



# Figure 1

## BILLING CODE 4910-13-C

(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. 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 §§ 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.

(e) This amendment becomes effective on May 26, 1999.

**Note 4:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 97-378-009(AB), dated December 17, 1997.

Issued in Fort Worth, Texas, on May 4, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-11781 Filed 5-10-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-03-AD; Amendment 39-11081; AD 99-06-17]

RIN 2120-AA64

#### Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This action confirms the effective date of Airworthiness Directive

(AD) 99-06-17, which applies to certain Pilatus Aircraft Ltd. (Pilatus) Models PC-12 and PC-12/45 airplanes. AD 99-06-17 requires installing a support bracket and a cut-out relay for the second generator control unit. AD 99-06-17 also requires making all the wiring additions and adjustments necessary for the above-referenced installations. This AD was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified in this AD are intended to prevent damage to electrical components because incorrectly connected cables or broken or damaged wires cause excessive voltages to the second generator, which could result in loss of electrical power during any phase of flight.

**EFFECTIVE DATE:** June 16, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Roman T. Gabrys, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with request for comments in the **Federal Register** on March 23, 1999 (64 FR 13882). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA anticipates 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, was received within the comment period, the regulation would become effective on June 16, 1999. No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, Missouri, on May 4, 1999.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-11780 Filed 5-10-99; 8:45 am]

BILLING CODE 4910-13-P

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 251

[Docket No. RM 99-1 CARP]

#### Payment of Arbitrators; Distribution Proceedings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final regulations.

**SUMMARY:** The Copyright Office is announcing final regulations that prescribe how the arbitrators who serve on a copyright arbitration royalty panel shall be reimbursed for their services.

**DATES:** Effective June 10, 1999.

#### FOR FURTHER INFORMATION CONTACT:

David O. Carson, General Counsel, or Tanya M. Sandros, Attorney Advisor, Copyright Arbitration Royalty Panel ("CARP"), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** Copyright arbitration royalty panels (CARPs) are *ad hoc* panels administered by the Librarian of Congress and the Copyright Office. The CARPs adjust the rates and distribute the royalty fees collected under the various compulsory licenses and statutory obligations of the Copyright Act.

Three arbitrators serve on each panel. Upon the recommendation of the

Register of Copyrights, the Librarian of Congress selects two of the arbitrators, who in turn choose a third person to serve as the chairperson. Prior to the passage in 1997 of the Technical Corrections to the Satellite Home Viewer Act of 1994, Public Law 105-80, 111 Stat. 1529, the Librarian of Congress had no express authority to pay the arbitrators for their services, even in those instances when the Library held the royalty fees that were the subject of a distribution proceeding. Consequently, the responsibility for paying the arbitrators fell to the parties participating in the proceeding.

This changed with the passage of the technical amendments act which, *inter alia*, revised section 801(d). Section 801(d) now reads, in relevant part, as follows:

The Librarian of Congress, upon the recommendation of the Register of Copyrights, . . . shall reimburse the arbitrators presiding in distribution proceedings at such intervals and in such manner as the Librarian shall provide by regulation. . . . Payments to the arbitrators shall be considered reasonable costs incurred by the Library of Congress and the Copyright Office for purposes of section 802(h)(1).

17 U.S.C. 801(d). The change allows the Librarian of Congress to use the royalty fees that have been collected under title 17 to pay the arbitrators who determine the distribution of these same royalty fees. Payments to these arbitrators are identified as reasonable costs of the Library and shall be made in accordance with the regulations promulgated by the Librarian of Congress.

The final regulations announced herein amend 37 CFR 251.54 to specify how often and in what manner the arbitrators shall receive payment for their service on a CARP. In accordance with the administrative processes associated with making payments for services contracted for outside the Library of Congress, payment shall be made within 30 days of the receipt of a proper statement of cost. In the case of a distribution proceeding, each arbitrator shall receive payment directly from the Library of Congress. In the case of a rate adjustment proceeding, each arbitrator shall receive payment directly from the parties participating in the proceeding.

The provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, the opportunity for notice and comment, and a delay in the effective date, do not apply to the proposed amendments to § 251.54, of title 37 of the CFR, because the regulations pertain to agency management of a contractual obligation. No other law requires that a notice of

proposed rulemaking and an opportunity for public comment be given for these amendments. Accordingly, the Copyright Office is adopting the amendments as final regulations upon publication in the **Federal Register**.

#### List of Subjects in 37 CFR Part 251

Administrative practice and procedure, Hearing and appeal procedures.

For the reasons set out in the preamble, chapter II of title 37 of the Code of Federal Regulations is to be amended as follows:

#### PART 251—COPYRIGHT ARBITRATION ROYALTY PANEL RULES OF PROCEDURE

1. The authority citation for part 251 continues to read as follows:

**Authority:** 17 U.S.C. 801-803.

2. Revise § 251.54 to read as follows:

##### § 251.54 Assessment of costs of arbitration panels.

(a) The ordinary and necessary costs of an arbitrator shall be assessed, in accordance with § 251.38, as follows:

(1) In the case of a rate adjustment proceeding, the parties to the proceeding shall bear the entire cost thereof in such manner and proportion as the panel shall direct.

(2) In the case of a distribution proceeding, the parties to the proceeding shall bear the total cost of the proceeding in direct proportion to their share of the distribution. These costs shall be considered reasonable costs incurred by the Librarian of Congress and the Copyright Office. Such costs shall be deducted from the royalty fees which have been deposited and collected under title 17 of the United States Code and which are the subject of the distribution proceeding.

(b) Each arbitrator shall itemize his or her expenses on the statement of cost in a format approved by the General Counsel and shall specify the name and address to whom payment should be made. In the case of a rate adjustment proceeding, each statement of cost shall specify each party's share of the total cost and the amount owed by that party to each arbitrator, or alternatively, reflect the method of payment agreed upon by the parties and the arbitrators.

(c) The statements of cost shall be sent to the Library of Congress no more frequently than once a month.

(1) In the case of a distribution proceeding, the statements of cost shall be sent to the Accounting Operations Section, Financial Services Directorate, Library of Congress, 101 Independence