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) (XXX)

(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 incorporate 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, will 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 (XXX)

(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 20445–0001.

(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)
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.
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
   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; or, Kristy Long,
NMFS Office of Protected Resources,
206–526–4792, 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.

[FR Doc. 2015–08003 Filed 4–6–15; 8:45 am]
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