

TABLE 1 TO SUBPART VVV—APPLICABILITY OF 40 CFR PART 63 GENERAL PROVISIONS TO SUBPART VVV—Continued

General provisions reference	Applicable to subpart VVV	Explanation
§ 63.14	Yes	INCORPORATION BY REFERENCE.
§ 63.15	Yes	AVAILABILITY OF INFORMATION AND CONFIDENTIALITY.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 99-176]

Interception and Recording of Telephone Conversations by Commission Personnel

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the rules with respect to the interception and recording of telephone conversations by agency personnel. The rules are being amended because the current GSA regulations have been repealed. The amended rules no longer make reference to the GSA regulations and the rule amendments clarify that the Inspector General has authority to intercept or monitor telephone conversations without obtaining a written authorization from the General Counsel.

DATES: Effective October 26, 1999.

FOR FURTHER INFORMATION CONTACT: Sharon Diskin, Office of General Counsel, (202) 418-1720.

SUPPLEMENTARY INFORMATION:

Adopted: July 13, 1999.
Released: July 16, 1999.

1. Sections 0.41(l) and 0.251(f) of our rules, 47 CFR 0.41(l) and 0.251(f) govern the duties and responsibilities of the Office of General Counsel with respect to the interception and recording of telephone conversations by agency personnel. The rules currently in effect refer to and reflect General Service Administration (GSA) regulations regarding the interception of telephone conversations. These GSA regulations have been repealed. Because GSA regulations no longer contain any specific provisions regarding the manner in which government agencies monitor the interception and recording of telephone conversations by agency personnel, we are amending our rule to delete reference to these regulations. The authority of the Office of the

General Counsel to issue any necessary written determinations with respect to these matters remains generally unchanged. However, because the Office of the Inspector General may deem it necessary to intercept or monitor telephone conversations in the conduct of audits or investigations, the rule amendments clarify that the Inspector General has such authority to do so without obtaining a written authorization from the Office of General Counsel.

2. Because these rule changes involve rules of agency organization, procedure or practice, prior notice and public comment procedures are not required. See 5 U.S.C. 553 (b)(3)(A).

3. Pursuant to sections 4(i), 4(j), 5(c), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and (j), 155(c) and 303(r), it is *hereby ordered* that Part 0 of the Commission's Rules is amended and effective October 26, 1999.

List of Subjects in 47 CFR Part 0

Organization and functions (Government agencies), Privacy. Federal Communications Commission.

Magalie Roman Salas,
Secretary.

Rule Changes

Part 0 of Title 47 of the Code of Federal Regulations is amended to read as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for Part 0 continues to read as follows:

Authority: Sec. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 225 unless otherwise noted.

2. Section 0.41(k) is revised to read as follows:

§ 0.41 Functions of the Office.

* * * * *

(k) To issue determinations on matters regarding the interception and recording of telephone conversations by Commission personnel. Nothing in this paragraph, however, shall affect the authority of the Inspector General to intercept or record telephone

conversations as necessary in the conduct of investigations or audits.

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3. Section 0.251(f) is revised to read as follows:

§ 0.251 Authority delegated.

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(f) The General Counsel is delegated authority to issue written determinations on matters regarding the interception of telephone conversations. Nothing in this paragraph, however, shall affect the authority of the Inspector General to intercept or record telephone conversations as necessary in the conduct of investigations or audits.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 102099B]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the Commercial Red Snapper Component

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of closure.

SUMMARY: NMFS closes the commercial fishery for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico. NMFS projects that the initial portion of the annual commercial quota for red snapper will be reached on November 5, 1999. This closure is necessary to protect the red snapper resource.

DATES: Effective noon, local time, November 5, 1999, until noon, local time, February 1, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Roy E. Crabtree, 727-570-5305.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf of Mexico is managed under the Fishery