

The NFS will continue to integrate into a single document both regulations subject to public comments and internal Agency guidance and procedures that do not require public comment. Those portions of the NFS that require public comment will continue to be amended by publishing changes in the **Federal Register**. NFS regulations that require public comment are issued as chapter 18 of title 48 CFR. Changes to portions of the regulations contained in the CFR, along with changes to internal guidance and procedures, will be incorporated into the NASA-maintained Internet version of the NFS through Procurement Notices (PNs). The single official NASA-maintained version of the NFS will remain available on the Internet. NASA personnel must comply with all regulatory and internal guidance and procedures contained in the NFS.

This change will result in savings in terms of the number of rules subject to publication in the **Federal Register** and provide greater responsiveness to internal administrative changes.

B. Regulatory Flexibility Act

This proposed rule is not expected to 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.*, because this rule would only remove from the CFR information that is considered internal Agency administrative procedures and guidance. The information removed from the CFR will continue to be made available to the public via the Internet.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose 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 1819 and 1822 Through 1825

Government procurement.

Tom Luedtke,

Assistant Administrator for Procurement.

Accordingly, 48 CFR parts 1819, and 1822 through 1825 are amended as follows:

1. The authority citation for 48 CFR parts 1819, and 1822 through 1825, continues to read as follows:

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

PART 1819—SMALL BUSINESS PROGRAMS

2. Amend part 1819 by removing paragraphs (c), (d), and (f) in section 1819.201, subparts 1819.5, 1819.6, sections 1819.705–2, 1819.705–4, 1819.705–470, subpart 1819.8, sections 1819.7000, and 1819.7002.

PART 1822—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

3. Amend part 1822 by—
 (a) Removing sections 1822.000–70, 1822.101, 1822.101–1, 1822.101–3, 1822.101–4, 1822.101–70, 1822.103, 1822.103–4, subparts 1822.3, 1822.4, 1822.6, 1822.8, 1822.10, 1822.13, 1822.14, and 1822.15; and
 (b) Revising section 1822.103–5 to read as follows:

1822.103–5 Contract clause.

Insert the clause at 52.222–1, Notice to the Government of Labor Disputes, in all solicitations and contracts that exceed the simplified acquisition threshold.

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

4. Amend part 1823 by—
 (a) Removing sections 1823.203, 1823.270, and subparts 1823.3 and 1823.4;
 (b) Amending section 1823.570 by deleting subsection header “1823.570–1 Scope.” and “Section 1823.570 to 1823.570–4 set” from the beginning of the text following the header, and adding “This section sets”;
 (c) Redesignating sections 1823.570–2 through 1823.570–4 as 1823.570–1 through 1823.570–3, respectively;
 (d) In the first paragraph of the redesignated section 1823.570–1, remove “1823.570–4” and add “1823.570–3” in its place; and
 (e) Removing subpart 1823.7 and section 1823.7102.

PART 1824—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

5. Amend part 1824 by removing subpart 1824.2.

PART 1825—FOREIGN ACQUISITION

6. Amend part 1825 by—
 (a) In section 1825.103, removing paragraph (a)(i) and redesignating paragraphs (a)(ii) and (a)(iii) as (a)(i) and (a)(ii), respectively; and

(b) Removing section 1825.903, and subparts 1825.10 and 1825.70.

[FR Doc. 03–31407 Filed 12–19–03; 8:45 am]

BILLING CODE 7510–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2003–16487 Notice 1]

Federal Motor Vehicle Safety Standards; Denial of Petition For Rulemaking

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Denial of petition for rulemaking.

SUMMARY: Based on the agency’s evaluation, NHTSA denies a petition for rulemaking from the Alliance of Automobile Manufacturers (AAM) to amend S4(d) and S4(f)(4) of Federal Motor Vehicle Safety Standard (FMVSS) No. 214, “Side impact protection,” which specifies the travel distance of the loading device in the quasi-static door crush test. NHTSA believes that the rulemaking is unnecessary because granting the proposed amendments would not result in a substantive change in the performance requirements of the standard nor change the way that both the manufacturers and the agency may test the vehicle.

FOR FURTHER INFORMATION CONTACT: The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590:

For non-Legal Issues: Mr. Philip Oh, Office of Crashworthiness Standards, NVS–112, telephone (202) 493–0195, facsimile (202) 493–2290, electronic mail: philip.oh@nhtsa.dot.gov.

For Legal Issues: Ms. Deirdre Fujita, Office of the Chief Counsel, NCC–112, telephone (202) 366–2992, facsimile (202) 366–3820.

SUPPLEMENTARY INFORMATION:

Background

Sections S3 and S4 of Federal Motor Vehicle Standard (FMVSS) No. 214, “Side impact protection,” establish quasi-static door crush resistance requirements and the associated test procedures. The current specifications require the door crush test device to displace over a full 457 millimeters (mm) (18 inches), the average force to be calculated at 152 mm (6 inches) and 305

mm (12 inches), and the peak crush resistance to be determined over the entire 457 mm (18 inches) of crush. Currently, the minimum requirement for the peak crush resistance is 3.5 times the curb weight of the vehicle or 53,397 Newtons (N) (12,000 lb.), whichever is less (2 times or 31,148 N (7,000 lb.) if the seats are removed).

AAM Petition

On August 27, 2002, AAM submitted a petition for rulemaking concerning the travel distance of the loading device in the quasi-static door crush test. The test procedure described in S4(d) of FMVSS No. 214 requires the loading device in the quasi-static door crush test to be displaced over a full 457 mm (18 inches) of travel. AAM asserts that for vehicles with stiffer side door structures designed for dynamic side impact protection, the requirement for the peak crush resistance is often attained well before 457 mm (18 inches) of travel. Therefore, if the requirement for the peak crush resistance is attained before the full 457 mm (18 inches) of travel, AAM contends that any further door crush test is unnecessary. In addition, AAM points out that NHTSA's Office of Vehicle Safety Compliance's (OVSC) test procedure already allows for the flexibility in its testing. The test procedure states that "if after 12 inches of loading device travel, the peak crush resistance has been obtained, the test may be stopped if prior approval has been obtained from the OVSC Contracting Officer Technical Representative (COTR)."

AAM petitioned the agency to amend S4(d) by rewording the second sentence as: If the peak crush resistance of either S3.1.3 or S3.2.3 is not attained within 12 inches of loading device travel, continue the loading device application until the peak crush resistance is attained or until 18 inches of travel is reached, whichever comes first." Also, to be consistent with the proposed change to S4(d), AAM petitioned that S4(f)(4) also be amended as: "The peak crush resistance is the largest force recorded over the entire distance traveled to comply with S4(d)." AAM believes that these amendments would improve the objectivity and practicability of the standard and are consistent with motor vehicle safety.

Analysis

NHTSA agrees that vehicles with stiff side door structures often attain the peak resistance requirement before 457 mm (18 inches) of travel. However, the suggested amendments would not lead to a substantive change to the standard's performance requirements and do not

warrant the agency resources that would be needed to undertake rulemaking on this matter. As stated in the standard, the door is to be crushed a full 457 mm (18 inches) to allow for the required peak crush resistance to be attained. To comply with the safety standard, manufacturers are required to ensure this performance requirement is met using the test procedure written in the regulatory text. However, the agency does not regulate the procedure used by manufacturers to ensure compliance of the vehicle. Manufacturers may choose to stop the test procedure at any point if they believe it is sufficient to ensure compliance to the requirements of the standard using the regulatory text test procedure.

As AAM noted, OVSC may stop the test if, after 305 mm (12 inches) of crush, the peak resistance requirement is met and prior approval from the COTR is obtained. OVSC may stop the test if they believe enough data has been gathered to determine compliance or non-compliance under the regulatory test procedure. For example, OVSC may elect to do this to preserve the remaining structure of the vehicle for other compliance test purposes. However, under the same test procedure, OVSC may instead elect to conduct the test over the full 457 mm (18 inches) for agency research or other purposes.

AAM argued that the peak force is often attained within 305 mm (12 inches) of loading device travel, and that continuation of side structure loading after the peak force is reached results in unrepresentative deformation and loading of the door components. AAM did not provide any data to substantiate this claim, nor does NHTSA have any. In any event, the agency does not see why the deformation of the vehicle subsequent to cessation of the test is relevant to the petitioner's requested amendment.

In accordance with 49 CFR part 552, this completes the agency's review of the petition for rulemaking. NHTSA believes that the suggested amendments would not change the performance requirements, nor change the way that both the manufacturers and the agency may test the vehicle. Thus, after considering the allocation of agency resources and agency priorities, NHTSA has decided that the rulemaking requested by the petitioner is not warranted. Accordingly, rulemaking on the petition is denied.

Authority: 49 U.S.C. 30162; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on: December 17, 2003.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 03-31490 Filed 12-19-03; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 121103D]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 22; Public Hearings

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

ACTION: Notice of public hearings; request for comments.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold public hearings to solicit comments on Draft Amendment 22 to the Reef Fish Fishery Management Plan of the Gulf of Mexico (Draft Amendment 22) that contains alternatives for red snapper to: Redefine the biological reference points of maximum sustainable yield (MSY) and optimum yield (OY); set status determination criteria including maximum fishing mortality threshold (MFMT) and minimum stock size threshold (MSST); establish a rebuilding schedule that is consistent with the Sustainable Fisheries Act of 1996 (SFA); and establish a standardized methodology to collect bycatch information.

DATES: The meetings will be held in January 2004. See **SUPPLEMENTARY INFORMATION** for specific dates and times. Comments on the amendment should be received by January 9, 2004.

ADDRESSES: Written comments should be sent to, and copies of the scoping document are available from, the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301, North, Suite 1000, Tampa, Florida 33619.

FOR FURTHER INFORMATION CONTACT: Mr. Stu Kennedy, Fishery Biologist, Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

SUPPLEMENTARY INFORMATION: The Council will hold public hearings to solicit comments on Draft Amendment 22. Draft Amendment 22 contains alternatives for red snapper to: (1) redefine the biological reference points of MSY and OY; (2) set status