

provided to Tier I service providers because, in part, a shorter period would better meet the needs of consumers with hearing loss.

#### 6. Report to Congress

55. The Commission will send a copy of the Fourth Report and Order, including this FRFA, in a report to be sent to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the Fourth Report and Order, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the Fourth Report and Order and FRFA (or summaries thereof) will also be published in the **Federal Register**.

#### B. Final Paperwork Reduction Act Analysis

56. The Fourth Report and Order does not contain substantive new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It does not contain any substantive 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).

#### C. Congressional Review Act

57. The Commission will include a copy of this Fourth Report and Order and Notice of Proposed Rulemaking in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

### III. Ordering Clauses

58. *It is ordered*, pursuant to sections 4(i), 303(r), and 710 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), and 610, this Fourth Report and Order *is hereby adopted*.

59. *It is further ordered* that the rule amendments *will become effective* 30 days after their publication in the **Federal Register**.

60. *It is further ordered* that the Commission's Consumer & Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Fourth Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects in 47 CFR Part 20

Communications common carriers, Communications equipment, Incorporation by reference, Radio.

Federal Communications Commission.

**Gloria J. Miles**,

*Federal Register Liaison Officer, Office of the Secretary.*

#### Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 20 as follows:

### PART 20—COMMERCIAL MOBILE SERVICES

■ 1. The authority citation for part 20 is revised to read as follows:

**Authority:** 47 U.S.C. 151, 152(a) 154(i), 157, 160, 201, 214, 222, 251(e), 301, 302, 303, 303(b), 303(r), 307, 307(a), 309, 309(j)(3), 316, 316(a), 332, 610, 615, 615a, 615b, 615c, unless otherwise noted.

■ 2. Section 20.19 is amended by revising paragraphs (a)(1) and (2), (a)(3)(iv), and (b)(3)(i) to read as follows:

#### § 20.19 Hearing aid-compatible mobile handsets.

(a) \* \* \*

(1) *Service providers.* (i) On or after January 1, 2018 for Tier I carriers and April 1, 2018 for service providers other than Tier I carriers, the hearing aid compatibility requirements of this section apply to providers of digital mobile service in the United States to the extent that they offer terrestrial mobile service that enables two-way real-time voice communications among members of the public or a substantial portion of the public, including both interconnected and non-interconnected VoIP services, and such service is provided over frequencies in the 698 MHz to 6 GHz bands.

(ii) Prior to January 1, 2018 for Tier I carriers and April 1, 2018 for service providers other than Tier I carriers, the hearing aid compatibility requirements of this section apply to providers of digital CMRS in the United States to the extent that they offer real-time, two-way switched voice or data service that is interconnected with the public switched network and utilizes an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless hand-offs of subscriber calls, and such service is provided over frequencies in the 698 MHz to 6 GHz bands.

(2) *Manufacturers.* On or after January 1, 2018, the requirements of this section also apply to the manufacturers of the wireless handsets that are used in delivery of the services specified in paragraph (a)(1)(i) of this section. Prior to January 1, 2018, the requirements of this section also apply to the manufacturers of the wireless handsets

that are used in delivery of the services specified in paragraph (a)(1)(ii) of this section.

(3) \* \* \*

(iv) Service provider refers to a provider of digital mobile service to which the requirements of this section apply.

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(i) Except as provided in paragraph (b)(3)(ii) of this section, a wireless handset used for digital mobile service only over the 698 MHz to 6 GHz frequency bands is hearing aid-compatible with regard to radio frequency interference or inductive coupling if it meets the applicable technical standard set forth in paragraph (b)(1) or (b)(2) of this section for all frequency bands and air interfaces over which it operates, and the handset has been certified as compliant with the test requirements for the applicable standard pursuant to § 2.1033(d) of this chapter. A wireless handset that incorporates operations outside the 698 MHz to 6 GHz frequency bands is hearing aid-compatible if the handset otherwise satisfies the requirements of this paragraph (b).

\* \* \* \* \*

[FR Doc. 2015–32757 Filed 1–4–16; 8:45 am]

BILLING CODE 6712–01–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 141219999–5432–02]

RIN 0648–XE345

### Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015 Tribal Fishery Allocations for Pacific Whiting; Reapportionment Between Tribal and Non-Tribal Sectors

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

**ACTION:** Reapportionment of tribal Pacific whiting allocation; request for comments.

**SUMMARY:** This document announces the reapportionment of 30,000 metric tons (mt) of Pacific whiting from the tribal allocation to the non-tribal commercial fishery sectors via automatic action on September 21, 2015, in order to allow

full utilization of the Pacific whiting resource.

**DATES:** This rule is effective December 30, 2015, until December 31, 2015. The reapportionment of Pacific whiting is applicable September 21, 2015, until December 31, 2015. Comments will be accepted through January 20, 2016.

**ADDRESSES:** You may submit comments, identified by NOAA–NMFS–2015–0017, by any of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal at [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0017](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0017), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** William W. Stelle, Jr., Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070, Attn: Miako Ushio.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Miako Ushio (West Coast Region, NMFS), phone: 206–526–4644 or email: [miako.ushio@noaa.gov](mailto:miako.ushio@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

This document is accessible via the Internet at the Office of the Federal Register’s Web site at <http://www.gpo.gov/fdsys/search/home.action>. Background information and documents are available at the Pacific Fishery Management Council’s Web site at <http://www.pcouncil.org/>.

**Pacific Whiting**

Pacific whiting (*Merluccius productus*) is a very productive species with highly variable recruitment (the biomass of fish that mature and enter the fishery each year) and a relatively short life span when compared to other groundfish species. Pacific whiting has the largest (by volume) annual allowable harvest levels of the more than 90

groundfish species managed under the Pacific Coast Groundfish Fishery Management Plan (FMP), which governs the groundfish fishery off Washington, Oregon, and California. The coastwide Pacific whiting stock is managed jointly by the United States (U.S.) and Canada, and mature Pacific whiting are commonly available to vessels operating in U.S. waters from April through December. Background on the stock assessment for and the establishment of the 2015 Total Allowable Catch (TAC) for Pacific whiting is provided in the final rule for the 2015 Pacific whiting harvest specifications, published May 14, 2015 (80 FR 27588). Pacific whiting is allocated to the Pacific Coast treaty tribes (tribal fishery), and to three non-tribal commercial sectors: The catcher/processor cooperative (C/P Coop), the mothership cooperative (MS Coop), and the Shorebased Individual Fishery Quota (IFQ) Program.

This document announces the reapportionment of 30,000 mt of Pacific whiting from the tribal allocation to the non-tribal commercial sectors on September 21, 2015. Regulations at § 660.131(h) contain provisions that allow the Regional Administrator to reapportion Pacific whiting from the tribal allocation, specified at § 660.50, that will not be harvested by the end of the fishing year to other sectors.

**Pacific Whiting Reapportionment**

For 2015, the Pacific Coast treaty tribes were allocated 56,888 mt of Pacific whiting. The best available information through September 14, 2015, indicated that there had been no harvest by the tribes to date, and at least 30,000 mt of the tribal allocation would not be harvested by December 31, 2015. To allow for full utilization of the resource, NMFS reapportioned 30,000 mt to the Shorebased IFQ Program, C/P Coop and MS Coop in proportion to each sector’s original allocation on that date. Reapportioning this amount was expected to allow for greater attainment of the TAC while not limiting tribal harvest opportunities for the remainder of the year. Emails sent directly to fishing businesses and individuals, and postings on the West Coast Region’s internet site were used to provide actual notice to the affected fishers. Reapportionment was effective the same day as the notice.

After the reapportionment, the amounts of Pacific whiting available for 2015 are:

- Tribal 26,888 mt;
- C/P Coop 100,873 mt;
- MS Coop 71,204 mt; and
- Shorebased IFQ Program 124,607.45 mt.

**Classification**

The Assistant Administrator for Fisheries, NOAA (AA), finds that good cause exists for this notification to be issued without affording prior notice and opportunity for public comment pursuant to 5 U.S.C. 553(b)(B) because such notification would be impracticable and contrary to the public interest. As previously noted, actual notice of the reapportionment was provided to fishers at the time of the action. Prior notice and opportunity for public comment on this reapportionment was impracticable because NMFS had insufficient time to provide prior notice and the opportunity for public comment between the time the information about the progress of the fishery needed to make this determination became available and the time at which fishery modifications had to be implemented in order to allow fishers access to the available fish during the remainder of the fishing season. For the same reasons, the AA also finds good cause to waive the 30-day delay in effectiveness for these actions, required under 5 U.S.C. 553(d)(3).

These actions are authorized by §§ 660.55 (i), 660.60(d) and 660.131(h) and are exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq* and 16 U.S.C. 7001 *et seq*.

Dated: December 30, 2015.

**Alan D. Risenhoover,**

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

[FR Doc. 2015–33155 Filed 12–30–15; 4:15 pm]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 141021887–5172–02]

RIN 0648–XE367

**Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2016 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts**

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

**ACTION:** Temporary rule; inseason adjustment; request for comments.