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#### SUPPLEMENTARY INFORMATION:

#### I. Background

As part NASA's retrospective review of existing regulations pursuant to section 6 of Executive Order 13563, Improving Regulation and Regulatory Review, NASA conducted a comprehensive review of its regulations and published two final rules in the **Federal Register** (80 FR 12935 and 80 FR 36719) on March 12, 2015, and June 26, 2015, respectively. As published, these rules contain errors due to inadvertent omission of affected clause dates and other errors that need to be corrected. A summary of changes follows:

- Section 1827.409 is revised to reinsert clause prescription paragraphs 1827.409(g), (i), and (k), which were inadvertently omitted from the rule published on March 12, 2015 (80 FR 12935).
- Sections 1852.203-71, 1852.204-76, 1852.215-77, 1852.216-90, 1852.225-8, 1852.227-17, 1852.227-19, 1852.227-88, 1852.237-72, and 1852.237-73 are revised to correct clause dates and/or clause titles.

#### List of Subject in 48 CFR Parts 1827 and 1852

Government procurement.

**Manuel Quinones,**  
NASA FAR Supplement Manager.

Accordingly, 48 CFR parts 1827 and 1852 are amended as follows:

#### PART 1827—PATENTS, DATA, AND COPYRIGHTS

- 1. The authority citation for part 1827 is revised to read as follows:

**Authority:** 51 U.S.C. 20113(a) and 48 CFR chapter 1.

- 2. Amend section 1827.409 by adding paragraphs (g), (i), and (k) to read as follows:

##### 1827.409 Solicitation provisions and contract clauses.

\* \* \* \* \*

(g) The contracting officer shall use the clause at 1852.227-86, Commercial Computer Software License, in lieu of FAR 52.227-19, Commercial Computer Software License, when it is considered appropriate for the acquisition of existing computer software.

\* \* \* \* \*

(i) The contract officer shall modify the clause at FAR 52.227-17, Rights in Data—Special Works by adding

paragraph (f) as set forth in 1852.227-17.

(k)(i) The contracting officer shall add paragraph (e) as set forth in 1852.227-19(a) to the clause at FAR 52.227-19, Commercial Computer Software License, when it is contemplated that updates, correction notices, consultation information, and other similar items of information relating to commercial computer software delivered under a purchase order or contract are available and their receipt can be facilitated by signing a vendor supplied agreement, registration forms, or cards and returning them directly to the vendor.

(ii) The contracting officer shall add paragraph (f) as set forth at 1852.227-19(b) to the clause at FAR 52.227-19, Commercial Computer Software License, when portions of a contractor's standard commercial license or lease agreement consistent with the clause, Federal laws, standard industry practices, and the FAR are to be incorporated into the purchase order or contract.

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

- 3. The authority citation for part 1852 continues to read as follows:

**Authority:** 51 U.S.C. 20113(a) and 48 CFR chapter 1.

##### 1852.203-71 [Amended]

- 4. Amend section 1852.203-71 by removing "AUGUST 2014" and adding "AUG 2014" in its place.

##### 1852.204-76 [Amended]

- 5. Amend section 1852.204-76 by removing "MONTH YEAR" and adding "JAN 2011" in its place.

##### 1852.215-77 [Amended]

- 6. Amend section 1852.215-77 by removing "DEC 1988" and adding "APR 2015" in its place.

##### 1852.216-90 [Amended]

- 7. Amend section 1852.216-90 by removing "AUGUST 2014" and adding "AUG 2014" in its place.

##### 1852.225-8 [Amended]

- 8. Amend the section heading of 1852.225-8 by removing "Duty-free entry of space articles" and adding "Duty-free entry of space articles (FEB 2000)" in its place.

##### 1852.227-17 [Amended]

- 9. Amend the section heading of 1852.227-17 by removing "Rights in

data—Special works" and adding "Rights in data—Special works (JUL 1997)" in its place.

##### 1852.227-19 [Amended]

- 10. Amend the section heading of 1852.227-19 by removing "Commercial computer software—Restricted rights" and adding "Commercial computer software—Restricted rights (JUL 1997)" in its place.

##### 1852.227-88 [Amended]

- 11. Amend section 1852.227-88 by adding a clause title and date immediately following the introductory text to read as follows:

##### 1852.227-88 Government-furnished computer software and related technical data.

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#### GOVERNMENT-FURNISHED COMPUTER SOFTWARE AND RELATED TECHNICAL DATA (APR 2015)

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##### 1852.237-72 [Amended]

- 12. Amend section 1852.237-72 by removing "JUNE 2005" and adding "JUN 2005" in its place.

##### 1852.237-73 [Amended]

- 13. Amend section 1852.237-73 by removing "JUNE 2005" and adding "JUN 2005" in its place.

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 648

[Docket No. 111220786-1781-01]

RIN 0648-XE241

##### Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for the Commonwealth of Massachusetts

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

**ACTION:** Temporary rule.

**SUMMARY:** NMFS announces that the 2015 summer flounder commercial fishery within the Commonwealth of Massachusetts is reopening to allow permitted vessels to fully harvest remaining commercial summer flounder quota as of October 12, 2015.

Regulations governing the summer flounder fishery require publication of this rule to advise Massachusetts that quota remains available to be landed, and to inform Federal vessel and dealer permit holders that Federal commercial summer flounder quota is available for landing in Massachusetts.

**DATES:** Effective 0001 hours October 12, 2015, through December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Reid Lichwell, (978) 281-9112, or [Reid.Lichwell@noaa.gov](mailto:Reid.Lichwell@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.103(b).

The total commercial quota for summer flounder for the 2015 fishing year is 11,069,410 lb (5,020,999 kg) (79 FR 78311, December 30, 2014). The percent allocated to vessels landing summer flounder in Massachusetts is 6.82046 percent, resulting in a commercial quota of 754,985 lb (342,455 kg). The 2015 Massachusetts allocation was adjusted to 760,785 lb (340,165 kg) to reflect the 2014 quota overages and the transfer of quota from other states.

On September 17, 2015, NMFS closed the 2015 commercial summer flounder fishery in Massachusetts based on up-to-date catch information. Analysis after the closure indicates that 16,294 lb (7,390 kg) of the 760,785 lb (340,165 kg) of Massachusetts commercial summer flounder quota remains unharvested. Therefore, we are reopening the Federal fishery concurrent with the Massachusetts action to open state waters to allow for full utilization of the 2015 Massachusetts commercial summer flounder quota.

The Administrator, Northeast Region, NMFS (Regional Administrator), has determined that there is still commercial summer flounder quota available for harvest in Massachusetts. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the commercial fishery will re-open.

Therefore, effective 0001 hours October 12, 2015, vessels holding summer flounder commercial Federal fisheries permits can again land summer flounder in Massachusetts until the commercial state quota is fully harvested. Effective 0001 hours October 12, 2015, federally permitted dealers can also purchase summer flounder from federally permitted vessels that land in Massachusetts until the

commercial state quota is fully harvested.

**Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest. This action reopens the summer flounder fishery for Massachusetts until the state commercial summer flounder quota is fully harvested, under current regulations. If implementation of this reopening were delayed to solicit prior public comment, the quota for this fishing year would not be fully harvested, thereby undermining the conservation objectives of the Summer Flounder Fishery Management Plan. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reason stated above.

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

Dated: October 8, 2015.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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