

(b) The applicable fee schedule is as follows:

(1) Each copy of each page, up to 8½"×14", made by photocopy or similar process is \$0.10 per page.

(2) Each copy of each microform frame printed on paper is \$0.25.

(3) Each aperture card is \$0.25.

(4) Each 105-mm fiche is \$0.25.

(5) Each 100' foot role of 35-mm microfilm is \$7.00.

(6) Each 100' foot role of 16-mm microfilm is \$6.00.

(7) Each page of computer printout without regard to the number of carbon copies concurrently printed is \$0.20.

(8) Copying records not susceptible to photocopying (e.g., punch cards or magnetic tapes), at actual cost to be determined on a case-by-case basis.

(9) Other copying forms (e.g., typing or printing) will be charged at direct costs, including personnel and equipment costs.

(c) All copying fees shall be paid by the individual before the copying will be undertaken. Payments shall be made by check or money order payable to the "Corporation for National and Community Service," and provided to the Privacy Act Officer processing the request.

(d) A copying fee shall not be charged or collected, or alternatively, it may be reduced, when it is determined by the Privacy Act Officer, based on a petition, that the petitioning individual is indigent and that the Corporation's resources permit a waiver of all or part of the fee. An individual is deemed to be indigent when he or she is without income or lacks the resources sufficient to pay the fees.

(e) Special and additional services provided at the request of the individual, such as certification or authentication, postal insurance and special mailing arrangement costs, will be charged to the individual.

(f) A copying fee totaling \$5.00 or less shall be waived, but the copying fees for contemporaneous requests by the same individual shall be aggregated to determine the total fee.

§ 2508.18 What are the penalties for obtaining a record under false pretenses?

The Privacy Act provides, in pertinent part that:

(a) Any person who knowingly and willfully requests to obtain any record concerning an individual from the Corporation under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000 (5 U.S.C. 552a(l)(3)).

(b) A person who falsely or fraudulently attempts to obtain records under the Privacy Act also may be

subject to prosecution under such other criminal statutes as 18 U.S.C. 494, 495 and 1001.

§ 2508.19 What Privacy Act exemptions or control of systems of records are exempt from disclosure?

(a) Certain systems of records that are maintained by the Corporation are exempted from provisions of the Privacy Act in accordance with exemptions (j) and (k) of 5 U.S.C. 552a.

(1) Exemption of Inspector General system of records. Pursuant to, and limited by 5 U.S.C. 552a(j)(2), the system of records maintained by the Office of the Inspector General that contains the Investigative Files shall be exempted from the provisions of 5 U.S.C. 552a, except subsections (b), (c) (1) and (2), (e)(4) (A) through (F), (e)(6)(7), (9), (10), and (11), and (I), and 45 CFR 2508.11, 2508.12, 2508.13, 2508.14, 2508.15, 2508.16, and 2508.17, insofar as the system contains information pertaining to criminal law enforcement investigations.

(2) Pursuant to, and limited by 5 U.S.C. 552a(k)(2), the system of records maintained by the Office of the Inspector General that contains the Investigative Files shall be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f), and 45 CFR 2508.11, 2508.12, 2508.13, 2508.14, 2508.15, 2508.16, and 2508.17, insofar as the system contains investigatory materials compiled for law enforcement purposes.

(b) Exemptions to the General Counsel system of records. Pursuant to, and limited by 5 U.S.C. 552a(d)(5), the system of records maintained by the Office of the General Counsel that contains the Legal Office Litigation/Correspondence Files shall be exempted from the provisions of 5 U.S.C. 552a(d)(5), and 45 CFR 2508.4, insofar as the system contains information compiled in reasonable anticipation of a civil action or proceeding.

§ 2508.20 What are the restrictions regarding the release of mailing lists?

An individual's name and address may not be sold or rented by the Corporation unless such action is specifically authorized by law. This section does not require the withholding of names and addresses otherwise permitted to be made public.

Dated: April 15, 1999.

Thomas L. Bryant,

Acting General Counsel.

[FR Doc. 99-9857 Filed 4-19-99; 8:45 am]

BILLING CODE 6050-28-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-227; RM-9159; RM-9229; RM-9230]

Radio Broadcasting Services; Wasilla and Sterling, AK

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 265C2 to Wasilla, Alaska, in lieu of previously proposed Channel 273C2, as that community's second local FM transmission service, in response to a petition for rule making filed on behalf of KMBQ Corporation (RM-9159). See 62 FR 61719, November 19, 1997. Additionally, in response to a counterproposal (RM-9229), the licensee issued to Morris Communications Corporation for Station KMXS(FM), Anchorage, is modified to specify operation on Channel 276C1 at coordinates 61-08-13 NL and 149-50-06 WL. (See Supplementary Information, *infra*.) Also, Channel 231C2 is allotted to Sterling, Alaska, as that community's first local aural transmission service, in response to a counterproposal filed on behalf of Chester P. Coleman (RM-9230). Coordinates used for Channel 265C2 at Wasilla, Alaska, are 61-38-05 NL and 149-22-14 WL. Coordinates used for Channel 231C2 at Sterling, Alaska, are 60-32-18 NL and 150-45-30 WL. With this action, the proceeding is terminated.

DATES: Effective May 24, 1999. A filing window for Channel 265C2 at Wasilla, Alaska, and for Channel 231C2 at Sterling, Alaska, will not be opened at this time. Instead, the issue of opening a filing window for those channels will be addressed by the Commission in a subsequent Order.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process should be addressed to the Audio Services Division, (202) 418-2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 97-227, adopted March 31, 1999, and released April 9, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased

from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

We wish to clarify that although Channel 276C1 currently appears in the FM Table of Allotments at Anchorage, it was downgraded to Channel 276C2 on August 26, 1994, at the request of the former licensee of Station KMXS(FM) (see File No. BPH-931229IA). An editorial amendment to the Table of Allotments was never made to reflect the change at Anchorage. Therefore, it is not necessary to amend the Table of Allotments with respect to that community. However, Morris Communications Corporation is expected to abide by the requirements of Section 1.1104(3)(1) of the Commission's Rules when filing its application to implement the upgrade for Station KMXS(FM) at Anchorage.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 reads as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Alaska, is amended by adding Sterling, Channel 231C2.

3. Section 73.202(b), the Table of FM Allotments under Alaska, is amended by adding Channel 265C2 at Wasilla.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 99-9766 Filed 4-19-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF59

Endangered and Threatened Wildlife and Plants; Emergency Rule To List the Sierra Nevada Distinct Population Segment of California Bighorn Sheep as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Emergency rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), exercise our authority to emergency list the Sierra Nevada distinct population segment of California bighorn sheep (*Ovis canadensis californiana*), occupying the Sierra Nevada of California, as endangered under the Endangered Species Act of 1973, as amended (Act). The Sierra Nevada bighorn sheep is known from five disjunct subpopulations along the eastern escarpment of the Sierra Nevada totaling about 100 animals.

All five subpopulations are very small and are imminently threatened by mountain lion (*Puma concolor*) predation and disease. Because these threats constitute an emergency posing a significant risk to the well-being of the Sierra Nevada bighorn sheep, we find that emergency listing is necessary. This emergency rule provides Federal protection pursuant to the Act for this species for a period of 240 days. A proposed rule to list the Sierra Nevada bighorn sheep as endangered is published concurrently with this emergency rule in this same issue of the **Federal Register** in the proposed rule section.

DATES: This emergency rule becomes effective immediately upon publication and expires December 16, 1999.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Rd. Suite B, Ventura, California 93003.

FOR FURTHER INFORMATION CONTACT: Carl Benz, at the address listed above (telephone 805/644-1766; facsimile 805/644-3958).

Background

The bighorn sheep (*Ovis canadensis*) is a large mammal (family Bovidae) originally described by Shaw in 1804 (Wilson and Reeder 1993). Several subspecies of bighorn sheep have been recognized on the basis of geography and differences in skull measurements (Cowan 1940; Buechner 1960). These subspecies of bighorn sheep, as described in these early works, include *O. c. cremnobates* (Peninsular bighorn sheep), *O. c. nelsoni* (Nelson bighorn sheep), *O. c. mexicana* (Mexican bighorn sheep), *O. c. weemsi* (Weems bighorn sheep), *O. c. californiana* (California bighorn sheep), and *O. c. canadensis* (Rocky Mountain bighorn sheep). However, recent genetic studies question the validity of some of these subspecies and suggest a need to re-evaluate overall bighorn sheep

taxonomy. For example, Sierra Nevada bighorn sheep appear to be more closely related to desert bighorn sheep than the *O. c. californiana* found in British Columbia (Ramey 1991, 1993). Regardless, the Sierra Nevada bighorn sheep meets our criteria for consideration as a distinct vertebrate population segment (as discussed below) and is treated as such in this emergency rule.

The historical range of the Sierra Nevada bighorn sheep (*Ovis canadensis californiana*) includes the eastern slope of the Sierra Nevada, and, for at least one subpopulation, a portion of the western slope, from Sonora Pass in Mono County south to Walker Pass in Kern County, a total distance of about 346 kilometers (km) (215 miles (mi)) (Jones 1950; Wehausen 1979, 1980). By the turn of the century, about 10 out of 20 historical subpopulations survived. The number dropped to five subpopulations at mid-century, and down to two subpopulations in the 1970s, near Mount Baxter and Mount Williamson in Inyo County (Wehausen 1979). Currently, five subpopulations of Sierra Nevada bighorn sheep occur at Lee Vining Canyon, Wheeler Crest, Mount Baxter, Mount Williamson, and Mount Langley in Mono and Inyo counties, three of which are reintroduced subpopulations established from sheep obtained from the Mount Baxter subpopulation from 1979 to 1986 (Wehausen *et al.* 1987).

The Sierra Nevada bighorn sheep is similar in appearance to other desert associated bighorn sheep. The species' pelage shows a great deal of color variation, ranging from almost white to dark brown, with a white rump. Males and females have permanent horns; the horns are massive and coiled in males, and are smaller and not coiled in females (Jones 1950; Buechner 1960). As the animals age, their horns become rough and scarred with age, and will vary in color from yellowish-brown to dark brown. In comparison to many other desert bighorn sheep, the horns of the Sierra Nevada bighorn sheep are generally more divergent as they coil out from the base (Wehausen 1983). Adult male sheep stand up to a meter (m) (3 feet (ft)) tall at the shoulder; males weigh up to 99 kilograms (kg) (220 pounds (lbs)) and females 63 kg (140 lbs) (Buechner 1960).

The current and historical habitat of the Sierra Nevada bighorn sheep is almost entirely on public land managed by the U.S. Forest Service (USFS), Bureau of Land Management (BLM), and National Park Service (NPS). The Sierra Nevada is located along the eastern boundary of California, and peaks vary