

the vessel monitoring capabilities of AIS are maximized.

3. MariTEL did not directly dispute these benefits. Rather, MariTEL contended that the Commission must weigh against those public interest benefits the interference to VHF Public Coast station operations that will be caused by the introduction of AIS technology as contemplated by the international standards, and the adverse impact of such interference on MariTEL's ability to develop a viable maritime communications service. However, the Commission continues to believe that MariTEL overstates the interference impact of AIS equipment authorized on the basis of international standards, and that the challenges that may be presented by such potential interference can be surmounted using existing technology. In particular, the Commission continues to disagree with MariTEL's contention that the AIS emission mask is not as stringent as the emission mask typically applicable to maritime transmitters under part 80 of the Commission's rules. The Commission concludes that the public interest benefits of conforming its part 80 rules governing the certification of AIS equipment with those used in other nations and internationally clearly outweigh the costs, and that adoption of an alternative AIS certification standard would be in derogation of the paramount public interest in maximizing homeland security and maritime safety. The Commission therefore denies MariTEL's petition for reconsideration.

## I. Procedural Matters

### A. Paperwork Reduction Act Analysis

1. The action contained herein has been analyzed with respect to the Paperwork Reduction Act of 1995 (PRA) and found to impose no new or modified reporting or recordkeeping requirements or burdens to the public, including businesses with fewer than 25 employees.

### B. Report to Congress

2. The Commission will send a copy of this *Fourth Memorandum Opinion and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### 48 CFR Parts 5125 and 5152

#### Contractor Personnel Deployment

**AGENCY:** Department of the Army, DoD.

**ACTION:** Final Rule.

**SUMMARY:** This action removes regulations pertaining to the deployment of contractor personnel in support of military operations. The regulations are superseded by a higher regulation, Defense Federal Acquisition Regulation Supplement (DFARS) Subpart 225.74, Defense Contractors Outside the United States.

**DATES:** *Effective Date:* Effective October 12, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steve Jaren, (703) 604-7105.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

In the November 28, 2003 issue of the *Federal Register* (68 FR 66738 and 68 FR 66740), the Department of the Army issued two interim final rules to add 48 CFR part 5125, section 5125.74-9000 and amend 48 CFR part 5152. Subsequent amendments to the DFARS, on May 5, 2005 (70 FR 23790) and June 16, 2006 (71 FR 34826), added DoD policy addressing situations that require contractor personnel to provide in-theater support to United States military forces engaged in contingency, humanitarian or peacekeeping, or certain other operations outside the United States, and incorporated significant terminology from the Army Federal Acquisition Regulation Supplement (AFARS), rendering the regulations at 48 CFR part 5125 and 48 CFR 5152.225-74-9000 obsolete.

##### B. Regulatory Flexibility Act

These rules will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because the rules add no new requirements for contractors. These rules remove AFARS text that has become unnecessary as a result of policy that was added to the DFARS.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rules do not impose any information collection requirements that 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 5125 and 5152

Government contracts, Government procurement.

■ Accordingly, for reasons stated in the preamble, under the authority of 5 U.S.C. 301, 10 U.S.C. 2202, DoD Directive 5000.35, FAR 1.301, and DoD FAR Supplement 201.3, 48 CFR part 5125 is removed.

#### PART 5152—SOLICITATIONS PROVISIONS AND CONTRACT CLAUSES

■ 1. The authority citation for part 5152 continues to read as follows:

**Authority:** 5 U.S.C. 301, 10 U.S.C. 2202, DoD Directive 5000.35, and DoD FAR Supplement 201.301.

**5152.225-74-9000 [Removed]**

■ 2. Section 5152.225-74-9000 is removed.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 060525140-6221-02; I.D. 092606D]

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the 2006 Golden Tilefish and Snowy Grouper Commercial Fisheries

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS closes the commercial fisheries for golden tilefish and snowy grouper in the exclusive economic zone (EEZ) of the South Atlantic. NMFS has determined that the golden tilefish and snowy grouper quotas for the commercial fisheries will have been reached by October 23, 2006. This closure is necessary to protect the golden tilefish and snowy grouper resources.

**DATES:** Closure is effective 12:01 a.m., local time, October 23, 2006, until 12:01 a.m., local time, on January 1, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jason Rueter, telephone 727-824-5350, fax 727-824-5308, e-mail [Jason.Rueter@noaa.gov](mailto:Jason.Rueter@noaa.gov).