

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, II, III, VII, VIII, IX, and XI

19 CFR Ch. III

37 CFR Chs. I, IV, and V

48 CFR Ch. 13

50 CFR Chs. II, III, IV, and VI

Spring 2024 Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Commerce.

ACTION: Semiannual Regulatory Agenda.

SUMMARY: In compliance with Executive Order 12866, entitled "Regulatory Planning and Review," and the Regulatory Flexibility Act, as amended, the Department of Commerce (Commerce), in the spring and fall of each year, publishes in the Federal Register an agenda of regulations under development or review over the next 12 months. Rulemaking actions are grouped according to pre-rulemaking, proposed rules, final rules, long-term actions, and rulemaking actions completed since the publication of the Fall 2023 Unified Agenda.

The purpose of the Agenda is to provide information to the public on regulations that are currently under review, being proposed, or recently issued by Commerce. It is expected that this information will enable the public to participate more effectively in Commerce's regulatory process.

Commerce's Spring 2024 Unified Agenda includes regulatory activities that are expected to be conducted during the period July 1, 2024, through June 31, 2024.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about specific regulatory actions listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to Candida Harty, Chief Counsel for Regulation, Office of the Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230, telephone: 202-482-3410.

SUPPLEMENTARY INFORMATION: Commerce hereby publishes its Spring 2024 Unified Agenda of Federal Regulatory and Deregulatory Actions pursuant to Executive Order 12866 and the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. Executive Order 12866 requires agencies to publish an agenda of those regulations that are under consideration. By memorandum of February 20, 2024, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the Spring 2024 Unified Agenda. The Regulatory Flexibility Act requires agencies to publish, in the spring and fall of each year, a regulatory flexibility agenda that contains a brief description of the subject of any rule likely to have a significant economic impact on a substantial number of small entities.

The internet is the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

A list of Commerce's most important significant regulatory and deregulatory actions and a Statement of Regulatory Priorities are included only in the fall editions of the Unified Agendas and, thus, do not appear in the Spring 2024 Unified Agenda. Because publication in the Federal Register is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act,

Commerce's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the internet. In addition, for fall editions of the Agenda, Commerce's entire Regulatory Plan will continue to be printed in the Federal Register.

Within Commerce, the Office of the Secretary and various operating units may issue regulations.

Among these operating units, the National Oceanic and Atmospheric Administration (NOAA), the Bureau of Industry and Security, and the Patent and Trademark Office issue the greatest share of Commerce's regulations. In addition to regulations promulgated by NOAA, BIS, and PTO, this issue also includes regulations to be promulgated by, or that have been published and completed since the Fall 2023 Unified Agenda by, the International Trade Administration (ITA), the U.S. Census Bureau (CENSUS), the National Institute of Standards and Technology (NIST), the National Telecommunications and Information Administration (NTIA), the U.S. Economic Development Administration (EDA), and the Office of the Secretary (OS).

Commerce's Spring 2024 Unified Agenda follows.

Leslie Kiernan, General Counsel.

GENERAL ADMINISTRATION—FINAL RULE STAGE

Table with 3 columns: Sequence No., Title, Regulation Identifier No. Row 18: Securing the Information and Communications Technology and Services Supply Chain, 0605-AA51

GENERAL ADMINISTRATION—LONG-TERM ACTIONS

Table with 3 columns: Sequence No., Title, Regulation Identifier No. Row 19: Securing the Information and Communications Technology and Services Supply Chain: Licensing Procedures, 0605-AA60

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20	Procedures Covering Suspension of Liquidation, Duties and Estimated Duties in Accord With Presidential Proclamation 10414.	0625–AB21

BUREAU OF INDUSTRY AND SECURITY—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
22	Illegal, Unreported, and Unregulated Fishing; Fisheries Enforcement; High Seas Driftnet Fishing Moratorium Protection Act.	0648–BG11
23	Amendment 125 to the Bering Sea and Aleutian Islands Fishery Management Plan; Pacific Cod Small Boat Access.	0648–BM64
24	Authorizing Hook-and-line Catcher/Processors to use Longline Pot Gear in the Bering Sea Greenland Turbot Fishery.	0648–BM77
25	Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery Vessel Tracking for the Federal American Lobster Fishery.	0648–BM38
26	Atlantic Highly Migratory Species; Amendment 16 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan.	0648–BM08
27	Atlantic Highly Migratory Species; Electronic Reporting Requirements	0648–BM23
28	Atlantic Highly Migratory Species; Revisions to Commercial Atlantic Blacknose and Recreational Atlantic Shark Fisheries.	0648–BM88
29	International Fisheries; South Pacific Tuna Fisheries; Implementation of Amendments to the South Pacific Tuna Treaty.	0648–BG04
30	Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2024 Harvest Specifications for Pacific Whiting, and 2024 Pacific Whiting Tribal Allocation.	0648–BM85
31	2025–2026 Harvest Specifications and Management Measures for the Pacific Coast Groundfish Fishery ..	0648–BN08
32	Notice of Proposed Rulemaking for the Designation Pacific Remote Islands National Marine Sanctuary	0648–BM52

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FINAL RULE STAGE

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34	Designation of Critical Habitat for Threatened Indo-Pacific Reef-Building Corals	0648–BJ52
35	Establishment of Time-Area Closures for Hawaiian Spinner Dolphins Under the Marine Mammal Protection Act.	0648–BK04
36	Designation of Marine Critical Habitat for Six Distinct Population Segments of Green Sea Turtles Under the Endangered Species Act.	0648–BL82
37	Designation of Critical Habitat for Rice's Whale Under the Endangered Species Act	0648–BL86
38	Framework Adjustment 66 to the Northeast Multispecies Fishery Management Plan	0648–BM71
39	Atlantic Highly Migratory Species; Research and Data Collection in Support of Spatial Fisheries Management.	0648–BI10
40	International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort Limits in Purse Seine Fisheries.	0648–BL25

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
41	Magnuson-Stevens Fisheries Conservation and Management Act; Traceability Information Program for Seafood.	0648–BH87
42	Seafood Import Permitting and Reporting Procedures	0648–BK85

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
43	Designation of Critical Habitat for the Threatened Caribbean Corals	0648–BG26
44	Designation of Critical Habitat for Nassau Grouper Under the Endangered Species Act	0648–BL53
45	Atlantic Large Whale Take Reduction Plan Modifications to Reduce Serious Injury and Mortality of Large Whales in Commercial Trap/Pot Fisheries Along the U.S. East Coast.	0648–BM31
46	Amendment 123 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area; Halibut Abundance-Based Management of Amendment 80 Prohibited Species Catch Limit.	0648–BL42
47	Rulemaking to Modify the 2023–2027 Halibut Individual Fishing Quota (IFQ) Vessel Harvest Limitations in IFQ Regulatory Areas 4A, 4B, 4C, and 4D.	0648–BM18
48	Amendment 16 to the Fishery Management Plan for the Salmon Fisheries in the EEZ Off Alaska; Cook Inlet.	0648–BM42
49	Framework Adjustment 65 to the Northeast Multispecies Fishery Management Plan	0648–BL95
50	Framework Adjustment 38 to the Atlantic Sea Scallop Fishery Management Plan	0648–BM78
51	Atlantic Highly Migratory Species; Prohibiting Retention of Oceanic Whitetip Sharks in U.S. Atlantic Waters and Hammerhead Sharks in the Caribbean Sea.	0648–BK54
52	Atlantic Highly Migratory Species; Atlantic Bluefin Tuna General Category Restricted-Fishing Days; Atlantic Bluefin Tuna Regulatory Clarifications.	0648–BM66
53	Amendment 51 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 51).	0648–BM03
54	Amendment 56 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico: Modifications to Catch Limits, Sector Allocation, and Recreational Fishing Seasons for Gulf of Mexico Gag.	0648–BM46

PATENT AND TRADEMARK OFFICE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
55	Setting and Adjusting Patent Fees During Fiscal Year 2025	0651–AD64
56	Setting and Adjusting Trademark Fees During Fiscal Year 2025	0651–AD65

DEPARTMENT OF COMMERCE (DOC)

General Administration (ADMIN)

Final Rule Stage

18. Securing the Information and Communications Technology and Services Supply Chain [0605–AA51]

Legal Authority: 50 U.S.C. 1701; 3 U.S.C. 301; 50 U.S.C. 1601; E.O. 13873; E.O. 14034

Abstract: Pursuant to Executive Order 13873 of May 15, 2019, “Securing the Information and Communications Technology and Services Supply Chain” and Executive Order 14034 of June 9, 2021, “Protecting Americans’ Sensitive Data From Foreign Adversaries,” the Department of Commerce is finalizing the rule that sets forth the process and procedures that the Secretary of Commerce will use to identify, assess, and address transactions that pose an undue risk to the security, integrity, and reliability of information and communications technology and services provided and used in the United States.

Timetable:

Action	Date	FR Cite
NPRM	11/27/19	84 FR 65316

Action	Date	FR Cite
NPRM Comment Period End.	12/27/19	
Interim Final Rule	01/19/21	86 FR 4909
Interim Final Rule Comment Period End.	03/22/21	
Interim Final Rule Effective Date.	03/22/21	
Final Action	08/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Katelyn Christ, Department of Commerce, 1401 Constitution Avenue, Washington, DC 20230, *Phone:* 202 482–3064, *Email:* katelyn.christ@bis.doc.gov. *RIN:* 0605–AA51

DEPARTMENT OF COMMERCE (DOC)

General Administration (ADMIN)

Long-Term Actions

19. Securing the Information and Communications Technology and Services Supply Chain: Licensing Procedures [0605–AA60]

Legal Authority: 50 U.S.C. 1701; 3 U.S.C. 301; 50 U.S.C. 1601; E.O. 13873; E.O. 14034

Abstract: The Department is seeking public input regarding establishing a licensing process for entities to seek pre-approval before engaging in or continuing to engage in potentially regulated information and communications technology and services (ICTS) Transactions under 15 CFR part 7.

Timetable:

Action	Date	FR Cite
ANPRM	03/29/21	86 FR 16312
ANPRM Comment Period End.	04/28/21	
NPRM	11/00/25	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Katelyn Christ, *Phone:* 202 482–3064, *Email:* katelyn.christ@bis.doc.gov.

RIN: 0605–AA60

DEPARTMENT OF COMMERCE (DOC)

International Trade Administration (ITA)

Final Rule Stage

20. Procedures Covering Suspension of Liquidation, Duties and Estimated Duties in Accord With Presidential Proclamation 10414 [0625-AB21]

Legal Authority: Proc 10414, 87 FR 35067; 19 U.S.C. 1318

Abstract: In accordance with Presidential Proclamation 10414 and pursuant to its authority under Section 318(a) of the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) is issuing this final rule to implement Proclamation 10414. Specifically, Commerce is issuing a new rule that, in the event of an affirmative preliminary or final determination in the antidumping and countervailing duty (AD/CVD) circumvention inquiries described below, under Title VII of the Act, extends the time for, and waives, the suspension of liquidation, the application of certain AD/CVD duties, and the collection of cash deposits on applicable entries of certain crystalline silicon photovoltaic cells, whether or not assembled into modules, that are completed in the Kingdom of Cambodia (Cambodia), Malaysia, the Kingdom of Thailand (Thailand), and the Socialist Republic of Vietnam (Vietnam) using parts and components manufactured in the People’s Republic of China (China), and that are not already subject to an antidumping or countervailing duty order.

Timetable:

Action	Date	FR Cite
NPRM	07/01/22	87 FR 39426
NPRM Comment Period End.	08/01/22	
Final Action	09/16/22	87 FR 56868
Final Action Effective.	11/15/22	
Next Action Undetermined.	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nikki Kalbing, Department of Commerce, International Trade Administration, Washington, DC 20230, *Phone:* 202 717-3147, *Email:* nikki.kalbing@trade.gov.

RIN: 0625-AB21

DEPARTMENT OF COMMERCE (DOC)

Bureau of Industry and Security (BIS)

Final Rule Stage

21. Taking Additional Steps To Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities [0694-AJ35]

Legal Authority: 50 U.S.C. 1701 *et seq.*; 50 U.S.C. 1601 *et seq.*; E.O. 13873; E.O. 13984; E.O. 14110

Abstract: Executive Order 13984 of January 19, 2021, Taking Additional Steps To Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities, (E.O. 13984) directs the Secretary of Commerce (Secretary) to propose regulations requiring certain providers and resellers of certain Infrastructure as a Service (IaaS) products to verify the identity of their foreign customers permitting the Secretary, in consultation with Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence, to grant exemptions to the verification requirement; and authorizing the Secretary to impose special measures on providers with regard to certain foreign jurisdictions or foreign persons. Additionally, Executive Order 14110 of October 30, 2023, Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence” (E.O. 14110) directs the Secretary to impose record keeping requirements on IaaS providers when foreign persons use U.S. IaaS products to train certain large artificial intelligence (AI) models and to require U.S. IaaS providers identify the foreign customers of their foreign resellers. The Department of Commerce is assessing public comments from its January 29, 2024, notice of proposed rulemaking (NPRM) to EOs 13984 and 14110 and will issue a final rule once that review is complete.

Timetable:

Action	Date	FR Cite
NPRM	01/29/24	89 FR 5698
NPRM Comment Period End.	04/29/24	
Final Action	12/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kellen Moriarty, Department of Commerce, 1401 Constitution Avenue, Washington, DC 20230, *Phone:* 202 482-1329.

RIN: 0694-AJ35

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Proposed Rule Stage

National Marine Fisheries Service

22. Illegal, Unreported, and Unregulated Fishing; Fisheries Enforcement; High Seas Driftnet Fishing Moratorium Protection Act [0648-BG11]

Legal Authority: Pub. L. 114-81

Abstract: This proposed rule would make conforming amendments to regulations implementing the various statutes amended by the Illegal, Unreported and Unregulated Fishing Enforcement Act of 2015 (Pub. L. 114-81). The Act amends several regional fishery management organization implementing statutes as well as the High Seas Driftnet Fishing Moratorium Protection Act. It also provides authority to implement two new international agreements under the Antigua Convention, which amends the Convention for the establishment of an Inter-American Tropical Tuna Commission, and the United Nations Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing (Port State Measures Agreement), which restricts the entry into U.S. ports by foreign fishing vessels that are known to be or are suspected of engaging in illegal, unreported, and unregulated fishing. This proposed rule would also implement the Port State Measures Agreement. To that end, this proposed rule would require the collection of certain information from foreign fishing vessels requesting permission to use U.S. ports. It also includes procedures to designate and publicize the ports to which foreign fishing vessels may seek entry and procedures for conducting inspections of these foreign vessels accessing U.S. ports. Further, the rule would establish procedures for notification of: the denial of port entry or port services for a foreign vessel, the withdrawal of the denial of port services if applicable, the taking of enforcement action with respect to a foreign vessel, or the results of any inspection of a foreign vessel to the flag nation of the vessel and other competent authorities as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	07/08/22	87 FR 40763
NPRM Comment Period End.	09/06/22	

Action	Date	FR Cite
Second NPRM	10/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alexa Cole, Director, Office of International Affairs, Trade, and Commerce, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8286, *Email:* alexa.cole@noaa.gov.
RIN: 0648-BG11

23. • Amendment 125 to the Bering Sea and Aleutian Islands Fishery Management Plan; Pacific Cod Small Boat Access [0648-BM64]

Legal Authority: 16 U.S.C. 1801 *et seq.*
Abstract: In response to a

recommendation by the North Pacific Fishery Management Council, this action would allow smaller hook-and-line or pot catcher vessels operating in the Federal Bering Sea and Aleutian Island (BSAI) Pacific cod (*Gadus macrocephalus*) less than 60' hook-and-line or pot catcher vessel sector to harvest Pacific cod from the BSAI Pacific cod jig sector's allocation. Under the current regulations, the BSAI Pacific cod jig sector only includes jig catcher vessels and catcher processors. The proposed amendment would redefine the current Federal BSAI Pacific cod jig sector to add hook-and-line and pot catcher vessels that are less than or equal to 55' length overall to the current definition. This proposed action is needed because of reduced Pacific cod total allowable catch (TAC), shortened seasons for the less than 60' hook-and-line and pot catcher vessel Pacific cod sector, and the inability of these smaller vessels to compete with larger vessels during poor weather. As such, the proposed action would likely provide a small benefit to a small number of fishery participants (those with smaller vessels). This action could provide stability and additional opportunities for current fishery participants and potential new entrants with smaller hook-and-line or pot catcher vessels without negatively impacting vessels that operate in the jig sector. However, larger hook-and-line or pot vessels could be negatively impacted by the proposed action, which would likely impact the historically common reallocations of projected unused Pacific cod allocation from the jig sector to the less than 60' hook-and-line or pot catcher vessel sector. The authority for this action is Section 304(b)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jon Kurland, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586-7638, *Email:* jon.kurland@noaa.gov.
RIN: 0648-BM64

24. • Authorizing Hook-and-Line Catcher/Processors To Use Longline Pot Gear in the Bering Sea Greenland Turbot Fishery [0648-BM77]

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

Abstract: In response to a recommendation by the North Pacific Fishery Management Council, this action would allow hook-and-line catcher/processor vessels to use longline pot gear in the Greenland turbot (*Reinhardtius hippoglossoides*) fishery in the Bering Sea (BS). Current regulations only allow for the use of hook-and-line or trawl gear when directed fishing for Greenland turbot in the BS. This action is needed due to an increase in killer whale (*Orcinus orca*) depredation in the BS hook-and-line gear Greenland turbot fishery. The level of depredation has increased to a level where it precludes directed fishing for Greenland turbot using hook-and-line gear. This action would reduce the impacts of whale depredation and allow the fishery to resume. This action would benefit the hook-and-line catcher/processors who choose to participate in the directed fishery for Greenland turbot using longline pot gear. The authority for this action is Section 304(b)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jon Kurland, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586-7638, *Email:* jon.kurland@noaa.gov.
RIN: 0648-BM77

25. Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery Vessel Tracking for the Federal American Lobster Fishery [0648-BM38]

Legal Authority: 16 U.S.C. 71
Abstract: The Atlantic States Marine Fisheries Commission, the body responsible for the interstate management of the American lobster fishery, recently approved Addendum XXIX to Amendment 3 to the Interstate Fishery Management Plan for American Lobster, which requires electronic tracking of vessels participating in the fishery, with state implementation beginning in 2023. The Commission is made up of representatives from each of the eastern coastal states, including members of the lobster industry, and voted unanimously in support of vessel tracking, which is similar to global positioning system (GPS) capabilities on a cellular/mobile telephone. These data are critical to improving stock assessments, informing discussions and management decisions related to protected species and marine spatial planning, and enhancing offshore enforcement. NOAA Fisheries is proposing complementary Federal regulations under the Atlantic Coastal Fisheries Cooperative Management Act, this would consider revising to regulations under 50 CFR 697.

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael Pentony, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281-9283, *Email:* michael.pentony@noaa.gov.
RIN: 0648-BM38

26. Atlantic Highly Migratory Species; Amendment 16 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan [0648-BM08]

Legal Authority: 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 971 *et seq.*

Abstract: NMFS is developing a proposed rule for Amendment 16 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) pursuant to Magnuson-Stevens Fishery Conservation and Management Act (MSA) sections 304(c) and (g). The draft Amendment will include a draft

environmental impact statement and other required analyses. Based on the mechanism used in establishing shark quotas and related management measures from Amendment 14 to the 2006 Consolidated HMS FMP, Amendment 16 would modify the acceptable biological catch (ABC) and annual catch limits (ACLs) for Atlantic sharks and the process used to account for carryover of underharvests of quotas. In this action, NMFS would also look at all commercial and recreational management measures related to the Atlantic shark fishery and make appropriate revisions. Amendment 16 would affect the bottom longline, gillnet, and pelagic longline fisheries, which fish for sharks throughout the entire range of the fishery (Atlantic Ocean, Gulf of Mexico, and Caribbean Sea). The Agency's proposed actions for this rule will be based in part on feedback and public comments received on the issues and options paper. The comment period ended in August 2023. The comments received to date provide helpful feedback on the potential issues and ways forward.

Timetable:

Action	Date	FR Cite
Notice of Intent	05/08/23	88 FR 29617
Notice of Intent Comment Period End.	08/18/23	
NPRM	03/00/25	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov.
RIN: 0648-BM08

27. Atlantic Highly Migratory Species; Electronic Reporting Requirements [0648-BM23]

Legal Authority: 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 971 *et seq.*

Abstract: Atlantic highly migratory species (HMS) are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), *id.* 971 *et seq.*, the implementing statute for binding recommendations of the International Commission for the Conservation of Atlantic Tunas. The ANPRM considered options to: (1) streamline logbook reporting by converting existing commercial paper logbooks to electronic logbooks; (2)

expand logbook reporting to recreational and commercial permit holders via electronic logbooks, to be consistent with Agency efforts in other fisheries and to augment data collected for fishery management; (3) collect additional information through existing electronic reporting mechanisms for dealers and recreational permit holders to augment data collected for fishery management; and (4) facilitate HMS reporting including considering ways to incentivize reporting compliance (or penalize noncompliance) and offering an electronic reporting platform for HMS Exempted Fishing Permit Program permit holders. This action is being taken pursuant to the rulemaking authority under section 304(c) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1854(c). The ANPRM comment period ended in August 2023. The comments received provide helpful feedback on the potential issues and ways forward, which are under consideration by the Agency. The Agency's proposed actions for this rulemaking will be based in part on feedback and public comments received on the ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	05/12/23	88 FR 30699
ANPRM Comment Period End.	08/18/23	
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov.
RIN: 0648-BM23

28. • Atlantic Highly Migratory Species; Revisions to Commercial Atlantic Blacknose and Recreational Atlantic Shark Fisheries [0648-BM88]

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

Abstract: The National Marine Fisheries Service, on behalf of the Secretary of Commerce, is responsible for managing Atlantic highly migratory species (HMS) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, and consistent with the Atlantic Tunas Convention Act (ATCA), *id.* 971 *et seq.* This proposed rule would consider options to: (1) remove the Atlantic blacknose shark

management boundary in the Atlantic region, (2) modify the commercial retention limit for blacknose sharks in the Atlantic region, (3) revise the recreational minimum size limits for authorized Atlantic shark species, and (4) revise the recreational bag limits for some authorized Atlantic shark species. This proposed rule would also remove commercial management group quota linkages, consistent with management measures established in Amendment 14 to the 2006 Consolidated HMS Fishery Management Plan (88 FR 4157, January 24, 2023). This action would affect the commercial and recreational Atlantic shark fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. In 2021, ex-vessel revenues for the entire Atlantic shark fishery totaled approximately \$2.6 million. This action is being taken pursuant to the rulemaking authority under section 304(g) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1854(c).

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov.
RIN: 0648-BM88

29. International Fisheries; South Pacific Tuna Fisheries; Implementation of Amendments to the South Pacific Tuna Treaty [0648-BG04]

Legal Authority: 16 U.S.C. 973 *et seq.*

Abstract: Under authority of the South Pacific Tuna Act of 1988, this rule would implement recent amendments to the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America (also known as the South Pacific Tuna Treaty). The rule would include modification to the procedures used to request licenses for U.S. vessels in the western and central Pacific Ocean purse seine fishery, including changing the annual licensing period from June-to-June to the calendar year, and modifications to existing reporting requirements for purse seine vessels fishing in the western and central Pacific Ocean. The rule would implement only those aspects of the

Treaty amendments that can be implemented under the existing South Pacific Tuna Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sarah Malloy, Acting Regional Administrator, Pacific Islands Region, Department of Commerce, National Oceanic and Atmospheric Administration, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818, *Phone:* 808 725-5000, *Email:* sarah.malloy@noaa.gov.
RIN: 0648-BG04

30. • Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2024 Harvest Specifications for Pacific Whiting, and 2024 Pacific Whiting Tribal Allocation [0648-BM85]

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

Abstract: This rule would establish the 2024 harvest specifications and allocations for Pacific Whiting. Through this rulemaking, NMFS would announce the U.S. Total Allowable Catch (TAC) level determined under the terms of the Agreement with Canada on Pacific Hake/Whiting (Agreement) and the Pacific Whiting Act of 2006 (Whiting Act) and set the interim allocation for the tribal fishery; the fishery harvest guideline (HG), called the non-tribal allocation, for three commercial whiting sectors; and set-asides for research and bycatch. As in prior years, the interim tribal allocation is not intended to set a precedent for future years. This action would be implemented pursuant to the rulemaking authority under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) 304(b) (Regulations Deemed Necessary by Council) and MSA section 305(d) (Secretarial authority), and the Pacific Whiting Act of 2006. Pursuant to MSA section 305(d), this action is necessary to ensure that the Pacific Coast Groundfish Fishery Management Plan is implemented in a manner consistent with treaty rights of four treaty tribes to fish in their usual and accustomed grounds and stations in common with non-tribal citizens. *United States v. Washington*, 384 F. Supp. 313 (W.D. Wash. 1974). The harvest specifications that would be implemented by this action would be in effect for the Pacific Whiting fishery that opens May 01, 2024 through December 31, 2024.

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jennifer Quan, Regional Administrator—West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, DC 20230, *Phone:* 562 980-4001, *Email:* jennifer.quan@noaa.gov.

RIN: 0648-BM85

31. • 2025–2026 Harvest Specifications and Management Measures for the Pacific Coast Groundfish Fishery [0648-BN08]

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

Abstract: Every other year, the Pacific Fishery Management Council makes recommendations to set biennial allowable harvest levels for Pacific Coast groundfish, and recommends management measures for commercial, recreational, and tribal fisheries that are designed to achieve those harvest levels consistent with the Pacific Coast Groundfish Fishery Management Plan. For the 2025–26 biennium, the Pacific Fishery Management Council has recommended: (1) Harvest specifications, including overfishing limits, acceptable biological catches, and annual catch limits; and (2) Management measures to achieve those specifications. The specifications and management measures that would be established by this action would be in effect from January 1, 2025, through December 31, 2026. The National Marine Fisheries Service (NMFS) would implement this rulemaking under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*

Timetable:

Action	Date	FR Cite
NPRM	09/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jennifer Quan, Regional Administrator—West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, DC 20230, *Phone:* 562 980-4001, *Email:* jennifer.quan@noaa.gov.

RIN: 0648-BN08

NOS/ONMS

32. Notice of Proposed Rulemaking for the Designation Pacific Remote Islands National Marine Sanctuary [0648-BM52]

Legal Authority: 16 U.S.C. 1431 *et seq.*

Abstract: NOAA’s Office of National Marine Sanctuaries is developing a proposed rule designating a national marine sanctuary in the waters surrounding the Pacific Remote Islands. This proposed rule for designation under the National Marine Sanctuaries Act would supplement the existing National Marine Monument and further protect and conserve the natural environment and cultural heritage of the Pacific Remote Islands for future generations.

Timetable:

Action	Date	FR Cite
Notice	04/18/23	88 FR 23624
Comment Period End.	06/02/23	
NPRM	09/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jessica Kondel, Policy and Planning Division Chief, Department of Commerce, National Oceanic and Atmospheric Administration, 1305 East West Highway, Building SSMC4, Silver Spring, MD 20910, *Phone:* 240 676-4646.

RIN: 0648-BM52

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Final Rule Stage

National Marine Fisheries Service

33. Amendments to the North Atlantic Right Whale Vessel Strike Reduction Rule [0648-BI88]

Legal Authority: 16 U.S.C. 1361 *et seq.*; 16 U.S.C. 1531 *et seq.*

Abstract: NMFS published a proposed rule to amend the North Atlantic Right Whale Vessel Strike Reduction Rule (per 50 CFR 224.105; 87 FR 46921, August 1, 2022). NMFS proposed this action to further reduce the likelihood of mortalities and serious injuries to endangered right whales from vessel collisions, which are a leading cause of the species’ decline and a primary factor in an ongoing Unusual Mortality Event. The final rule will (1) modify the spatial and temporal boundaries of current speed restriction areas, currently referred to as Seasonal Management

Areas (SMAs), (2) include most vessels greater than or equal to 35 ft (10.7 m) and less than 65 ft (19.8 m) in length in the vessel size class subject to speed restriction, (3) create a Dynamic Speed Zone framework to implement mandatory speed restrictions when whales are known to be present outside active SMAs, and (4) update the speed rule's safety deviation provision. The final amendments to current speed regulations reduce vessel strike risk based on a coast wide collision mortality risk assessment and updated information on right whale distribution, vessel traffic patterns, and vessel strike mortality and serious injury events. NMFS solicited public comment on the proposed action and received over 90,000 public comments. The agency plans to take final action on the final rule in 2024.

Timetable:

Action	Date	FR Cite
NPRM	08/01/22	87 FR 46921
NPRM Comment Period End.	09/30/22	
NPRM Comment Period Extension.	09/16/22	87 FR 56925
NPRM Comment Period Extension End.	10/31/22	
Final Action	11/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8400, *Email:* kimberly.damon-randall@noaa.gov. *RIN:* 0648-B188

34. Designation of Critical Habitat for Threatened Indo-Pacific Reef-Building Corals [0648-BJ52]

Legal Authority: 16 U.S.C. 1531 *et seq.*
Abstract: On November 27, 2020, we, NMFS, published in the **Federal Register** a proposal to designate 17 island units of critical habitat in the Pacific Islands Region for 7 Indo-Pacific coral species listed under the Endangered Species Act (ESA). Based on public comments and new information regarding the interpretation of the records of the listed corals and application to critical habitat, a substantial revision of the proposed rule is warranted. Accordingly, we withdrew the 2020 proposed rule and published a new proposed rule. We proposed to designate critical habitat for five of the seven coral species that were addressed

in the 2020 proposed rule: *Acropora globiceps*, *Acropora retusa*, *Acropora speciosa*, *Euphyllia paradivisa*, and *Isopora crateriformis*. Proposed critical habitat includes 16 island units encompassing approximately 251 square kilometers (km²; 97 square miles, mi²) of marine habitat. In the development of the proposed rule, NMFS considered economic, national security, and other relevant impacts of the proposed designations, but we are not excluding any areas from the critical habitat designations due to anticipated impacts.

Timetable:

Action	Date	FR Cite
NPRM	11/27/20	85 FR 76262
NPRM Comment Period End.	01/26/21	
NPRM Comment Period Extended.	12/23/20	85 FR 83899
NPRM Comment Period Extended End.	02/25/21	
Second NPRM Comment Period Extended.	02/09/21	86 FR 8749
Second Extended Comment Period End.	03/27/21	
Third NPRM Comment Period Extended.	03/29/21	86 FR 16325
Third NPRM Comment Period Extended End.	05/26/21	
Second NPRM	11/30/23	88 FR 83644
Second NPRM Comment Period End.	02/28/24	
Public Hearing	12/22/23	88 FR 88587
Final Action	12/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8400, *Email:* kimberly.damon-randall@noaa.gov. *RIN:* 0648-BJ52

35. Establishment of Time-Area Closures for Hawaiian Spinner Dolphins Under The Marine Mammal Protection Act [0648-BK04]

Legal Authority: 16 U.S.C. 1382 *et seq.*
Abstract: This action under the Marine Mammal Protection Act (MMPA) will establish mandatory time-area closures of Hawaiian spinner dolphins' essential daytime habitats at five selected sites in the Main Hawaiian Islands (MHI). In considering public comments in response to a separate

proposed rule related to spinner dolphin interactions (81 FR 57854), NMFS intends these regulatory measures to prevent take of Hawaiian spinner dolphins from occurring in inshore marine areas at essential daytime habitats, and where high levels of disturbance from human activities are most prevalent.

Timetable:

Action	Date	FR Cite
NPRM	09/28/21	86 FR 53844
NPRM Comment Period End.	12/27/21	
Final Action	09/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8400, *Email:* kimberly.damon-randall@noaa.gov. *RIN:* 0648-BK04

36. Designation of Marine Critical Habitat for Six Distinct Population Segments of Green Sea Turtles Under the Endangered Species Act [0648-BL82]

Legal Authority: 16 U.S.C. 1533
Abstract: In 2012, NMFS and U.S. Fish and Wildlife Service (USFWS; collectively, the Services) were petitioned to identify and list distinct population segments (DPSs) of green sea turtles under section 4 of the Endangered Species Act (ESA; 16 U.S.C. 1533). In 2016, the Services listed six DPSs of green sea turtles occurring in U.S. waters, which triggered the requirement, under ESA section 4, to designate critical habitat to the maximum extent prudent and determinable for those DPSs. The Services did not do so within the statutory deadline, and subsequently entered into a settlement agreement to submit to the Office of the Federal Register for publication a proposed determination concerning the designation of critical habitat for the six DPSs by June 30, 2023. The rule will designate critical habitat containing reproductive, migratory, foraging and resting features in waters from 0 to 20 m depth. The economic impact will affect Federal agencies, who are required under section 7 of the ESA to consult with the Services on their actions that may affect listed species and designated critical habitat. NMFS is working with the Department of Defense and Department of Homeland Security

to review potential national security impacts. Regarding Broadening Public Participation and Community Engagement in the Regulatory Process, we provided six (3 virtual, 3 in-person) public hearings. We had Spanish at 2 virtual public hearings. Samoan, Chamorro, or Carolinian cultural liaisons are providing facilitation and translation at the 3 in-person public hearings. This is part of a pilot project meant to address requests made during the public comment period for NMFS' Equity and Environmental Justice Strategy.

Timetable:

Action	Date	FR Cite
NPRM	07/19/23	88 FR 46572
NPRM Comment Period End.	10/17/23	
Final Action	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8400, *Email:* kimberly.damon-randall@noaa.gov.

RIN: 0648-BL82

37. Designation of Critical Habitat for Rice's Whale Under the Endangered Species Act [0648-BL86]

Legal Authority: 16 U.S.C. 1533; 16 U.S.C. 1532

Abstract: Gulf of Mexico Bryde's whales (*Balaenoptera edeni*) were listed as endangered under the Endangered Species Act (ESA) by the National Marine Fisheries Service (NMFS) effective April 15, 2019 (84 FR 15446). On October 22, 2021, NMFS published a final rule that revised the listing of Gulf of Mexico Bryde's whales to reflect the scientifically accepted taxonomy and nomenclature of the species (86 FR 47022). The revised common name for this species is Rice's whale and the scientific name is *Balaenoptera ricei*. The ESA requires that critical habitat be designated to the maximum extent prudent and determinable at the time a species is listed (16 U.S.C. 1533(a)(3)(i)). NMFS concluded that critical habitat was not yet determinable for the Rice's whale at the time of listing. However, NMFS indicated that they anticipated critical habitat would be determinable in the future given on-going research. NMFS, therefore, announced in the final listing rule that they would propose critical habitat in a separate rulemaking. This rule finalizes designation of critical

habitat for the endangered Rice's whale as one specific area within the Gulf of Mexico that extends from the Texas-Mexico border in the west to the Florida Keys in the east and lies between the 100m and 400m isobaths. NMFS will consult with the Department of Defense to assess any potential national security impacts as a result of the critical habitat designation.

Timetable:

Action	Date	FR Cite
NPRM	07/24/23	88 FR 47453
NPRM Comment Period End.	09/22/23	
NPRM Comment Period Extension.	10/06/23	88 FR 62522
Final Action	09/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427-8400, *Email:* kimberly.damon-randall@noaa.gov.

RIN: 0648-BL86

38. • Framework Adjustment 66 to the Northeast Multispecies Fishery Management Plan [0648-BM71]

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

Abstract: The final action implements management measures included in Framework Adjustment 66 to the Northeast Multispecies Fishery Management Plan (Framework 66) that were developed by the New England Fishery Management Council in response to new scientific information, pursuant to the rulemaking authorities under section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act. This action sets annual specifications for fishing years (FY) 2024-2026 for three Northeast multispecies stocks, FY 2024-2025 for three other multispecies stocks; specifies FY 2024-2025 total allowable catches (TAC) for the three U.S./Canada stocks; and modify the trigger for Atlantic halibut accountability measures.

Timetable:

Action	Date	FR Cite
NPRM	03/22/24	89 FR 20412
NPRM Comment Period End.	04/08/24	
Final Action	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael Pentony, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281-9283, *Email:* michael.pentony@noaa.gov.

RIN: 0648-BM71

39. Atlantic Highly Migratory Species; Research and Data Collection in Support of Spatial Fisheries Management [0648-B110]

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

Abstract: This rule addresses conducting research in areas currently closed to fishing for Atlantic highly migratory species (HMS)—during various times or by certain gear—to collect fishery-dependent data. A number of time/area closures or gear-restricted areas have been implemented over the years through various rulemakings, limiting fishing for Atlantic highly migratory species in those areas for a variety of reasons including reducing bycatch. These time/area closures have been implemented in consultation with the HMS Advisory Panel to protect species consistent with the Magnuson-Stevens Fisheries Conservation and Management Act (*e.g.*, to reduce bycatch in the pelagic longline fishery off the east coast of Florida), the Endangered Species Act (*e.g.*, to protect sea turtles in the North Atlantic), and the Atlantic Tunas Convention Act (*e.g.*, to protect spawning bluefin tuna in the Gulf of Mexico). Fishery-dependent data supports effective fisheries management, and areas that restrict fishing effort often have a commensurate decrease in fishery-dependent data collection. Programs to facilitate research and data collection, such as those that would be covered by this rule, could assess the efficacy of closed areas, improve sustainable management of highly migratory species, and may provide benefits to commercial and recreational fishermen. The Agency's final actions for this rule are based in part on feedback and public comments on the proposed rule and draft environmental impact statement, regulatory impact review (RIR), and initial regulatory flexibility analysis (IRFA). The comment period ended in October 2023. The comments received to date provide helpful feedback on the potential issues and ways forward.

Timetable:

Action	Date	FR Cite
NPRM	05/05/23	88 FR 29050

Action	Date	FR Cite
NPRM Comment Period Extension.	09/08/23	88 FR 62044
NPRM Comment Period End.	09/15/23	
NPRM Comment Period Extension End.	10/02/23	
Final Action	07/00/24	

Regulatory Flexibility Analysis Required: Yes.
Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov.
RIN: 0648-B110

40. International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort Limits in Purse Seine Fisheries [0648-BL25]

Legal Authority: 16 U.S.C. 6901 *et seq.*
Abstract: Under authority of the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 *et seq.*), NMFS is implementing fishing effort limits for the U.S. purse seine fishery operating in the western and central Pacific Ocean (WCPO). Regulations at 50 CFR 300.223(a) currently limit U.S. WCPO purse seine fishing effort in a combined area of the high seas and U.S. exclusive economic zone (EEZ). Based on recent decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, this rule implements separate U.S. WCPO purse seine fishing effort limits for the high seas and U.S. EEZ. This rule could have some economic effects on U.S. purse seine vessels, as the separate effort limits would reduce the operational flexibility provided by the combined effort limits. This rule could also have some economic effects on American Samoa, as the separate limits could lead to a fishery closure earlier in the year than under the combined limits, which could reduce fish supply to the cannery based in American Samoa. Other elements of this rule include modifications to the process for closing the fishery once an effort limit is reached, and modifications to the procedures for obtaining daily purse seine fishing effort reports.

Timetable:

Action	Date	FR Cite
NPRM	09/12/22	87 FR 55768

Action	Date	FR Cite
NPRM Comment Period End.	10/03/22	
Final Action	10/00/24	

Regulatory Flexibility Analysis Required: Yes.
Agency Contact: Sarah Malloy, Acting Regional Administrator, Pacific Islands Region, Department of Commerce, National Oceanic and Atmospheric Administration, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818, *Phone:* 808 725-5000, *Email:* sarah.malloy@noaa.gov.
RIN: 0648-BL25

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Long-Term Actions

National Marine Fisheries Service

41. Magnuson-Stevens Fisheries Conservation and Management Act; Traceability Information Program for Seafood [0648-BH87]

Legal Authority: 16 U.S.C. 1801 *et seq.*; Pub. L. 115-141
Abstract: On December 9, 2016, NMFS issued a final rule that established a risk-based traceability program to track seafood from harvest to entry into U.S. commerce. The final rule included, for designated priority fish species, import permitting and reporting requirements to provide for traceability of seafood products offered for entry into the U.S. supply chain, and to ensure that these products were lawfully acquired and are properly represented. Shrimp and abalone products were included in the final rule to implement the Seafood Import Monitoring Program, but compliance with Seafood Import Monitoring Program requirements for those species was stayed indefinitely due to the disparity between Federal reporting programs for domestic aquaculture of shrimp and abalone products relative to the requirements that would apply to imports under Seafood Import Monitoring Program. In section 539 of the Consolidated Appropriations Act, 2018, Congress mandated lifting the stay on inclusion of shrimp and abalone in Seafood Import Monitoring Program and authorized the Secretary of Commerce to require comparable reporting and recordkeeping requirements for domestic aquaculture of shrimp and abalone. This rulemaking will establish permitting, reporting and recordkeeping requirements for domestic producers of

shrimp and abalone from the point of production to entry into commerce.

Timetable:

Action	Date	FR Cite
NPRM	10/11/18	83 FR 51426
NPRM Comment Period End.	11/26/18	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.
Agency Contact: Alexa Cole, *Phone:* 301 427-8286, *Email:* alexa.cole@noaa.gov.
RIN: 0648-BH87

42. Seafood Import Permitting and Reporting Procedures [0648-BK85]

Legal Authority: 16 U.S.C. 1801 *et seq.*
Abstract: NMFS amends the regulations that require seafood import documentation under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*). The statute prohibits the importation of seafood that was harvested in violation of foreign laws, any treaty, or binding conservation measures of regional fisheries organizations to which the United States is a party. The import permitting, reporting and recordkeeping regulations facilitate enforcement of the statutory prohibition. To ensure compliance with the import monitoring program, NMFS clarifies what qualifies as the U.S. resident business address of the International Fisheries Trade Permit holder and the permit holder's obligation to ensure timely access to and production of the required supply chain records in the event of an audit NMFS also intends to include additional species under the program, such as expanding currently listed single-species to species groups and adding new species. U.S. seafood importers are likely to be affected by this rulemaking through increased reporting and recordkeeping requirements, but NOAA estimates the economic impact will be small because documentation is already completed, transmitted through the supply chain, and available to importers.

Timetable:

Action	Date	FR Cite
NPRM	12/28/22	87 FR 79836
NPRM Comment Period End.	03/28/23	
NPRM Comment Period Extension.	03/31/23	88 FR 19236
NPRM Comment Period Extension End.	04/27/23	

Action	Date	FR Cite
NPRM; Withdrawn Next Action Undetermined.	11/16/23	88 FR 78714

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alexa Cole, Phone: 301 427-8286, Email: alexa.cole@noaa.gov.

RIN: 0648-BK85

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Completed Actions

43. Designation of Critical Habitat for the Threatened Caribbean Corals [0648-BG26]

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: NMFS listed 5 Caribbean corals as threatened under the Endangered Species Act on October 10, 2014. Critical habitat shall be designated to the maximum extent prudent and determinable at the time a species is proposed for listing (50 CFR 424.12). We concluded that critical habitat was not determinable for the 5 corals at the time of listing. However, we anticipated that critical habitat would be determinable in the future given on-going research. We, therefore, announced in the final listing rules that we would propose critical habitat in separate rulemakings. This rule proposes to designate critical habitat for the 5 Caribbean coral species listed in 2014. A separate proposed critical habitat rule is being prepared for the 15 Indo-Pacific corals listed as threatened in 2014. The proposed designation for the Caribbean corals may include marine waters in Florida, Puerto Rico, US Virgin Islands, Navassa Island, and Flower Garden Banks containing essential features that support all stages of life history of the corals. The proposed rule is not likely to have an annual effect on the economy of \$100 million or more or adversely affect the economy. NMFS has contacted the Departments of the Navy, Air Force, and Army as well as the U.S. Coast Guard requesting information related to potential national security impacts that may result from the critical habitat designation. Based on information provided, we concluded that there will be an impact on national security in only 1 area offshore Dania Beach, FL, and will propose to exclude it from the designations.

Timetable:

Action	Date	FR Cite
NPRM	11/27/20	85 FR 76302
NPRM Comment Period End.	01/26/21	
Final Rule	08/09/23	88 FR 54026
Final Action Effective.	09/08/23	
Final Action	03/19/24	89 FR 19511
Final Action Effective.	03/19/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, Phone: 301 427-8400, Email: kimberly.damon-randall@noaa.gov.

RIN: 0648-BG26

44. Designation of Critical Habitat for Nassau Grouper Under the Endangered Species Act [0648-BL53]

Legal Authority: 16 U.S.C. 1533

Abstract: This rulemaking will designate critical habitat for the threatened Nassau grouper pursuant to section 4 of the Endangered Species Act (ESA). Specific occupied areas under consideration as critical habitat for this species include approximately 2,352.27 sq. kilometers (908.22 sq. miles) of marine habitat located in waters off southeastern coast of Florida, Puerto Rico, Navassa, and the United States Virgin Islands (USVI). For this critical habitat designation, the incremental costs of the rule are anticipated to be limited to the additional administrative effort required for section 7 consultations to consider impacts to the critical habitat. We have contacted the Departments of the Navy, Air Force, and Army as well as the U.S. Coast Guard requesting information related to potential national security impacts that may result from the critical habitat designation. Based on information they provided, national security impacts are not expected to arise as a result of this rule. NMFS also contacted the Department of Defense (DoD) to determine if any areas controlled by the DoD coincide with any of the areas under consideration for critical habitat, and none were found that would result in not designating critical habitat pursuant to section 4(a)(3)(B)(i) of the ESA. This rule is consistent with existing critical habitat regulations in the application of the ESA.

Timetable:

Action	Date	FR Cite
NPRM	10/17/22	87 FR 62930

Action	Date	FR Cite
NPRM Comment Period End.	12/16/22	
Final Action	01/02/24	89 FR 126
Final Action Effective.	02/01/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, Phone: 301 427-8400, Email: kimberly.damon-randall@noaa.gov. RIN: 0648-BL53

45. Atlantic Large Whale Take Reduction Plan Modifications To Reduce Serious Injury and Mortality of Large Whales in Commercial Trap/Pot Fisheries Along the U.S. East Coast [0648-BM31]

Legal Authority: 16 U.S.C. 1387

Abstract: The National Marine Fisheries Service (NMFS) is proposing a rule under the Atlantic Large Whale Take Reduction Plan (ALWTRP or Plan) to reduce the risk of North Atlantic right whale entanglement in commercial trap/pot fisheries along the U.S. East Coast. The proposed rule would modify the boundaries of the Massachusetts Restricted Area (MRA) to include a 200 square miles area known as the MRA Wedge to fill a gap in protections that occurs during the implementation of the current closure in Federal waters from February through April every year. This small gap area was inadvertently created by a 2021 modification to an existing MRA seasonal closure to buoy lines which mirrored a state water closure enacted by Massachusetts in early 2021. The resultant gap within the MRA created an opportunity for federally permitted vessels to fish or store buoyed trap gear in the MRA Wedge at great risk of incidental mortality and serious injury of North Atlantic right whales that are seasonally abundant in surrounding waters. Empirical gear and whale sightings collected during aerial surveys of the MRA Wedge during February-April demonstrate the high entanglement risk to right whales in this area. No novel management measures or policies are proposed; this Wedge area was closed through emergency rulemaking in 2021 and 2022, and this rule proposes to permanently implement a small expansion of an existing three-month seasonal restriction to fishing with buoy lines.

Timetable:

Action	Date	FR Cite
NPRM	09/18/23	88 FR 63917
NPRM Comment Period End.	10/18/23	
Final Action	02/07/24	89 FR 8333
Final Action Effective.	03/08/24	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Kim Damon-Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, Phone: 301 427-8400, Email: kimberly.damon-randall@noaa.gov. RIN: 0648-BM31

46. Amendment 123 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area; Halibut Abundance-Based Management of Amendment 80 Prohibited Species Catch Limit [0648-BL42]

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

Abstract: In response to a recommendation by the North Pacific Fishery Management Council (Council), this proposed action would implement Amendment 123 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI). If approved by the Secretary of Commerce and implemented by NMFS, this action would determine the BSAI Amendment 80 commercial groundfish trawl fleet's (A80) halibut prohibited species catch (PSC) limit annually based on the most recent values from surveys conducted by the Alaska Fisheries Science Center and the International Pacific Halibut Commission (IPHC). The Council's intent in recommending Amendment 123 is to link annual halibut PSC limits in the A80 fleet with estimated halibut abundance. The reason for the change being considered is that the current PSC limit, currently set as a fixed annual amount of 1,745 mt, becomes an increasingly larger proportion of total halibut removals in the BSAI when halibut abundance declines. Over the last 6 years, the Council and its advisory bodies, stakeholders, and the public have considered several approaches for a halibut abundance-based management (ABM) program consistent with Council fishery management objectives and the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Public testimony on this action over the years has focused on two primary concerns. The first is the importance of providing flexibility to

the A80 fleet to prosecute their quotas. The second is concern about the decline in the directed halibut fishery catch as a result of a decline in halibut abundance, compounded by fixed PSC limits that further reduce the proportion of halibut available to the directed halibut fisheries.

Timetable:

Action	Date	FR Cite
NPRM	12/09/22	87 FR 75570
NPRM Comment Period End.	01/23/23	
Final Action	11/24/23	88 FR 82740
Final Action Effective.	01/01/24	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Jon Kurland, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, Phone: 907 586-7638, Email: jon.kurland@noaa.gov. RIN: 0648-BL42

47. Rulemaking To Modify the 2023-2027 Halibut Individual Fishing Quota (IFQ) Vessel Harvest Limitations in IFQ Regulatory Areas 4A, 4B, 4C, and 4D [0648-BM18]

Legal Authority: 16 U.S.C. 773

Abstract: Commercial halibut fishing off the coast of Alaska is managed under an Individual Fishing Quota (IFQ) program implemented by Federal regulations under the authority of the Northern Pacific Halibut Act of 1982, 16 U.S.C. 773 et seq. On February 10, 2023, the North Pacific Fishery Management Council (Council) recommended to temporarily remove IFQ halibut vessel caps for the 2023-2027 fishing years in IFQ regulatory areas 4A (Eastern Aleutian Islands), 4B (Central and Western Aleutian Islands), 4C (Central Bering Sea), and 4D (Eastern Bering Sea). This action is needed to provide continued flexibility and consistency in the Pacific halibut fishery. This action would implement the temporary management measure that has been recommended by the Council and implemented by NMFS annually since 2020 for a 5-year period. This action would revise 50 CFR 679.42(h)(1) to remove vessel caps in those four areas for the 2023-2027 fishing year. This temporary action would provide consistency for fishery participants over the next five years, while the Council develops a long-term solution to modify vessel use caps in Area 4. Halibut IFQ holders with quota share in those four areas would be affected by this action, as well as Community Quota Entities in

area 4B. This action would not modify any other aspects of the IFQ Program. Section 773c(c) of the Northern Pacific Halibut Act is the rulemaking authority.

Timetable:

Action	Date	FR Cite
NPRM	05/11/23	88 FR 30272
NPRM Comment Period End.	06/12/23	
Final Action	07/26/23	88 FR 48137
Final Action Effective.	07/26/23	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Jon Kurland, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, Phone: 907 586-7638, Email: jon.kurland@noaa.gov. RIN: 0648-BM18

48. Amendment 16 to the Fishery Management Plan for the Salmon Fisheries in the EEZ Off Alaska; Cook Inlet [0648-BM42]

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

Abstract: This action (Amendment 16) incorporates the Cook Inlet EEZ into the Alaska Salmon FMP, thereby bringing the Cook Inlet EEZ and the salmon fisheries that occur within it under Federal management by the North Pacific Fishery Management Council (Council) and NMFS. Previously, the Cook Inlet EEZ was not included in a Federal fishery management plan (FMP), deferring management to the State of Alaska (State). Commercial fishermen challenged this as inconsistent with the Magnuson-Stevens Act (MSA). Ultimately, the Ninth Circuit held that the Cook Inlet EEZ must be included in a FMP. The Council previously took action to address this issue in 2020 and NMFS implemented their recommendation as Amendment 14, which closed the Federal area to commercial salmon fishing. Amendment 14 was challenged by commercial fishermen and vacated. A new amendment addressing the area must be promulgated by May 1, 2024. Four management alternatives were considered: (1) no action, (2) delegating management authority to the State consistent with the MSA, (3) Federal management, and (4) Federal management that closes the area to commercial salmon fishing. Alternatives 1 and 4 were not viable given the court rulings, and the State would not accept delegated management. This left Alternative 3 as the only viable alternative. However, the Council did not take action and, NMFS must now

take action through a Secretarial FMP amendment pursuant to MSA section 304(c) to meet the court’s deadline. NMFS implements Alternative 3 to federally manage all salmon fishing in the Cook Inlet EEZ. Federal management may reduce commercial salmon harvest in the EEZ area as a result of increased scientific and management uncertainty. Additional litigation is expected from commercial fishermen. NMFS developed the elements of this rule with input from the public during two North Pacific Fishery Management Council meetings, a virtual public hearing, and multiple meetings and consultations with Tribal entities.

Timetable:

Action	Date	FR Cite
NPRM	10/19/23	88 FR 72314
NPRM Comment Period End.	12/18/23	
Final Action	04/30/24	89 FR 34718
Final Action Effective.	05/30/24	
Correction	05/29/24	89 FR 46333
Correction Effective.	05/30/24	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Jon Kurland, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7638, *Email:* jon.kurland@noaa.gov. *RIN:* 0648–BM42

49. Framework Adjustment 65 to the Northeast Multispecies Fishery Management Plan [0648–BL95]

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

Abstract: The action would implement management measures included in Framework Adjustment 65 to the Northeast Multispecies Fishery Management Plan (Framework 65) that were developed by the New England Fishery Management Council in response to new scientific information, pursuant to the rulemaking authorities under section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act. The action will revise the rebuilding plan for Gulf of Maine (GOM) cod, set annual specifications for fishing years (FY) 2023–2025 for 13 Northeast multispecies stocks, FY2023–2024 for Georges Bank (GB) cod, GB yellowtail flounder, FY2023 for white hake, and specify FY 2023–2024 total allowable catches (TAC) for the three U.S./Canada stocks eastern GB cod, eastern GB haddock, and GB yellowtail flounder. It would also make a

temporary modification to the accountability measures for GB cod. This rule also takes emergency action using our authority under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act to increase the fishing year 2023 specifications for Gulf of Maine (GOM) haddock. The purpose of this emergency action is to mitigate economic harm to industry by increasing the 2023 GOM haddock specifications.

Timetable:

Action	Date	FR Cite
NPRM	05/31/23	88 FR 34810
NPRM Comment Period End.	06/15/23	
Final Action	08/18/23	88 FR 56527
Comment Period End.	09/18/23	
Final Action Effective.	09/18/23	
Temporary Rule Extension.	01/09/24	89 FR 1036
Temporary Rule Extension End.	04/30/24	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Michael Pentony, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9283, *Email:* michael.pentony@noaa.gov. *RIN:* 0648–BL95

50. • Framework Adjustment 38 to the Atlantic Sea Scallop Fishery Management Plan [0648–BM78]

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

Abstract: At its December 2023 meeting, the New England Fishery Management Council voted to submit Framework 38 to NOAA’s National Marine Fisheries Service (NMFS). Pursuant to section 304(a) of the Magnuson-Stevens Fishery Conservation and Management Act, NMFS is drafting a proposed rule to approve and implement Framework 38. Framework 38 is a time-sensitive action that would set annual specifications for the Atlantic sea scallop fleet for the 2024 fishing year, including the annual catch limits for the limited access and limited access general category fleets, as well as days-at-sea allocations and sea scallop access area trip allocations. Framework 38 would implement specifications that would result in projected landings of 27.4 million lb, a 2.4 million-lb increase from the fishing year 2023 projected landings. However, during the development of Framework 38 current price information was added

to the price projection model resulting in a decrease in the projected price for scallops in the 2024 fishing year. As a result, despite the increase in projected landings, it is predicted that there will be a decrease in total economic benefits in fishing year 2024. This is due primarily to a decrease in the projected price for scallops, specifically of U–10 scallops (larger scallops that had previously commanded a higher price) and not a result of additional regulations or requirements that would be implemented by Framework 38. Because of this, the economic impacts of the Framework 38 fishery specifications are expected to be negative for scallop vessels and small business entities compared to fishing year 2023. The increase in projected landings and the reduction in projected price is projected to result in a decrease in total economic benefits of \$19.62 million using 2023. This is a time-sensitive regulatory action that sets annual catch limits for the Atlantic Sea Scallop Fishery Management Plan. This action is routine and needed to fully open the scallop fishery for the 2024 fishing year, beginning April 1, 2024. Framework 38 was developed by the Council with input from the scallop industry throughout its development. The increase in projected landings that Framework 38 would implement is expected by and supported by the industry. The specifications in this rule would only be in place for one year. If this action is delayed, opening the Scallop fishery by April 1, 2024, would require NMFS to implement default measures which are less preferable to industry and resource managers. The default measures would create confusion among the fleet because NMFS would be required to implement two different sets of measures that would change mid-season. The default measures could also have detrimental impacts to the conservation of important, but sensitive, scallop resources and could exacerbate the impact of the reduction in economic benefits to the scallop industry. They could also lead to reductions in future scallop harvests.

Timetable:

Action	Date	FR Cite
NPRM	02/12/24	89 FR 9819
NPRM Comment Period End.	02/27/24	
Final Action	03/22/24	89 FR 20341
Final Action Effective.	04/22/24	

Regulatory Flexibility Analysis

Required: Yes.

Agency Contact: Michael Pentony, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281-9283, *Email:* michael.pentony@noaa.gov.

RIN: 0648-BM78

51. Atlantic Highly Migratory Species; Prohibiting Retention of Oceanic Whitetip Sharks in U.S. Atlantic Waters and Hammerhead Sharks in the Caribbean Sea [0648-BK54]

Legal Authority: 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

Abstract: Atlantic highly migratory species (HMS) fisheries are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). On May 15, 2020, NOAA Fisheries issued two Biological Opinions (BiOps) under Section 7(a)(2) of the Endangered Species Act (ESA). These BiOps covered the pelagic longline fishery for Atlantic HMS and the non-pelagic longline HMS fisheries, as managed under the 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments. The BiOps concluded that the fisheries are not likely to jeopardize the continued existence of listed species nor adversely affect their designated critical habitat. The BiOps included conservation recommendations under Section 7(a)(1) of the ESA. These conservation recommendations encouraged the prohibition of the commercial and recreational retention of both scalloped hammerhead sharks (specifically in the Southwest and Caribbean distinct population segments) and oceanic whitetip sharks, both of which are listed as threatened under the ESA. As a result, this action considers implementing this conservation recommendation. Under existing regulations, retention and possession of oceanic whitetip and all hammerhead sharks are prohibited for commercial fishermen using pelagic longline gear; this action would extend the prohibition to commercial shark permit holders using other gears and to recreational permit holders who target or catch sharks. This action is being taken pursuant to the rulemaking authority under the Magnuson-Stevens Act, sec. 304(g), and ATCA. The Agency's final actions for this rule will be based in part on public comments on the proposed rule and draft environmental assessment, RIR, and IRFA. The comments received were generally supportive of the proposed action; some

commenters requested additional protections for scalloped hammerhead sharks.

Timetable:

Action	Date	FR Cite
NPRM	03/22/23	88 FR 17171
NPRM Comment Period End.	05/22/23	
Final Action	01/03/24	89 FR 278
Final Action Effective.	02/02/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov. *RIN:* 0648-BK54

52. • Atlantic Highly Migratory Species; Atlantic Bluefin Tuna General Category Restricted-Fishing Days; Atlantic Bluefin Tuna Regulatory Clarifications [0648-BM66]

Legal Authority: 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 971 *et seq.*

Abstract: Atlantic tunas are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), *id.* 971 *et seq.* Consistent with the existing regulations at 50 CFR 635.23(a), NOAA Fisheries uses restricted-fishing days (RFDs, see definition at 635.2) to extend fishing opportunities for bluefin tuna General category participants through a greater portion of the category's subquota time-periods while also ensuring the bluefin tuna quota is harvested. This action codifies a schedule of restricted-fishing days (RFDs) for the 2024 fishing year and future fishing years; and clarifies the existing regulations, including on the General category default retention limit for bluefin tuna, the process of scheduling RFDs, and bluefin tuna dealer tag application on RFDs. In 2021, bluefin tuna landed under the General category quota brought in \$10.2 million in ex-vessel revenues. This action does not change the amount of bluefin tuna that can be landed under an RFD schedule.

Timetable:

Action	Date	FR Cite
NPRM	02/23/24	89 FR 13667
NPRM Comment Period End.	03/25/24	
Final Action	05/31/24	89 FR 47095

Action	Date	FR Cite
Final Action Effective.	07/01/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Denit, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 13362, Silver Spring, MD 20901, *Phone:* 301 427-8500, *Email:* kelly.denit@noaa.gov. *RIN:* 0648-BM66

53. Amendment 51 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 51) [0648-BM03]

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

Abstract: NMFS is developing a final rule to implement Amendment 51. Amendment 51 and the rule will modify management of South Atlantic snowy grouper. Actions will revise annual catch limits, sector allocations, and the fishing season and accountability measures for the recreational sector. Amendment 51 and the rule will end overfishing of South Atlantic snowy grouper, continue to rebuild the stock, and achieve optimum yield while minimizing, to the extent practicable, adverse social and economic effects.

Timetable:

Action	Date	FR Cite
NPRM	05/30/23	88 FR 34460
NPRM Comment Period End.	06/29/23	
Final Action	12/01/23	88 FR 83860
Final Action Effective.	01/02/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Andrew J. Strelcheck, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824-5305, *Email:* andy.strelcheck@noaa.gov. *RIN:* 0648-BM03

54. Amendment 56 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico: Modifications to Catch Limits, Sector Allocation, and Recreational Fishing Seasons for Gulf of Mexico Gag [0648-BM46]

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

Abstract: Reef Fish Amendment 56 and the rule would modify the status determination criteria, optimum yield,

sector catch limits and catch targets and establish a rebuilding timeline for Gulf gag based on the most recent stock assessment (Southeast Data Assessment and Review (SEDAR) 72) and recommendations from the Gulf of Mexico Fishery Management Council’s Scientific and Statistical Committee. The amendment and rule also modify the recreational accountability measures and fishing season. The stock assessment indicated that Gulf gag is overfished and was undergoing overfishing as of 2019, and that a substantial reduction in the total allowable harvest is necessary to rebuild the stock. The amendment and final rule also modify the allocation between the commercial and recreational sectors using adjusted recreational landings estimates. The need for this action is to use the best scientific information available to end overfishing of Gulf gag and rebuild the stock to a level commensurate with maximum sustainable yield, consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	10/18/23	88 FR 71812
NPRM Comment Period End.	12/18/23	
Final Action	05/10/24	89 FR 40419
Final Action Effective.	06/01/24	
Correction	05/29/24	89 FR 46333
Correction Effective.	06/01/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Andrew J. Strelcheck, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824-5305, *Email:* andy.strelcheck@noaa.gov.
RIN: 0648-BM46

DEPARTMENT OF COMMERCE (DOC)

Patent and Trademark Office (PTO)

Final Rule Stage

55. Setting and Adjusting Patent Fees During Fiscal Year 2025 [0651-AD64]

Legal Authority: Pub. L. 112-29
Abstract: The United States Patent and Trademark Office (USPTO or Office) takes this action to set and adjust Patent fee amounts to provide the Office with a sufficient aggregate revenue to recover its aggregate cost of operations thereby maintaining a sustainable funding model. The new fee amounts will provide the Office with additional resources to decrease patent pendency and ensure robust and reliable patents are allowed while continuing to promote access to the patent system for underresourced individuals. This proposal reflects feedback we have received from members of the Patent Public Advisory Committee and the public, including organizations, practitioners, and independent inventors, during a public hearing held on May 18, 2023. As we develop this regulation, we will be seeking additional public comment through the rulemaking process.

Timetable:

Action	Date	FR Cite
NPRM	04/03/24	89 FR 23226
NPRM Comment Period End.	06/03/24	
Final Action	11/00/24	
Final Action Effective.	03/00/25	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brendan Hourigan, Director, Office of Planning and Budget, Department of Commerce, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, *Phone:* 571 272-8966, *Fax:* 571 273-8966, *Email:* brendan.hourigan@uspto.gov.
RIN: 0651-AD64

56. Setting and Adjusting Trademark Fees During Fiscal Year 2025 [0651-AD65]

Legal Authority: Pub. L. 112-29

Abstract: The United States Patent and Trademark Office (USPTO or Office) takes this action to set and adjust Trademark fee amounts to provide the Office with a sufficient aggregate revenue to recover its aggregate cost of operations thereby maintaining a sustainable funding model. The new fee amounts will provide the Office with additional resources to ensure the integrity of the Trademark register and promote efficiency of processes while continuing to offer affordable options to stakeholders. This proposal reflects feedback we have received from members of the Trademark Public Advisory Committee and the public, including organizations, practitioners, and small business owners, during a public hearing held on June 5, 2023. As we develop this regulation, we will be seeking additional public comment through the rulemaking process.

Timetable:

Action	Date	FR Cite
NPRM	03/26/24	89 FR 20897
NPRM Comment Period End.	05/28/24	
Final Action	09/00/24	
Final Action Effective.	01/00/25	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brendan Hourigan, Director, Office of Planning and Budget, Department of Commerce, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, *Phone:* 571 272-8966, *Fax:* 571 273-8966, *Email:* brendan.hourigan@uspto.gov.

RIN: 0651-AD65

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