

his federal capacity for a period of time after accepting another job. Citizens believes that during this time of transition the employee is placed in a position of divided allegiance between continuing to maintain the public trust and wishing to protect or further the interests of his future employer. Adoption of the proposed rule is thus urged to preclude such conflict from arising.

3. We do not think that the immediate termination of an employee's services is required to safeguard the integrity of the Commission's processes. An FCC employee who is negotiating regarding future private employment is prohibited from participating in his governmental capacity in any matter in which a person with whom he is negotiating has a financial interest. 18 U.S.C. 208(a); 47 CFR 19.735-204(e)(2). The same prohibition obviously applies if the employee has accepted private employment but remains temporarily with the Commission. Commission employees are also prohibited from disclosing non-public information to any person outside the Commission.

4. In practice, employees who have accepted private employment are expected to complete their FCC responsibilities as quickly as possible. Allowing them a brief period of time to remain in government service permits an orderly transition of work and fosters the proper conduct of the Commission's business.

5. It does appear, however, that procedural arrangements to assure there is no conflict of interest should be tightened. We are therefore amending § 19.735-204(e) of the rules as follows: Immediately upon entering into negotiations with a prospective employer, a Commission employee shall notify his immediate supervisor. The supervisor shall review the employee's assignments and responsibilities and discharge him from any that could affect the interests of the prospective employer. Thereupon, the employee shall file a statement of disqualification and non-participation pursuant to § 19.735-412(e). This employee's disqualification naturally continues if the employee remains with the Commission temporarily after accepting private employment.

6. Authority for this amendment is contained in Sections 4(i) and 303(r), of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), and in 18 U.S.C. 208. Because the amendment involves a matter of internal procedure, the prior notice provisions of 5 U.S.C. 553 are inapplicable.

7. Accordingly, it is ordered, effective October 3, 1979, that the Petition for

Rule Making (RM-2961) is denied, that § 19.735-204 is amended as set out in the attached Appendix, and that this proceeding is terminated.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.
William J. Tricarico,
Secretary.

Appendix

In Part 19 of Chapter I of Title 47 of the Code of Federal Regulations, § 19.735-204 is amended as follows:

1. That portion of § 19.735-204(e)(2) preceding subdivision (i) is revised; a new § 19.735-204(e)(3) is added; and present § 19.735-204(e)(3) is redesignated § 19.735-204(e)(4), to read as follows:

§ 19.735-204 Financial interests.

* * * * *

(e) * * *

(2) An employee may not participate in his governmental capacity in any matter in which he, his spouse, minor child or outside business associate has a financial interest (18 U.S.C. 208).

* * * * *

(3) An employee may not participate in his governmental capacity in any matter in which a person from whom he has accepted employment, or with whom he is negotiating for employment, has a financial interest. At the outset of negotiations with such a prospective employer, the employee shall notify his immediate supervisor. The supervisor shall review the employee's current assignments and responsibilities and discharge him from any that could affect the interests of the prospective employer. The employee shall thereupon file a statement of disqualification and non-participation pursuant to § 19.735-412(e). The statement shall continue in effect until such time (if any) as the negotiations are unsuccessfully terminated.

(4) [text of old (e)(3) redesignated (e)(4)]

[FR Doc. 79-27140 Filed 8-29-79; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

49 CFR Part 192

[Amendment 192-34; Docket PS-54]

Transportation of Natural and Other Gas by Pipeline; Joining of Plastic Pipe

AGENCY: Materials Transportation Bureau.

ACTION: Extension of comment period.

SUMMARY: This notice extends the comment period to September 30, 1979, for comments to be submitted on certain issues regarding the final rule on joining of plastic pipe as published in the Federal Register, Volume 44, No. 142, page 42968, on July 23, 1979.

DATES: Comments due by September 30, 1979.

ADDRESS: Communications should refer to the docket and amendment number and should be sent to: Docket Branch, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Paul J. Cory, 202-426-2392.

SUPPLEMENTARY INFORMATION: In a letter of July 31, 1979, the American Gas Association (AGA) requests that the comment period on Amendment 192-34; Docket PS-54, Joining of Plastic Pipe, be extended for an additional 30 days. As justification for this request AGA points out that the limited time for response, based on the publication date of the amendment and the closing date for reply, does not permit time for distribution of the amendment and a thorough review by individuals in the industry having expertise in this area.

Based on the above request, MTB is extending the comment period to September 30, 1979, on Amendment 192-34, Docket PS-54, Joining of Plastic Pipe. (49 U.S.C. 1672; 49 U.S.C. 1804; 49 CFR 1.53 and Appendix A of Part 1).

Issued in Washington, D.C. on August 27, 1979.

Cesar De Leon,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

[FR Doc. 79-27193 Filed 8-29-79; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Opening of Pocasse National Wildlife Refuge, South Dakota, to Upland Game Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to upland game hunting of Pocasse National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will