screen names of persons transmitting or receiving child pornography; or requests by persons to receive child pornography. Although not required, the report may include additional information or material developed by the provider. However, this does not require a provider of electronic communication services or remote computing services to engage in the monitoring of any user, subscriber, or customer of that provider, or the content of any communication of any such person.

(b) The report to the Federal Bureau of Investigation may be made telephonically to the local number for the FBI, which can be retrieved from the Web site "www.FBI.gov." The report to the U.S. Customs Service may be made telephonically by calling the local number for the U.S. Customs Service or by calling "1-800-BE ALERT."

(c) Providers are advised to consult the requirements of the Electronic Communications Privacy Act of 1986, Public Law 99-508, 100 Stat. 1848, which enacted sections 1367, 2521, 2701 to 2710, 3117, and 3121 to 3126 of title 18, United States Code, and amended section 2510 and sections 2232, 2511 to 2513, and 2516 to 2520 of title 18, United States Code.

**§ 81.15 Definitions.**

The term "child pornography" has the meaning given the term in section 2256 of title 18, United States Code. The term "electronic communication service" has the meaning given the term in section 2510 of title 18, United States Code; and the term "remote computing service" has the meaning given the term in section 2711 of title 18, United States Code.

Dated: May 20, 1999.

**Janet Reno,**

*Attorney General.*

[FR Doc. 99-13427 Filed 5-25-99; 8:45 am]

BILLING CODE 4410-14-M

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**FEDERAL COMMUNICATIONS COMMISSION**
**47 CFR Part 73**

[MM Docket No. 99-161, RM-9565]

**Radio Broadcasting Services; Hershey, NE**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by

Mountain West Broadcasting to allot Channel 297C1 to Hershey, NE, as the community's first local aural service. Channel 297C1 can be allotted to Hershey in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 41-09-30 NL; 101-00-00 WL.

**DATES:** Comments must be filed on or before July 6, 1999, and reply comments on or before July 21, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Victor A. Michael, Jr., President, Mountain West Broadcasting, 6807 Foxglove Drive, Cheyenne, WY 82009 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-161, adopted May 5, 1999, and released May 14, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 99-13255 Filed 5-25-99; 8:45 am]

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