Special services	Fees
1. Service charge for deposit account overdraft	$70
2. Service charge for dishonored deposit account replenishment check	35
3. Service charge for short fee payment	
4. Appeals	20
a. First appeal	
Additional claim in related group	200
b. Second appeal	20
Additional claim in related group	500
5. Secure test processing charge, per hour	20
6. Copying charge, first 15 pages, per page	60
Each additional page	1
7. Inspection charge	50
8. Special handling fee for a claim	65
Each additional claim using the same deposit	500
9. Special handling for recordation of a document	50
10. Full-term storage of deposits	330
11. Surcharge for expedited Certifications and Documents Section services	365
a. Additional certificates, per hour	
b. In-process searches, per hour	75
c. Copy of assignment, per hour	75
d. Certification, per hour	75
e. Copy of registered deposit	75
First hour	
Each additional hour	95
f. Copy of correspondence file	75
First hour	
Each additional hour	95
12. Surcharge for expedited Reference & Bibliography searches	75
First hour	125
Each additional hour	95

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

3. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 702.

§ 202.23 [Amended]

4. Section 202.23(e)(1) and (2) are amended by removing ''$270.00'' each place it appears and adding in its place ''$365.00.''

PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

5. The authority citation for part 203 continues to read as follows:

Authority: 17 U.S.C. 702; and 5 U.S.C. 552(a)(1).

§ 203.6 [Amended]

6. Section 203.6(b)(2) is amended by removing ''$7 for up to 15 pages and $.45 per page over 15.'' and adding in its place ''$15.00 for up to 15 pages and $.50 per page over 15.''.

PART 204—PRIVACY ACT: POLICIES AND PROCEDURES

7. The authority citation for part 204 continues to read as follows:

Authority: 17 U.S.C. 702; and 5 U.S.C. 552(a).

§ 204.6 [Amended]

8. Section 204.6(a) is amended by removing ''$7 for up to 15 pages and $.45 per page over 15.'' and adding in its place ''$15.00 for up to 15 pages and $.50 per page over 15.''

PART 211—MASK WORK PROTECTION

9. The authority citation for part 211 continues to read as follows:

Authority: 17 U.S.C. 702 and 908.

§ 211.3 [Amended]

10. In § 211.3(a)(1) and (2) remove ''$20.00'' each place it appears and add in is place ''$75.00.''

11. In § 211.3(a)(7), remove ''$330'' and add in its place ''$500.00.''

Dated: March 24, 1998.

David O. Carson,

General Counsel.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 98–8207 Filed 3–31–98; 8:45 am]

BILLING CODE 1410–30–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 11

[FO Docket No. 91-171, 91-301; FCC 98-33]

Emergency Alert System

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This *Second Further Notice of Proposed Rule Making* seeks comment regarding proposed rules that would prohibit cable systems from overriding local broadcaster's emergency related programming with voluntary state and/or local level Emergency Alert System (EAS) messages. The Commission also seeks to insure that EAS rules will allow members of the public to receive the most current and accurate emergency information possible, whether the information is originated by a cable operator, or an over the air broadcast station.

Cost information related to the purchase and installation of selective channel override equipment at cable systems is requested. Cable systems may need to install this equipment if rules requiring local broadcasters emergency programming be uninterrupted by cable systems EAS warnings are adopted. The Commission requests comment as to

who should bear cost related to this additional switching equipment.

DATES: Comments due by April 20, 1998; Reply comments due by May 5, 1998.

ADDRESSES: To file formally in this proceeding, you must file an original and four copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original plus nine copies. You should send comments and reply comments to the Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554. Formal and informal comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center of the Federal Communications Commission, Room 239, 1919 M Street, NW., Washington, D.C. 20554

FOR FURTHER INFORMATION CONTACT: EAS Staff, Compliance and Information Bureau, (202) 418–1220.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Second Further Notice of Proposed Rule Making* in FO Dockets 91–171/91–301, adopted March 4, 1998, and released March 19, 1998.

The full text of this *Second Further Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC's Public Reference Center (Room 239), 1919 M Street, NW., Washington, D.C. 20554. The complete text may also be purchased from the Commission's duplication contractor, International Transcription Service, Inc., 1231 20th Street, NW, Washington, D.C. 20336; phone: (202) 857–3800, facsimile: (202) 857–3805.

Synopsis of Second Further Notice of Proposed Rule Making

The FCC adopted a *Second Further Notice of Proposed Rule Making* requesting comment regarding rules that would require cable systems to prevent the interruption of local broadcast station emergency programming when activating their EAS equipment during voluntary state and/or local activations.

EAS replaced the Emergency Broadcast System (EBS), and uses various communications technologies, such as broadcast stations and cable systems, to alert the public regarding national, state and local emergencies. EAS, compared to EBS, includes more sources capable of alerting the public and specifies new equipment standards and procedures to improve alerting capabilities.

In 1994, the Commission issued a *Report and Order* (59 FR 67090; December 28, 1994) in this proceeding dealing largely with the participation by broadcast stations in EAS, but also directing that wired cable TV systems participate, and specifying the nature of this participation. The *Report and Order* added a new Part 11 to the FCC's rules containing EAS regulations. At the same time, the Commission issued a *Further Notice of Proposed Rule Making (FNPRM)* (59 FR 67104; December 28, 1994). The *Second Report and Order* (Second R&O) modified the requirements in the Report and Order applying to cable systems and addressed issues raised in the FNPRM. The *Second R&O* established dates that phase cable systems into EAS participation. This phase in process was done in order to ease the economic burden that EAS and related equipment impose on cable systems that serve less than 5,000 subscribers.

The *Second Further Notice of Proposed Rule Making* seeks comment regarding amending Commission rules to insure that the public has access to the most accurate and relevant emergency information available. Many broadcast television stations maintain independent news and weather gathering facilities and personnel that may provide the public with emergency information. Any state or local information provided by these station resources may then be transmitted to the public as part of the station's programming and is not required to be sent via an EAS activation. The EAS rules require activations only in the event of a national emergency or for testing purposes.

On December 31, 1998, cable systems are scheduled to begin participation in EAS. Cable headend facilities, in many instances, operate in an automated or unattended manner often without news or weather department support. Commission rules currently require most cable systems to place an aural and visual message on all channels transmitting programming, including broadcast channels that are carried on that system, when activating the EAS equipment. Cable systems serving less than 5,000 subscribers per headend are required to place a visual interruption on all channels in order to alert viewers of the presence of an EAS alert on an information channel. This information channel will transmit the audio and visual EAS message to the cable viewers. The Commission has also established rules that allow cable systems to enter into written agreements with broadcasters that relieve the cable operator from providing EAS messages on the channels of the cable system used to transmit broadcast stations.

The Commission, noting concerns raised by broadcasters, requests comment regarding the rules regarding broadcast channel overrides. We seek to determine if allowing the establishment of written agreements will allow cable subscribers viewing broadcast stations efficient access to emergency information. We also ask if the Commission should establish specific guidelines that broadcast stations must comply with in order to avoid channel overrides resulting from EAS messages sent by a cable system. The Commission is also requesting cost information related to the purchase and installation of selective override equipment at cable facilities. Finally, the Commission requests comment on which party should bear any additional cost of this equipment, the broadcaster, the cable system or a combination of the two.

Paperwork Reduction Act of 1995

This Second Further Notice of Proposed Rule Making does not contain either a proposed or modified information collection.

Regulatory Flexibility Analysis

As required by section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in this document. Written public comments are requested on the IRFA. We also seek comment on the number of entities affected by the proposed rules that are small businesses, and request that commenters identify whether they themselves are small businesses. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the *Second Further Notice of Proposed Rule Making*, but they must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis.

Legal Basis

The *Second Further Notice of Proposed Rule Making* is issued under the authority contained in Sections 4(i), 4(j), 303(r), 624(g) and 706 (c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 303(b), 303(r), 544(g) and 706(c).

List of Subjects in 47 CFR Part 11

Emergency alert system.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98–8500 Filed 3–31–98; 8:45 am]

BILLING CODE 6712–01–F

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AE

Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for the Plant ''Helianthus paradoxus'' (Pecos Sunflower)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to list *Helianthus paradoxus* (Pecos or puzzle sunflower) as a threatened species pursuant to the Endangered Species Act of 1973, as amended (Act). This species is dependent on desert wetlands for its survival. It is known from 22 sites in Cibola, Valencia, Guadalupe, and Chaves Counties, New Mexico, and from two sites in Pecos County, Texas. Threats to this species include drying of wetlands from groundwater depletion, alteration of wetlands (*e.g.* wetland fills, draining, impoundment construction), competition from non-native plant species, excessive livestock grazing, mowing, and highway maintenance. This proposal, if made final, would implement the Federal protection and recovery programs of the Act for this plant.

DATES: Comments from all interested parties must be received by June 1, 1998. Public hearing requests must be received by May 18, 1998.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, New Mexico Ecological Services Field Office, U.S. Fish and Wildlife Service, 2105 Osuna Road, NE, Albuquerque, New Mexico 87113. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Charlie McDonald, Botanist, at the above address, or telephone 505/761–4525 ext. 112; facsimile 505/761–4542.

SUPPLEMENTARY INFORMATION:

Background

Pecos sunflower was first collected on August 26, 1851, by Dr. S.W. Woodhouse on the Sitgreaves expedition to explore the Zuni and Lower Colorado Rivers. The location was given as ''Nay Camp, Rio Laguna'' (Sitgreaves 1853). The Rio Laguna is now called the Rio San Jose and the collection site would have been somewhere between Laguna Pueblo and Bluewater in Cibola County, New Mexico. This specimen was identified as *Helianthus petiolaris* (prairie sunflower) by Dr. John Torrey, a botanical expert at the New York Botanical Garden (Sitgreaves 1853). It was not until 1958 that Dr. Charles Heiser named *Helianthus paradoxus* as a new species citing two known specimens—the type specimen collected September 11, 1947, by H.R. Reed west of Fort Stockton in Pecos County, Texas; and the Woodhouse specimen collected in New Mexico (Heiser 1958).

Heiser (1965) did hybridization studies to help resolve doubts about the validity of Pecos sunflower as a true species. There was speculation that the plant Heiser named as a new species was in fact only a hybrid between *Helianthus annuus* (common sunflower) and prairie sunflower. Heiser's studies showed that Pecos sunflower is a fertile plant that breeds true with itself. He was able to produce hybrids between Pecos sunflower and both common sunflower and prairie sunflower, but these hybrids were of low fertility. These results support the validity of Pecos sunflower as a true species. Rieseberg et al. (1990) published results of molecular tests of the hypothesized hybrid origin of Pecos sunflower. They used electrophoresis to test enzymes and restriction-fragment analysis to test ribosomal and chloroplast DNA. Their work showed Pecos sunflower is a true species of ancient hybrid origin with the most likely hybrid parents being common sunflower and prairie sunflower.

Pecos sunflower is an annual member of the sunflower family (Asteraceae). It grows 1.3–2.0 meters (m) (4.25–6.5 feet (ft)) tall and is branched at the top. The leaves are opposite on the lower part of the stem and alternate at the top, lance-shaped with three prominent veins, and up to 17.5 centimeters (cm) (6.9 inches (in)) long by 8.5 cm (3.3 in) wide. The stem and leaf surfaces have a few short stiff hairs. The flower heads are 5.0–7.0 cm (2.0–2.8 in) in diameter with bright yellow rays. Flowering is from September to November. Pecos sunflower looks much like the common sunflower seen along roadsides throughout the west, but differs from common sunflower in having narrower leaves, fewer hairs on the stems and leaves, slightly smaller flower heads, and later flowering.

Pecos sunflowers grow in soils that are permanently saturated. Areas that maintain these conditions are most commonly desert wetlands (cienegas) associated with springs, but they may also include stream margins and the margins of impoundments. When plants are associated with impoundments, the impoundments typically have replaced natural cienega habitats. Plants commonly associated with Pecos sunflower include *Limonium limbatum* (Transpecos sealavender), *Samolus cuneatus* (limewater brookweed), *Flaveria chloraefolia, Scirpus olneyi* (Olney bulrush), *Phragmites australis* (common reed), *Distichlis* sp. (saltgrass), *Sporobolus airoides* (alkali sacaton), *Muhlenbergia asperifolia* (alkali muhly), *Juncus mexicanus* (Mexican rush), *Suaeda calceoliformis* (Pursh seepweed), and *Tamarix* spp. (saltcedar) (Poole 1992, Sivinski 1995). All of these species are good indicators of saline soils. Studies by Van Auken and Bush (1995) indicate Pecos sunflower grows in saline soils, but seeds germinate and establish best when high water tables reduce salinities near the soil's surface.

Until 1990, Pecos sunflower was known only from three extant sites. Two sites were in Pecos County, Texas, and one site was in Chaves County, New Mexico (Seiler *et al.* 1981). Searches of suitable habitats in Pecos, Reeves, and Culbertson counties, Texas, during 1991 failed to result in the discovery of any new Texas sites or in the rediscovery of any sites believed to have been extirpated (Poole 1992). Searches in New Mexico from 1991 through 1994, however, led to discovery of a significant number of new sites in that State (Sivinski 1995). Pecos sunflower is presently known from 24 sites that occur in 5 general areas. These areas are Pecos County, Texas, in the vicinity of Fort Stockton; Chaves County, New Mexico, from Dexter to just north of Roswell; Guadalupe County, New Mexico, in the vicinity of Santa Rosa; Valencia County, New Mexico, along the lower part of the Rio San Jose; and, Cibola County, New Mexico, in the vicinity of Grants. There are 2 sites in the Fort Stockton area, 11 in the Dexter to Roswell area, 8 in the Santa Rosa area, 1 along the lower Rio San Jose, and 2 in the Grants area.

Most of the Pecos sunflower sites are limited to less than 2.0 hectares (ha) (5.0 acres (ac)) of wetland habitat with some being only a fraction of a hectare. Two sites, one near Fort Stockton and one near Roswell, are considerably more