

(1) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large passenger vessel in order to ensure a safe passage in accordance with the Navigation Rules; and

(2) Permit commercial vessels anchored in a designated anchorage area to remain at anchor within 100 yards of a passing large passenger vessel; and

(3) Permit vessels that must transit via a navigable channel or waterway to pass within 100 yards of a moored or anchored large passenger vessel with minimal delay consistent with security.

(h) When a large passenger vessel approaches within 100 yards of a vessel that is moored, or anchored in a designated anchorage, the stationary vessel must stay moored or anchored while it remains within the large passenger vessel's safety and security zone unless it is either ordered by, or given permission by the Captain of the Port Puget Sound, his designated representative or the on-scene official patrol to do otherwise.

(i) Exemption. Public vessels as defined in paragraph (a) of this section are exempt from complying with paragraphs (e), (f), (g), (h), (j), (k), and (L) of this section.

(j) Exception. 33 CFR Part 161 promulgates Vessel Traffic Service regulations. Measures or directions issued by Vessel Traffic Service Puget Sound pursuant to 33 CFR Part 161 shall take precedence over the regulations in this section.

(k) Enforcement. Any Coast Guard commissioned, warrant or petty officer may enforce the rules in this section. When immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to exercise effective control in the vicinity of a large passenger vessel, any Federal Law Enforcement Officer or Washington Law Enforcement Officer may enforce the rules contained in this section pursuant to 33 CFR 6.04-11. In addition, the Captain of the Port may be assisted by other federal, state or local agencies in enforcing this section.

(l) Waiver. The Captain of the Port Puget Sound may waive any of the requirements of this section for any vessel or class of vessels upon finding that a vessel or class of vessels, operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purpose of port security, safety or environmental safety.

Dated: February 8, 2003.

Danny Ellis,

Captain, Coast Guard, Captain of the Port, Puget Sound.

[FR Doc. 03-7546 Filed 3-28-03; 8:45 am]

BILLING CODE 4910-15-P

NATIONAL SCIENCE FOUNDATION

45 CFR Part 674

RIN 3145-AA40

Antarctic Meteorites

AGENCY: National Science Foundation (NSF).

ACTION: Final rule.

SUMMARY: NSF is issuing a final rule that authorizes the collection of meteorites in Antarctica for scientific research purposes only. In addition, the regulations provide requirements for appropriate collection, handling, and curation of Antarctic meteorites to preserve their scientific value. These regulations implement Article 7 of the Protocol on Environmental Protection to the Antarctic Treaty and are issued pursuant to Section 6 of the Antarctic Conservation Act, as amended by the Antarctic Science, Tourism and Conservation Act of 1996.

DATES: The rule is effective April 30, 2003.

FOR FURTHER INFORMATION CONTACT:

Anita Eisenstadt, Office of the General Counsel, at 703-292-8060.

SUPPLEMENTARY INFORMATION: On August 27, 2002, the NSF published a proposed rule authorizing the collection of meteorites in Antarctica for scientific research purposes only. NSF invited public comments on the proposed rule. NSF received nine comments on the proposed rule. All of the commenters were supportive of the proposed rule.

One of the commenters suggested that NSF revise § 674.5(3)(ii) to recognize that in some cases, a meteorite will not belong to any well-established classification. NSF agrees with this comment and has revised the language accordingly.

Another commenter requested clarification whether or not meteorites are considered mineral resources. As noted in the preamble to the proposed rule, the authority for this rule derives from Article 7 of the Protocol on Environmental Protection to the Antarctic Treaty which states that "any activity relating to mineral resources, other than scientific research, shall be prohibited." These regulations implement this provision of the Protocol with respect to meteorites.

The same commenter raised concerns that the definition of expedition would enable U.S. citizens to avoid application of the rule by organizing expeditions to Antarctica in a foreign country. NSF notes that the restriction in § 674.4 against collecting meteorites in Antarctic for other than scientific research purposes applies to any person subject to the jurisdiction of the U.S. This provision would extend to U.S. citizens collecting meteorites in Antarctica, regardless of the location from which the expedition is organized. Consistent with other regulations implementing U.S. obligations under the Antarctic Treaty, the more detailed requirements for preparation and plans and submissions of information to NSF are limited to expeditions for which the United States is required to provide advance notification under the Antarctic Treaty. NSF believes that this obligation is appropriately apportioned.

Another commenter expressed concern that the exception for serendipitous finds could result in meteorites "fall[ing] through the regulatory cracks before arriving at a curation site." Section 674.7 provides that serendipitous finds must be handled in a manner that minimizes contamination and must otherwise be documented in accordance with the requirements of § 674.5. This approach recognizes that serendipitous finds will occur and assures that the opportunity to collect these specimens for scientific purposes is not lost. NSF believes that the requirement for documenting and curating serendipitous finds provides an appropriate mechanism for adequately and accurately tracking Antarctic meteorites.

Another commenter suggested technical revisions to the handling requirements in Section 674.5 (b)(1) to reflect current research laboratory practices. These revisions have been adopted in the final regulation. All other comments were appropriately considered in the promulgation of this final rule.

Determinations

NSF has determined, under the criteria set forth in Executive Order 12866, that this rule is not a significant regulatory action requiring review by the Office of Information and Regulatory Affairs. The rule is not a major rule under the Congressional Review Act. The Unfunded Mandate Reform Act of 1995 (Pub. L. 104-4), in sections 202 and 205, requires that agencies prepare analytic statements before proposing any rule that may result in annual expenditures of \$100 million by State, local, Indian Tribal governments, or the

private sector. Since this rule will not result in expenditures of this magnitude, it is hereby certified that such statements are not necessary. As required by the Regulatory Flexibility Act, it is hereby certified this rule will not have significant impact on a substantial number of small businesses.

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and its implementing regulations, 5 CFR part 1320, do not apply to the rule because there are less than ten U.S. entities which annually organize expeditions to Antarctica for the purpose of collecting meteorites. Finally, NSF has reviewed this rule in light of section 2 of Executive Order 12778 and I certify for the National Science Foundation that this rule meets the applicable standards provided in sections 2(a) and 2(b) of that order.

List of Subjects in 45 CFR Part 674

Antarctica, Meteorites, Research.

Dated: March 24, 2003.

Amy Northcutt,

Deputy General Counsel, National Science Foundation.

For the reasons set forth in the preamble, the National Science Foundation is adding 45 CFR part 674 to read as follows:

PART 674—ANTARCTIC METEORITES

Sec.

674.1 Purpose of regulations.

674.2 Scope and applicability.

674.3 Definitions.

674.4 Restrictions on collection of meteorites in Antarctica.

674.5 Requirements for collection, handling, documentation and curation of Antarctic meteorites.

674.6 Submission of information to NSF.

674.7 Exception for serendipitous finds.

Authority: 16 U.S.C. 2401 *et seq.*

§ 674.1 Purpose of regulations.

The purpose of the regulations in this part is to implement the Antarctic Conservation Act of 1978, as amended by the Antarctic Science, Tourism and Conservation Act of 1996, (16 U.S.C. 2401 *et seq.*), and Article 7 of the Protocol on Environmental Protection to the Antarctic Treaty done at Madrid on October 4, 1991. Specifically, this part is designed to ensure meteorites in Antarctica will be collected for scientific research purposes only and that U.S. expedition organizers to Antarctica who plan to collect meteorites in Antarctica will ensure that any specimens collected will be properly collected, handled, documented and curated to preserve their scientific value.

§ 674.2 Scope and applicability.

This part applies to any person who collects meteorites in Antarctica. The requirements of § 674.5 apply to any person organizing an expedition to or within Antarctica for which the United States is required to give advance notice under Paragraph (5) of Article VII of the Antarctic Treaty where one of the purposes of the expedition is to collect meteorites in Antarctica. The requirements in this part only apply to the collection of meteorites in Antarctica after April 30, 2003.

§ 674.3 Definitions.

In this part:

Antarctica means the area south of 60 degrees south latitude.

Expedition means an activity undertaken by one or more persons organized within or proceeding from the United States to or within Antarctica for which advance notification is required under Paragraph 5 of Article VII of the Antarctic Treaty.

Incremental cost is the extra cost involved in sharing the samples with other researchers. It does not include the initial cost of collecting the meteorites in Antarctica or the cost of maintaining the samples in a curatorial facility.

Person has the meaning given that term in section 1 of title 1, United States Code, and includes any person subject to the jurisdiction of the United States.

§ 674.4 Restrictions on collection of meteorites in Antarctica.

No person may collect meteorites in Antarctica for other than scientific research purposes.

§ 674.5 Requirements for collection, handling, documentation, and curation of Antarctic meteorites.

(a) Any person organizing an expedition to or within Antarctica, where one of the purposes of the expedition is to collect meteorites in Antarctica, shall ensure that the meteorites will be properly collected, documented, handled, and curated to preserve their scientific value. Curation includes making specimens available to bona fide scientific researchers on a timely basis, in accordance with specified procedures.

(b) Expedition organizers described in paragraph (a) of this section shall develop and implement written procedures for the collection, documentation, and curation of specimens which include the following components:

(1) *Handling requirements.* Handling procedures shall ensure that the specimens are properly labeled and

handled to minimize the potential for contamination from the point of collection to the point of curation. At a minimum, handling procedures shall include:

(i) Handling the samples with clean Teflon or polyethylene coated implements or stainless steel implements (or equivalent);

(ii) Double bagging of samples in Teflon or polyethylene (or equivalent) bags;

(iii) A unique sample identifier included with the sample;

(iv) Keeping the samples frozen at or below -15°C until opened and thawed in a clean laboratory setting at the curation facility; and

(v) Thawing in a clean, dry, non-reactive gas environment, such as nitrogen or argon.

(2) *Sample documentation.*

Documentation for each specimen, that includes, at a minimum:

(i) A unique identifier for the sample;

(ii) The date of find;

(iii) The date of collection (if different from date of find);

(iv) The latitude and longitude to within 500 meters of the location of the find and the name of the nearest named geographical feature;

(v) The name, organizational affiliation, and address of the finder or the expedition organizer;

(vi) A physical description of the specimen and of the location of the find; and

(vii) Any observations of the collection activity, such as potential contamination of the specimen.

(3) *Curation.* Make prior arrangements to ensure that any specimens collected in Antarctica will be maintained in a curatorial facility that will:

(i) Preserve the specimens in a manner that precludes chemical or physical degradation;

(ii) Produce an authoritative classification for meteorites that can be shown to belong to a well-established chemical and petrological group, and provide appropriate descriptions for those meteorites that cannot be shown to belong to an established chemical and petrological group;

(iii) Develop and maintain curatorial records associated with the meteorites including collection information, authoritative classification, total known mass, information about handling and sample preparation activities that have been performed on the meteorite, and sub-sample information;

(iv) Submit an appropriate summary of information about the meteorites to the Antarctic Master Directory via the National Antarctic Data Coordination Center as soon as possible, but no later

than two years after receipt of samples at the curatorial facility;

(v) Submit information on classification of the meteorite to an internationally recognized meteorite research catalog, such as the "Catalogue of Meteorites" published by the Natural History Museum of London or the "Meteoritical Bulletin" published by the Meteoritical Society;

(vi) Specify procedures by which requests for samples by bonafide scientific researchers will be handled;

(vii) Make samples available to bonafide scientific researchers at no more than incremental cost and within a reasonable period of time; and

(viii) In the event that the initial curatorial facility is no longer in a position to provide curation services for the specimens, or believes that the meteorites no longer merit curation, it shall consult with the National Science Foundation's Office of Polar Programs to identify another appropriate curatorial facility, or to determine another appropriate arrangement.

§ 674.6 Submission of information to NSF.

A copy of the written procedures developed by expedition organizers pursuant to § 674.5(b) shall be furnished to the National Science Foundation's Office of Polar Programs at a minimum of 90 days prior to the planned departure date of the expedition for Antarctica. NSF shall publish a notice of availability of the plan in the **Federal Register** that provides for a 15 day comment period. NSF shall evaluate the procedures in the plan to determine if they are sufficient to ensure that the meteorites will be properly collected, handled, documented, and curated. NSF shall provide comments on the adequacy of the plan within 45 days of receipt. If NSF advises the expedition organizer that the procedures satisfy the requirements of § 674.5 and the procedures are implemented, the expedition organizer will have satisfied the requirements of this part.

§ 674.7 Exception for serendipitous finds.

A person who makes a serendipitous discovery of a meteorite in Antarctica which could not have been reasonably anticipated, may collect the meteorite for scientific research purposes, provided that the meteorite is collected in the manner most likely to prevent contamination under the circumstances, and provided that the meteorite is otherwise handled, documented and curated in accordance with the requirements of § 674.5.

[FR Doc. 03-7607 Filed 3-28-03; 8:45 am]

BILLING CODE 7555-01-P

DEPARTMENT OF DEFENSE

48 CFR Parts 202, 204, 207, 239, 250, and 252 and Appendix G to Chapter 2

Defense Federal Acquisition Regulation Supplement; Technical Amendments

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement to update activity names and addresses, references, and administrative information.

EFFECTIVE DATE: March 31, 2003.

FOR FURTHER INFORMATION CONTACT: Ms. Michele Peterson, Defense Acquisition Regulations Council, OUSD(AT&L)DPAP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0311; facsimile (703) 602-0350.

List of Subjects in 48 CFR Parts 202, 204, 207, 239, 250, and 252

Government procurement.

Michele P. Peterson,
Executive Editor, Defense Acquisition Regulations Council.

■ Therefore, 48 CFR parts 202, 204, 207, 239, 250, and 252 and Appendix G to chapter 2 are amended as follows:

■ 1. The authority citation for 48 CFR Parts 202, 204, 207, 239, 250, and 252 and Appendix G to subchapter I continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR chapter 1.

PART 202—DEFINITIONS OF WORDS AND TERMS

202.101 [Amended]

■ 2. Section 202.101 is amended in the definition of "Contracting activity", under the heading "AIR FORCE", by adding, after the entry "Air Force Materiel Command", the entry "Air Force Reserve Command".

PART 204—ADMINISTRATIVE MATTERS

■ 3. Section 204.7202-1 is amended by revising paragraph (b)(2)(i)(D) to read as follows:

204.7202-1 CAGE codes.

* * * * *

- (b) * * *
- (2) * * *
- (i) * * *

(D) The Internet to access the CAGE Lookup Server at http://www.dlis.dla.mil/cage_welcome.asp.

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PART 207—ACQUISITION PLANNING

■ 4. Section 207.103 is amended by revising paragraph (h)(i)(A) to read as follows:

207.103 Agency-head responsibilities.

* * * * *

- (h) * * *
- (i) * * *

(A) Must submit the acquisition plan to the SMCA at the following address: Program Executive Officer, Ammunition, ATTN: SFAE-AMO, Building 171, Picatinny Arsenal, NJ 07806-5000. Telephone: Commercial (973) 724-7101; DSN 880-7101;

* * * * *

PART 239—ACQUISITION OF INFORMATION TECHNOLOGY

239.7302 [Amended]

■ 5. Section 239.7302 is amended in paragraph (b)(2)(ii), in the second sentence, by adding, after "Program", the parenthetical "(DARMP)".

PART 250—EXTRAORDINARY CONTRACTUAL ACTIONS

250.102-70 [Amended]

■ 6. Section 250.102-70 is amended by removing "2410b" and adding in its place "2410(b)".

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.232-7003 [Amended]

■ 7. Section 252.232-7003 is amended in paragraph (a)(2), in the second sentence, by removing "Facsimile" and adding in its place "Facsimile".

APPENDIX G—ACTIVITY ADDRESS NUMBERS

■ 8. Appendix G to Chapter 2 is amended in Part 2, by adding, in alpha-numerical order, entry "DABM16" to read as follows:

APPENDIX G TO CHAPTER 2—ACTIVITY ADDRESS NUMBERS

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PART 2—ARMY ACTIVITY ADDRESS NUMBERS

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DABM16 U.S. Army Central Command—Afghanistan and Uzbekistan, Director of Joint Contracting Office BAF, APO, AE 09354

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■ 9. Appendix G to Chapter 2 is amended in Part 8, by adding, in alpha-numerical order, entry "NMA501" to read as follows: