Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

AD 98–23–09 Eurocopter France: Amendment 39–10875. Docket No. 97–SW–38–AD.

Applicability: Model SA 330F, G, and J helicopters with tail rotor head assembly, part number 330 A 33 0000 all dash numbers, or 330 A 33 0001 all dash numbers, installed, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To detect cracks on a tail rotor shaft flapping hinge retainer (retainer) that could lead to high tail rotor vibrations, loss of tail rotor control, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, and thereafter before the first flight of each day, perform a dye-penetrant inspection of each retainer for cracks.

(b) If a crack is found on any retainer, replace it with an airworthy retainer before further flight.

Note 2: Eurocopter Service Bulletin No. 05.84, Revision No. 1, dated January 29, 1996, pertains to the subject 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, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(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.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 96–076–075(AB)R1, dated November 5, 1997.

(e) This amendment becomes effective on December 15, 1998.

Issued in Fort Worth, Texas, on November 2, 1998.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 98–30045 Filed 11–9–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98–ASW–32]

Revision of Class D Airspace; McKinney, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This notice confirms the effective date of a direct final rule which revises Class D airspace at McKinney, TX.

EFFECTIVE DATE: The direct final rule published at 63 FR 40169 is effective 0901 UTC, December 3, 1998.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193–0520, telephone: 817–222–5593.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on July 28, 1998 (63 FR 40169). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on December 3, 1998. No adverse comments were received, and thus this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on October 5, 1998.

Albert L. Viselli,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 98–30089 Filed 11–9–98; 8:45 am]

BILLING CODE 4910–13–M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 274

[Release Nos. 33–7608; IC–23522; File No. S7–19–97]

RIN 3235–AG73

Update of Registration Form To Reflect Fee Rate Change for Registration of Certain Investment Company Securities

AGENCY: Securities and Exchange Commission.

ACTION: Amendments to form.

SUMMARY: The Securities and Exchange Commission (''Commission'') is updating the fee rate information in the instructions to the form under the Investment Company Act of 1940 that prescribes the method by which certain investment companies calculate and pay registration fees on securities they issue (the form was last published in its entirety at 62 FR 47941 (Sept. 12, 1997), and was last amended at 62 FR 64687 (Dec. 9, 1997)). On October 21,1998, legislation was enacted that sets a new fee rate of $278 per $1,000,000 offered or sold (prorated for amounts less than $1,000,000). Registration fees under this new rate are calculated by multiplying the aggregate offering or sales amount by .000278. This amendment updates the reference to the current fee rate in the instructions to the form.

EFFECTIVE DATE: November 10, 1998.

FOR FURTHER INFORMATION CONTACT: Robin Gross Lehv, Staff Attorney, Office of Regulatory Policy at (202) 942–0690, or Carolyn A. Miller, Senior Financial Analyst, Office of Financial Analysis at (202) 942–0513, Division of Investment Management, Securities and Exchange Commission, 450 5th Street, N.W., Mail Stop 5–6, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Commission today is amending Instruction C.9 to Form 24F–2 [17 CFR 274.24] under the Investment Company Act of 1940 [15 U.S.C. 80a] (the ''Investment Company Act'').

Form 24F–2 is the Form on which certain investment companies file an annual notice of securities sold pursuant to rule 24f-2 under the Investment Company Act [17 CFR 270.24f-2]. The Instruction to Item 5(vii) explains that the multiplier for calculation of the registration fee is determined by the Commission in accordance with section 6(b) of the Securities Act of 1933 [15 U.S.C. 77f(b)]. The Instruction informs filers of the multiplier that was in effect as of the date of the most recent printing of the

Form, but indicates that this rate is subject to change from time to time, without notice, by act of Congress through appropriations for the Commission or other laws.

On October 21, 1998, legislation was enacted that sets the fee rate at $278 per $1,000,000 offered or sold (prorated for amounts less than $1,000,000). Fees will be calculated by multiplying the aggregate offering or sales amount by .000278.

The Commission is amending the Instruction to Item 5(vii) of Form 24F–2 to reflect the change in the fee rate.

Statutory Authority

The Commission is amending Form 24F–2 pursuant to the authority set forth in sections 24 and 38(a) of the Investment Company Act [15 U.S.C. 80a-24, -37(a)].

Text of Form Amendments

For the reasons set out in the preamble, Form 24F–2, referenced in § 274.24, Title 17, Chapter II of the Code of Federal Regulations, is amended as follows:

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

1. The authority citation for Part 274 continues to read as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s, 78c(b), 78*l*, 78m, 78n, 78o(d), 80a-8, 80a-24, and 80a-29, unless otherwise noted.

2. Form 24F–2 (referenced in § 274.24) is amended by revising the second and third sentences of Instruction C.9 to Item 5(vii) to read as follows:

Note: Form 24F–2 does not, and the amendments will not, appear in the *Code of Federal Regulations.*

Form 24F–2

Annual Notice of Securities Sold Pursuant to Rule 24f–2

* * * * *

Instructions

* * * * *

C. Computation of Registration Fee

* * * * * *

9. Item 5(vii)–* * * As of October 22, 1998, the fee rate was $278 per $1,000,000 offered or sold (prorated for amounts less than $1,000,000). The registration fee is calculated by multiplying the aggregate offering or sales amount by .000278. * * *

* * * * *

For the Commission, by the Office of the Secretary, pursuant to delegated authority.

Dated: November 4, 1998.

Jonathan G. Katz,

Secretary.

[FR Doc. 98–30011 Filed 11–9–98; 8:45 am]

BILLING CODE 8010–01–U

DEPARTMENT OF JUSTICE

28 CFR Parts 0 and 27

[A.G. Order No. 2190–98]

RIN 1105–AA60

Whistleblower Protection For Federal Bureau of Investigation Employees

AGENCY: Department of Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This interim rule establishes procedures under which employees of the Federal Bureau of Investigation may make disclosures of information protected by the Civil Services Reform Act of 1978 (Pub. L. No. 95–454) and the Whistleblower Protection Act of 1989 (Pub. L. No. 101–12), codified at 5 U.S.C. 2303. It also establishes procedures under which the Department of Justice (the Department) will investigate allegations by Federal Bureau of Investigation (FBI) employees of retaliation for making such disclosures and provide appropriate corrective action.

DATES: *Effective date:* November 10, 1998.

Comment Date: Comments are due on or before January 11, 1999.

ADDRESSES: Interested parties should submit written comments to: Stuart Frisch, General Counsel, Office of the General Counsel, Justice Management Division, United States Department of Justice, 10th and Pennsylvania Ave., N.W., Washington, D.C., 20530.

E-mail comments submitted over the Internet should be addressed to caterini@justice.usdoj.gov.

FOR FURTHER INFORMATION CONTACT: Stuart Frisch, General Counsel, or John Caterini, Attorney-Advisor, Office of the General Counsel, Justice Management Division, U.S. Department of Justice, (202) 514–3452.

SUPPLEMENTARY INFORMATION:

A. Background

Under sections 1214 and 1221 of title 5 of the United States Code, most Federal employees who believe they have been the victim of a prohibited personnel practice, including retaliation for whistleblowing, have the right to request an investigation by the Office of Special Counsel (OSC) (section 1214) or, in appropriate circumstances, to pursue an individual right of action before the Merit Systems Protection Board (MSPB) (sections 1214(a)(3) & 1221). Under 5 U.S.C. 2302(a)(2)(C)(ii), the FBI is expressly excluded from the scheme established by sections 1214 and 1221. Section 2303(a) of title 5, however, separately prohibits employees of the FBI from retaliating against whistleblowers. Section 2303(b) charges the Attorney General with prescribing regulations to ensure that such retaliation not be taken, and section 2303(c) charges the President with providing for the enforcement of section 2303 ''in a manner consistent with applicable provisions of section 1214 and 1221.''

On April 14, 1997, the President delegated to the Attorney General his ''functions concerning employees of the Federal Bureau of Investigation vested in [him] by . . . section 2303(c) of title 5, United States Code,'' and directed the Attorney General to establish ''appropriate processes within the Department of Justice to carry out these functions.'' *See* 62 FR 23123 (1997).

Accordingly, this interim rule implements 5 U.S.C. 2303 (b) & (c). It supersedes and replaces 28 CFR 0.39c, which gave the Counsel for the Department's Office of Professional Responsibility authority to request a stay of a personnel action when he determined that there were reasonable grounds to believe that the action was taken as a reprisal for whistleblowing.

The rule designates the Department's Office of Professional Responsibility (OPR), the Department's Office of Inspector General (OIG), and the FBI's Office of Professional Responsibility as offices to which an FBI employee (or applicant for employment with the FBI) may disclose information that the employee or applicant reasonably believes evidences: violation of any law, rule or regulation; mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. Any such disclosure to one of these offices is protected, and the rule prohibits retaliation for making it. The rule further provides that OPR and OIG will investigate whistleblower retaliation claims, recommend stays of personnel actions, and recommended corrective action where appropriate. The Director, Office of Attorney Personnel Management (the Director), or his designee, will decide whistleblower retaliation claims presented to him by OPR or OIG, as well as those claims brought to him directly by an employee or applicant in appropriate circumstances. He will also grant stays