

**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 8**

[CG Docket No. 22–2; DA 23–617; FR ID 157982]

**Empowering Broadband Consumers
Through Transparency**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) amends its rules to update the template for the recently adopted broadband consumer label. The revised label template reflects a new Affordable Connectivity Program (ACP) application landing page. This action does not modify or otherwise change any entity's underlying responsibilities under the *Broadband Label Order*. It simply ensures that broadband internet access service providers know as early as possible what content must be displayed in the labels.

DATES:

Effective date: September 6, 2023.

Compliance date: FCC will announce compliance dates for the amendments to 47 CFR 8.1(a)(1) by publication of a document in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Erica H. McMahon, *Erica.McMahon@fcc.gov* or (202) 418–0346, of the Consumer and Governmental Affairs Bureau, Consumer Policy Division. For information regarding the PRA information collection requirements contained in the PRA, contact Cathy Williams, Office of Managing Director, at (202) 418–2918, or *Cathy.Williams@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, DA 23–617, CG Docket No. 22–2, adopted and released on July 18, 2023, which requires providers to include the new ACP landing page, *Getinternet.gov*, in their broadband labels. The full text of this document is available online at <https://docs.fcc.gov/public/attachments/DA-23-617A1.pdf>. To request this document in accessible formats for people with disabilities (e.g., Braille, large print, electronic files, audio format) or to request reasonable accommodations (e.g., accessible format documents, sign language interpreters, CART), send an email to *fcc504@fcc.gov* or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice).

**Final Paperwork Reduction Act of 1995
Analysis**

This document does not contain new or substantively modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

This document may contain non-substantive modifications to an information collection. Any such modifications will be submitted to OMB either: (1) as part of the submission of PRA information collection requirements adopted by the Commission in the *Broadband Label Order* for OMB review; or (2) separately pursuant to OMB's non-substantive modification process.

Congressional Review Act

The Commission sent a copy of document DA 23–617 to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

Synopsis

In this Order, the Commission modifies its rules to reflect an updated broadband label containing the new ACP landing page of “*Getinternet.gov*.” We also make clear that, should a provider be required to display a Spanish version of the label, it must include the Spanish-language landing page for the ACP: *Accedeainternet.gov*. In the *Broadband Label Order*, the Commission stated that “[t]he label required under § 8.1(a)(1) must be provided in English and in any other languages in which the broadband internet access service provider markets its services in the United States.” See 47 CFR 8.1(a)(4). This change simply ensures the label contains accurate information; it does not involve any policy change.

We find good cause to make this rule change without notice and comment under section 553(b)(B) of the Administrative Procedure Act (APA). See 5 U.S.C. 553(b)(3)(B). Section 553(b)(B) of the APA provides exceptions to the notice and comment rulemaking procedures when, among other things, the agency finds good cause that the notice and comment requirements are “impracticable, unnecessary, or contrary to the public interest” with respect to the rule at issue. See 5 U.S.C. 553(b)(B).

We conclude that, in this case, the substitution of one Commission-supplied URL for a different Commission-supplied URL in broadband providers' labels is insignificant in its nature and impact on regulated entities and beneficial to the broader public by ensuring the use of a URL that serves the intended purpose of the label. The minimal practical significance of the change is particularly true here, given that compliance with the label is not yet required and providers will have ample implementation time (either six months or one year, depending on the size of the provider's subscriber base) following **Federal Register** publication of OMB approval and modification of the codified rule. Similarly, it is in the best interest of providers that they know as early as possible what content must be displayed in the labels as they begin to create the labels. Accordingly, we find, for good cause, that it is “unnecessary,” within the meaning of section 553(b)(B), to provide notice and an opportunity for public comment before implementing this rule revision.

Final Regulatory Flexibility Analysis

Because this rule change was adopted without notice and comment, the Regulatory Flexibility Act does not apply.

List of Subjects in 47 CFR Part 8

Cable television, Common carriers, Communications common carriers, Reporting and recordkeeping requirements, Satellites, Telecommunications, Telephone, Radio. Federal Communications Commission.

Robert Garza,

Legal Advisor, Consumer and Governmental Affairs Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 8 as follows:

PART 8—INTERNET FREEDOM

■ 1. The authority citation for part 8 continues to read as follows:

Authority: 47 U.S.C. 154, 201(b), 257, 303(r), and 1753.

■ 2. Amend § 8.1(a) by revising paragraph (a)(1) to read as follows:

§ 8.1 Transparency.

(a) * * *

(1) Any person providing broadband internet access service shall create and display an accurate broadband consumer label for each stand-alone broadband internet access service it

currently offers for purchase. The label must be prominently displayed, publicly available, and easily accessible to consumers, including consumers with disabilities, at the point of sale	with the content and in the format prescribed by the Commission in “[Fixed or Mobile] Broadband Consumer Disclosure,” in figure 1 to this paragraph.	Figure 1 to Paragraph (a)(1)—[Fixed or Mobile] Broadband Consumer Disclosure Label BILLING CODE 6712–01–P
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Broadband Facts

Provider Name

Service Plan Name and/or Speed Tier

Fixed or Mobile Broadband Consumer Disclosure

Monthly Price [\$]

This Monthly Price [is/is not] an introductory rate. [if introductory rate is applicable, identify length of introductory period and the rate that will apply after introductory period concludes]

This Monthly Price [does not] require[s] a [x year/x month] contract. [only required if applicable; if so, provide link to terms of contract]

Additional Charges & Terms

Provider Monthly Fees	
[Itemize each fee]	[\$]

One-time Fees at the Time of Purchase	
[Itemize each fee]	[\$]

Early Termination Fee	[\$]
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Government Taxes	Varies by Location
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Discounts & Bundles

Click Here for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment like modems and routers. [Any links to such discounts and pricing options on the provider's website must be provided in this section.]

Affordable Connectivity Program (ACP)

The ACP is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit [GetInternet.gov](https://www.getinternet.gov).

Participates in the ACP	[Yes/No]
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Speeds Provided with Plan

Typical Download Speed	[] Mbps
Typical Upload Speed	[] Mbps
Typical Latency	[] ms

Data Included with Monthly Price	[] GB
Charges for Additional Data Usage	[\$/GB]

Network Management

[Read our Policy](#)

Privacy

[Read our Policy](#)

Customer Support

Contact Us: example.com/support / (555) 555-5555

Learn more about the terms used on this label by visiting the Federal Communications Commission's Consumer Resource Center.

fcc.gov/consumer

[Unique Plan Identifier Ex. F0005937974123ABC456EMC789]

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[FR Doc. 2023-16449 Filed 8-4-23; 8:45 am]

BILLING CODE 6712-01-C

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 660**

[Docket No. 221206-0261]

RIN 0648-BM50

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2023–2024 Biennial Specifications and Management Measures; Inseason Adjustments

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

ACTION: Final rule; inseason adjustments to biennial groundfish management measures.

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow fishing vessels to access more abundant groundfish stocks while protecting rebuilding stocks.

DATES: This final rule is effective August 7, 2023.

ADDRESSES: This rule is accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>. Background information and documents are available at the Pacific Fishery Management Council's website at <https://www.pcouncil.org/>.

FOR FURTHER INFORMATION CONTACT: Dr. Sean Matson, phone: 206-526-6187 or email: sean.matson@noaa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish seaward of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management

measures for 2-year periods (biennia). NMFS published the final rule to implement harvest specifications and management measures for the 2023–2024 biennium for most species managed under the PCGFMP on December 16, 2022 (87 FR 77007). The management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its June 2023 meeting, the Council recommended modifying fixed gear trip limits for limited entry (LE) and open access (OA) fisheries, for bocaccio rockfish (hereafter bocaccio), south of 40°10' N latitude (lat.), and minimum length limits for LE and OA lingcod south of 42° N lat., after updated information regarding projected catch and attainment became available, as well as requests from industry. Pacific Coast groundfish fisheries are managed using harvest specifications or limits (e.g., overfishing limits [OFL], acceptable biological catch [ABC], annual catch limits [ACL] and harvest guidelines [HG]) recommended biennially by the Council and based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council also recommends management measures (e.g., trip limits, area closures, and bag limits) that are meant to control catch so as not to exceed the harvest specifications. The harvest specifications and management measures developed for the 2023–2024 biennium used data through the 2021 fishing year. Each of the adjustments to management measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to management measures are projected so as to help harvesters achieve but not exceed the harvest limits.

Bocaccio South of 40°10' N Latitude

Bocaccio on the West Coast is managed as a separate stock south of 40°10' N lat., while bocaccio north of

40°10' N lat. is managed as part of the minor shelf rockfish north of 40°10' N lat. Bocaccio south of 40°10' N lat., the subject of this action, is caught both commercially and recreationally, with commercial vessels harvesting it with both trawl and fixed gear (longlines and pots/traps) in the bottom trawl, nearshore, limited entry, and open access fixed gear fisheries. It is caught in shelf and nearshore areas, often together with chilipepper rockfish. The 2023 ACL and harvest guideline for bocaccio south of 40°10' N lat. are 1,842 metric tons (mt), and 1,793.9 mt, respectively.

At the June 2023 Council meeting, the California Department of Fish and Wildlife (CDFW) received a request from industry to adjust bocaccio bimonthly landing accumulation ("trip") limits for the open access (OA) fisheries south of 40°10' N. lat.; to increase the trip limit from 4,000 pounds (1,814 kg) per period (2 month) to 6,000 pounds (2,721 kg) per period. CDFW analyzed the request, as well as increasing the LE trip limits for bocaccio, and recommended the increases to Council. The Council reviewed the analytical documents drafted by the CDFW, as well as the Groundfish Management Team (GMT), and the Groundfish Advisory Subpanel (GAP), to inform their discussion and decision making under the inseason adjustment agenda item.

The intent of increasing trip limits is to increase harvest opportunities, by reducing discard, for vessels catching bocaccio, while targeting chilipepper rockfish. The new OA trip limits would match existing chilipepper trip limits, which are reported to currently be caught in equal amounts to bocaccio. To evaluate potential increases to bocaccio trip limits for both the OA and LE fisheries, the CDFW made model-based catch projections under current regulations and alternative bocaccio trip limits, including the limits ultimately recommended by the Council, beginning on July 1 through the remainder of 2023. Table 1 shows the projected bocaccio landings by fishery, relevant bocaccio allocations, and the projected attainment as a percentage of the landing target, under both the current trip limits and the Council's recommended adjusted trip limits. These projections were based on the most recent catch information available through June 16, 2023.