

■ 29. Section 1850.104–4 is added to read as follows:

**1850.104–4 Contract clause.**

The contracting officer shall obtain the NASA Administrator's approval prior to including clause 52.250–1 in a contract.

**1850.104–70 [Removed]**

■ 30. Section 1850.104–70 is removed.

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 31. The authority citation for part 1852 is revised to read as follows:

**Authority:** 51 U.S.C. 20113(a).

■ 32. Sections 1852.223–72 and 1852.223–73 are revised to read as follows:

**1852.223–72 Safety and Health (Short Form).**

As prescribed in 1823.7001(f), insert the following clause:

**SAFETY AND HEALTH (SHORT FORM) (XX/XX)**

(a) Safety is the freedom from those conditions that can cause death, injury, occupational illness; damage to or loss of equipment or property, or damage to the environment. NASA is committed to protecting the safety and health of the public, our team members, and those assets that the Nation entrusts to the Agency.

(b) The Contractor shall have a documented, comprehensive and effective health and safety program with a proactive process to identify, assess, and control hazards and take all reasonable safety and occupational health measures consistent with standard industry practice in performing this contract.

(c) The Contractor shall insert the substance of this clause, including this paragraph (c) in subcontracts that exceed the simplified acquisition threshold where work will be conducted completely or partly on Federally-controlled facilities.

(End of clause)

**1852.223–73 Safety and Health Plan.**

As prescribed in 1823.7001(c), insert the following clause:

**SAFETY AND HEALTH PLAN (XX/XX)**

(a) The offeror shall submit a detailed safety and occupational health plan as part of its proposal. The plan shall include a detailed discussion of the policies, procedures, and techniques that will be used to ensure the safety and occupational health of Contractor employees and to ensure the safety of all working conditions throughout the performance of the contract.

(b) The plan shall similarly address subcontractor employee safety and occupational health for those proposed subcontracts or subcontract effort where the work will be conducted completely or partly on a Federally-controlled facility

(d) This plan, as approved by the Contracting Officer, will be incorporated into any resulting contract.

(End of clause)

**ALTERNATE I (XX/XX)**

As prescribed in 1823.7001(c)(1), delete the first sentence in paragraph (a) of the basic provision and substitute the following:

The apparent low bidder, upon request by the Contracting Officer, shall submit a detailed safety and occupational health plan. The plan shall be submitted within the time specified by the Contracting Officer. Failure to submit an acceptable plan shall make the bidder ineligible for the award of a contract.

■ 33. Section 1852.233–70 is revised to read as follows:

**1852.233–70 Protests to NASA.**

As prescribed in 1833.106–70, insert the following provision:

**PROTESTS TO NASA (XX/XX)**

(a) In lieu of a protest to the United States Government Accountability Office (GAO), bidders or offerors may submit a protest under 48 CFR part 33 (FAR part 33) directly to the Contracting Officer for consideration by the Agency. Alternatively, bidders or offerors may request an independent review by the Assistant Administrator for Procurement, who will serve as or designate the official responsible for conducting an independent review. Such reviews are separate and distinct from the Ombudsman Program described at 1815.7001.

(b) Bidders or offerors shall specify whether they are submitting a protest to the Contracting Officer or requesting an independent review by the Assistant Administrator for Procurement.

(c) Protests to the Contracting Officer shall be submitted to the address or email specified in the solicitation (email is an acceptable means for submitting a protest to the Contracting Officer). Alternatively, requests for independent review by the Assistant Administrator for Procurement shall be addressed to the Assistant Administrator for Procurement, NASA Headquarters, Washington, DC 20456–0001.

(End of provision)

■ 34. Section 1852.247–71 is revised to read as follows:

**1852.247–71 Protection of the Florida Manatee.**

As prescribed in 1847.7001, insert the following clause:

**PROTECTION OF THE FLORIDA MANATEE (XX/XX)**

(a) Pursuant to the Endangered Species Act of 1973 (Pub. L. 93–205), as amended, and the Marine Mammals Protection Act of 1972 (Pub. L. 92–522), the Florida Manatee (*Trichechus Manatus*) has been designated an endangered species, and the Indian River Lagoon system within and adjacent to National Aeronautics and Space Administration's (NASA's) Kennedy Space Center (KSC) has been designated as a critical

habitat of the Florida Manatee. The KSC Environmental Management Branch will advise all personnel associated with the project of the potential presence of manatees in the work area, and the need to avoid collisions and/or harassment of the manatees. Contractors shall ensure that all employees, subcontractors, and other individuals associated with this contract and who are involved in vessel operations, dockside work, and selected disassembly functions are aware of the civil and criminal penalties for harming, harassing, or killing manatees.

(b) All contractor personnel shall be responsible for complying with all applicable Federal and/or state permits (e.g., Florida Department of Environmental Protection, St. Johns River Water Management District, Fish & Wildlife Service) in performing water-related activities within the contract. Where no Federal and/or state permits are required for said contract, and the contract scope requires activities within waters at KSC, the Contractor shall obtain a KSC Manatee Protection Permit from the Environmental Management Branch. All conditions of Federal, state, and/or KSC regulations and permits for manatee protection shall be binding to the contract. Notification and coordination of all water related activities at KSC will be done through the Environmental Management Branch.

(c) The Contractor shall incorporate the provisions of this clause in applicable subcontracts.

(End of clause)

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 229**

[Docket No. 150122067–5229–01]

**RIN 0648–BE83**

**Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations; Correction**

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

**ACTION:** Proposed rule; request for comments; correction.

**SUMMARY:** NMFS published a proposed rule in the **Federal Register** on March 19, 2015, to amend the regulations implementing the Atlantic Large Whale Take Reduction Plan. This action proposed to change the minimum number of traps per trawl to allow fishing with a single trap in certain Massachusetts and Rhode Island state waters; and proposed to modify the

requirement to use one endline on trawls within certain areas in Massachusetts state waters. NMFS also proposed a ¼ mile buffer in waters surrounding certain islands in Maine to allow fishing with a single trap. In addition, NMFS proposed additional gear marking requirements for those waters allowing single traps as well as two new high use areas for humpback whales (*Megaptera novaeangliae*) and North Atlantic right whales (*Eubalaena glacialis*). In that proposal, NMFS provided the wrong address for the submission of electronic comments. With this document, we correct our error by publishing the correct **ADDRESSES** section in its entirety.

**DATES:** We will accept comments on the March 19, 2015, (80 FR 14345) proposed rule that are received or postmarked on or before April 20, 2015.

**ADDRESSES:** You may submit comments on the March 19, 2015, proposed rule, identified by NOAA–NMFS–2015–0012, by either of the following methods:

- Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal.

1. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0012](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0012).

2. Click the “Comment Now!” icon, complete the required fields.

3. Enter or attach your comments.

- Mail: Submit written comments to Kim Damon-Randall, Assistant Regional Administrator for Protected Resources, NMFS Greater Atlantic Region, 55 Great Republic Dr., Gloucester, MA 01930, Attn: Large Whale Proposed Rule.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Kate Swails, NMFS Greater Atlantic Regional Fisheries Office, 978–282–8481, [Kate.Swails@noaa.gov](mailto:Kate.Swails@noaa.gov); or, Kristy Long, NMFS Office of Protected Resources, 206–526–4792, [Kristy.Long@noaa.gov](mailto:Kristy.Long@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Correction**

In a proposed rule that published in the **Federal Register** on March 19, 2015 (FR Doc. 2015–06272), (80 FR 14345) the **ADDRESSES** section provided the wrong address for the submission of electronic comments. The corrected **ADDRESSES** section appears above. All other information in the proposed rule, other than the **ADDRESSES** section, remains exactly the same as previously published.

Dated: March 27, 2015.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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