

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

8. Section 252.209-7003 is added to read as follows:

§ 252.209-7003 Compliance with Veterans' Employment Reporting Requirements.

As prescribed in 222.1304(b) use the following provision:

Compliance With Veterans' Employment Reporting Requirements (Mar 1998)

By submission of its offer, the offeror represents that, if it is subject to the reporting requirements of 37 U.S.C. 4212(d) (i.e., the VETS-100 report required by Federal Acquisition Regulation clause 52.222-37, Employment Reports on Disabled Veterans and Veterans of the Vietnam Era), it has submitted the more recent report required by 37 U.S.C. 4212(d).

(End of provision)

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 030398A]

Atlantic Sea Scallop; Certified Vessel Tracking System Vendor

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

ACTION: Notification of Vessel Tracking System (VTS) Certification.

SUMMARY: NMFS announces the approval and certification of a VTS vendor for the Northeast Region. This action is necessary to inform owners of vessels required to report days-at-sea (DAS) with VTS units of the requirement to have an operational VTS unit on board effective May 15, 1998. This action implements the VTS requirement of the Atlantic sea scallop regulations for certain categories of vessels.

DATES: This action becomes effective on May 15, 1998.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fishery Policy Analyst, 978-281-9273.

SUPPLEMENTARY INFORMATION: Final regulations implementing Amendment 4 to the Atlantic Sea Scallop Fishery Management Plan were published on January 19, 1994 (59 FR 2757). This amendment established effort control, or DAS programs, and required vessels participating in a DAS program to install an operational VTS unit for DAS monitoring. The regulations implementing Amendment 5 to the Northeast Multispecies FMP (59 FR 9872, March 1, 1994) implemented similar provisions for certain sectors of this fishery. In 1994, NMFS notified vessels participating in the DAS programs that the VTS requirement was delayed pending certification of vendors that meet the specified minimum performance standards. During this period, vessels were required to report via the call-in system (see § 648.10(d)).

In the proposed rule for Amendment 4 (58 FR 46606, September 2, 1993), NMFS requested that vendors interested in having systems certified for use in these fisheries submit information showing that the VTS meets the minimum performance criteria. The NMFS Office for Law Enforcement worked with the vendors to develop VTS units that meet these specifications.

On October 29, 1996, NMFS announced an experiment to test VTS between January 2, 1997, and September 30, 1997, to determine the effectiveness of VTS units supplied by vendors for VTS monitoring. Limited access multispecies permit holders in the individual DAS and combination DAS permit categories, as well as scallop limited access permit holders in the full-time and part-time categories, were invited to participate in the VTS experiment. Two vendors, Boatracs and SeaConnect, and 56 fishing vessels participated in the VTS experimental program.

Regulations contained in 50 CFR 648.10(d) provide NMFS with the discretion to authorize the use of the call-in system to report DAS until such time VTS vendors are certified. NMFS has reviewed the results of the VTS

experiment and other information provided by the vendor and concluded the following vendor has VTS units that meet the requirements for certification: Boatracs, 6440 Lusk Blvd., Suite D201, San Diego, CA 92121-2758, (619) 587-1073, 1-800-336-8722. As the result of certification of this vendor, the existing requirement that limited access sea scallop vessels in the full-time and part-time permit categories report via the call-in system is rescinded.

The vendor SeaConnect did not meet the specifications required for certification. They were informed of the problems, continue to work with the NMFS Office of Law Enforcement, and may qualify in the future.

During its January 1998 meeting, the New England Fishery Management Council voted to propose a 1-year delay in the VTS requirement for all limited access multispecies individual DAS vessels. Therefore, this action applies only to scallop limited access permit holders in the full-time and part-time categories effective May 15, 1998. These vessels are required to have an operational Boatracs VTS unit on board to report DAS and are now subject to all the VTS provisions and requirements under §§ 648.9 and 648.10 regarding use of the VTS and the VTS prohibitions under § 648.14. Vessel owners holding limited access occasional permits may also elect to report DAS under the VTS notification program or continue to report under the current call-in system.

Vessel owners subject to the VTS requirement should be aware that, currently, the geographic range of the Boatracs system is limited and is not likely to extend beyond the U.S. Exclusive Economic Zone. Owners of vessels that anticipate fishing in a high seas fishery, or who wish to delay purchasing a system for any reason, are encouraged to consider leasing the Boatracs system or working out some other type of procurement arrangement.

Authority: 16 U.S.C. 1801 *et. seq.*

Dated: March 4, 1998.

Rolland A. Schmitt,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

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