

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 06–264; MB Docket No. 05–134; RM–11207]

**Radio Broadcasting Services; Naples and Sanibel, FL****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** This document grants a petition filed by Meridian Broadcasting Inc., licensee of Station WTLT(FM), Channel 229C3, Naples, Florida, requesting the substitution of Channel 229C2 for Channel 229C3 at Naples, Florida, reallocation of Channel 229C2 from Naples to Sanibel, Florida, as its first local service, and modification of the Station WTLT(FM) license to reflect the change. See 70 FR 19400, published April 13, 2005. Channel 229C2 can be allotted to Sanibel in conformity with the Commission's rules, provided there is a site restriction of 8.3 kilometers (5.2 miles) northwest at coordinates 26–30–00 NL and 82–05–00 WL.

**DATES:** Effective March 23, 2006**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.**FOR FURTHER INFORMATION CONTACT:**

Rolanda F. Smith, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order*, MB Docket No. 05–134, adopted February 2, 2006, and released February 6, 2006. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center 445 Twelfth Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC, 20054, telephone 1–800–378–3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

The FM Table of Allotments currently reflects Channel 228A at Naples, Florida. Station WTLT(FM) was granted a license to specify operation on Channel 229C3 in lieu of Channel 228A at Naples, Florida. See BLH–20030407AAL.

**List of Subjects in 47 CFR Part 73**

Radio, Radio broadcasting.

■ The Federal Communications Commission amends 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.**§ 73.202 [Amended]**

■ 2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by removing Channel 228A at Naples and by adding Sanibel, Channel 229C2.

Federal Communications Commission.

**John A. Karousos,***Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 06–1524 Filed 2–21–06; 8:45 am]

**BILLING CODE 6712–01–P****FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 06–266; MB Docket No. 05–120, RM–11194]

**Radio Broadcasting Services; Prospect, KY and Salem, IN****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Clear Channel Broadcasting Licenses, Inc., licensee of Station WZKF(FM), Channel 255B, Salem, Indiana, deletes Channel 255B at Salem, Indiana, from the FM Table of Allotments, allots Channel 255B at Prospect, Kentucky, as the community's first local FM service, and modifies the license of Station WZKF(FM) to specify operation on Channel 255B at Prospect, Kentucky. Channel 255B can be allotted to Prospect, Kentucky, in compliance with the Commission's minimum distance separation requirements with a site restriction of 21.4 km (13.0 miles) northwest of Prospect. The coordinates for Channel 255B at Prospect, Kentucky, are 38–25–59 North Latitude and 85–50–01 West Longitude.

**DATES:** Effective March 23, 2006.**FOR FURTHER INFORMATION CONTACT:**

Deborah Dupont, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 05–120, adopted February 2, 2006, and released

February 6, 2006. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC, 20554, (800) 378–3160, or via the company's Web site, <http://www.bcpiweb.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see U.S.C. 801(a)(1)(A).

**List of Subjects in 47 CFR Part 73**

Radio, Radio broadcasting.

■ Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.**§ 73.202 [Amended]**

■ 2. Section 73.202(b), the Table of FM Allotments under section 73.202(b), the Table of FM Allotments under Kentucky, is amended by adding Prospect, Channel 255B.

Federal Communications Commission.

**John A. Karousos,***Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 06–1525 Filed 2–21–06; 8:45 am]

**BILLING CODE 6712–01–P****FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 06–625; MB Docket No. 04–426, RM–11125]

**Radio Broadcasting Services; Beaumont and Mont Belvieu, TX****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** At the request of Cumulus Licensing, LLC, licensee of Station KRWP(FM), Beaumont, Texas, the Audio Division reallocates Channel 248C from Beaumont to Mont Belvieu, Texas, as the community's first local aural transmission service, and modifies the license for Station KRWP(FM) to reflect

the changes. See 69 FR 77976, December 29, 2004. Channel 248C is reallocated at Mont Belvieu at Station KRWP(FM)'s license site 50.1 kilometers (31.1 miles) east of the community at coordinates 29-41-52 NL and 94-24-09 WL.

**DATES:** Effective March 23, 2006.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 04-426 adopted February 2, 2006, and released February 6, 2006. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ 47 CFR part 73 is amended as follows:

#### PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 248C1 at Beaumont and adding Mont Belvieu, Channel 248C.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 06-1526 Filed 2-21-06; 8:45 am]

**BILLING CODE 6712-01-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Parts 1823 and 1852

**RIN 2700-AD12**

#### Safety and Health—Alternate I to Major Breach of Safety or Security Clause

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This rule adopts as final, with a minor editorial change, the proposed rule published in the *Federal Register* (70 FR 33726-33727) on June 9, 2005. This final rule amends the NASA FAR Supplement (NFS) to add Alternate I to the "Major Breach of Safety or Security" clause. Alternate I deletes references to termination for default and makes other changes to be consistent with the FAR termination clauses prescribed for use with educational or nonprofit institutions performing research and development work on a nonprofit or no-fee basis, and in contracts for commercial items.

**EFFECTIVE DATE:** February 22, 2006.

**FOR FURTHER INFORMATION CONTACT:** Carl Weber, Office of Procurement, Contract Management Division, (202) 358-1784, e-mail: [carl.c.weber@nasa.gov](mailto:carl.c.weber@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Since July 13, 2000, NFS has required the Major Breach of Safety or Security clause (1852.223-75) in new solicitations and contracts with an estimated value over \$500,000. The clause declares the Government's right to terminate for default in the event of a major breach of safety or security. However, contracts for commercial items procured under FAR Part 12 and certain contracts with educational or nonprofit institutions do not provide the Government the right to terminate for "default". Commercial contracts provide rights to terminate for convenience and "cause", and contracts with educational or nonprofit institutions provide the right to terminate for convenience.

NASA Procurement Information Circular (PIC 02-11) issued June 24, 2002, provided a class deviation to use an Alternate I to the clause, which deleted references to termination for default, under certain circumstances.

This final rule adds the Alternate I to the Major Breach of Safety or Security clause at 1852.223-75, eliminating the need for PIC 02-11 and the class deviation. Use of the clause with its Alternate I in contracts for commercial

items procured under FAR Part 12, and contracts for research and development work with educational or nonprofit institutions on a nonprofit or no-fee basis will be consistent with FAR termination clauses prescribed for use in such contracts. NASA published a proposed rule in the *Federal Register* (70 FR 33726-33727) on June 9, 2005. No comments were received, and the proposed rule is being adopted with a minor editorial change to 1823.7001(d)(2)(ii) that simplifies the clause prescription to require it when FAR 52.212-4 is included in a solicitation or contract. This is not a significant regulatory action, and therefore, is not subject to Office of Management and Budget review under section 6(b), of Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

##### B. Regulatory Flexibility Act

NASA certifies that this final rule does not have a significant economic impact on a substantial number of small entities with the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, since it only clarifies agency regulations so they are employed consistently with FAR termination provisions.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose any new recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Parts 1823 and 1852

Government Procurement.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 48 CFR parts 1823 and 1852 are amended as follows:

#### PART 1823—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

■ 1. The authority citation for 48 CFR parts 1823 and 1852 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1).

■ 2. Amend section 1823.7001 by revising paragraph (d) to read as follows:

#### 1823.7001 NASA solicitation provisions and contract clauses.

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