

PART 1814—SEALED BIDDING**1814.407–3 [Amended]**

- 5. In paragraph (e) of section 1814.407–3, add the abbreviation “FAR” immediately before 14.407–3(a).

PART 1815—CONTRACTING BY NEGOTIATIONS**1815.404–471–5 [Amended]**

- 6. In paragraph (a) of section 1815.404–471–5, remove “FAR 31.205–10(a)(2)” and add “FAR 31.205–10(b)” in its place.

PART 1817—SPECIAL CONTRACTING METHODS**1817.7002 [Amended]**

- 7. In paragraph (b) of section 1817.7002, remove “1817.504(b)(4)” and add “1817.7203” in its place.

PART 1819—SMALL BUSINESS PROGRAMS

- 8. Revise paragraph (a) of section 1819.7002 to read as follows:

1819.7002 Contracting officer responsibility.

(a) Contracting officers must seek out as potential sources small disadvantaged business concerns, women-owned small business concerns, historically black colleges or universities and minority institutions, and give full consideration to these entities to satisfy NASA requirements. The participation of NASA prime contractors is also essential to meeting the Agency’s 8 percent goal.

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PART 1825—FOREIGN ACQUISITION**1825.7001 [Amended]**

- 9.–10. in paragraph (a) of section 1825.7001, remove the phrase “, its possessions, and Puerto Rico”.

1825.7002 [Amended]

- 11. In section 1825.7002, amend paragraph (b)(1)(ii) by adding “(pursuant to NPD 1050.1) “after the word involved”.

PART 1827—PATENTS, DATA, AND COPYRIGHTS

- 12. In section 1827.404, paragraph (g)(3)(B)(c) is revised to read as follows:

1827.404 Basic rights in data clause.

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(g) * * *

(3) * * *

(B) * * *

(c) The concurrence of the Headquarters Office of Aerospace

Technology, Commercial Technology Division (Code RC) is obtained.

PART 1844—SUBCONTRACTING POLICIES AND PROCEDURES**1844.302–71 [Amended]**

- 13. Amend section 1844.302–71 by removing paragraph (a) and redesignating paragraphs (b) and (c) as (a) and (b) respectively.

PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**1852.246–72 [Amended]**

- 14. Amend the clause at 1852.246–72 by—
 (a) Revising the date of the clause to read “August 2003”; and
 (b) Removing “1846.672–1” from the first sentence of paragraph (b) and adding “1846.6” in its place.

PART 1872—ACQUISITIONS OF INVESTIGATIONS

- 15. In section 1872.705, revise paragraph II (3) to read as follows:

1872.705 Format of Announcement of Opportunity (AO).

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II. NASA’s Safety Priority.

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- (3) The NASA workforce (including contractor employees working on NASA contracts); and

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 635**

[Docket No. 030617153–3188–02; I.D. 061203E]

RIN 0648–AR29

Atlantic Highly Migratory Species (HMS) Fisheries; Vessel Monitoring Systems

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

ACTION: Final rule; reinstatement.

SUMMARY: This document reinstates the requirement to have a NOAA-approved, Vessel Monitoring System (VMS) unit installed and operating on any vessel

leaving port to fish for HMS with pelagic longline gear on board, effective September 1, 2003.

DATES: Section 635.69 was stayed indefinitely on October 1, 2000 (66 FR 1907, January 10, 2001), and is reinstated effective September 1, 2003.

ADDRESSES: To obtain copies of the list of NOAA-approved VMS mobile transmitting units and NOAA-approved VMS communications service providers, write to NMFS Office for Law Enforcement (OLE), 8484 Georgia Avenue, Suite 415, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: For information regarding the requirement contact Chris Rilling, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, phone 301–713–2347. For current listing of approved VMS units contact Mark Oswell, Outreach Specialist, phone 301–427–2300, fax 301–427–2055. For questions regarding VMS installation and activation checklists, contact Jonathan Pinkerton, National VMS Program Manager, phone 301–427–2300, fax 301–427–2055.

The public may acquire this notice, installation checklist, and relevant updates via the “fax-back” service, or at the OLE Web site <http://www.nmfs.noaa.gov/ole/vms.html>.

SUPPLEMENTARY INFORMATION: On May 28, 1999, NMFS issued a regulation (64 FR 29090) codified at 50 CFR 635.69(a), requiring all commercial pelagic longline vessels fishing for Atlantic HMS to install a NMFS-approved VMS unit. Due to litigation, the requirement was stayed indefinitely on October 1, 2000 (66 FR 1907, January 10, 2001). On October 15, 2002, the U.S. District Court for the District of Columbia issued a final order upholding the VMS regulation. Following the favorable court ruling, NMFS began working to reinstate the VMS requirement.

On March 11, 2003, NMFS published a notice in the **Federal Register** (68 FR 11534) and corrected it on March 27, 2003 (68 FR 14949), to provide a list of the NMFS-approved VMS units for use by pelagic longline vessels in the Atlantic Highly Migratory Species (HMS) Fisheries and set forth relevant features of each VMS. The notification was issued to update and replace the approval notice published on September 9, 1999. An additional type approval notice was published on May 1, 2003 (68 FR 23285).

NMFS also submitted a request to the Office of Management and Budget