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[FR Doc. 2023-25393 Filed 11-20-23; 8:45 am]  
**BILLING CODE 6712-01-P**

**DEPARTMENT OF COMMERCE**

**National Telecommunications and Information Administration**

**47 CFR Part 300**

[Docket Number 230921-0231]

RIN 0660-AA39

**Manual of Regulations and Procedures for Federal Radio Frequency Management**

**AGENCY:** National Telecommunications and Information Administration (NTIA), Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) is making certain changes to its regulations relating to the public availability of the Manual of Regulations and Procedures for Federal Radio Frequency Management (NTIA Manual). NTIA has the authority, delegated by the president, to assign frequencies to radio stations or classes of radio stations belonging to and operated by the United States. NTIA’s manual reflects this authority and provides for the coordination of Executive branch agencies’ spectrum management and coordination. Specifically, NTIA is releasing a revised edition of the NTIA Manual, with which Federal agencies must comply when requesting use of radio frequency spectrum.

**DATES:** *Effective:* November 21, 2023. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of November 21, 2023.

**ADDRESSES:** A reference copy of the NTIA Manual, including all revisions in effect, is available in the Office of Spectrum Management, 1401 Constitution Avenue NW, Room 1087, Washington, DC 20230 and online at <https://ntia.gov/publications/redbook-manual>.

**FOR FURTHER INFORMATION CONTACT:**

Alan Frable, Office of Spectrum Management, at (202) 482-1670 or [afrable@ntia.gov](mailto:afrable@ntia.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background and Incorporation by Reference**

NTIA authorizes the U.S. Government’s use of radio frequency spectrum. 47 U.S.C. 902(b)(2)(A). As part of this authority, NTIA developed the NTIA Manual to provide further guidance to applicable Federal agencies on the use of the radio frequency spectrum for radio transmissions for telecommunications or for other purposes. The NTIA Manual is the compilation of policies and procedures that govern the use of the radio frequency spectrum by the U.S. Government. Federal Government agencies are required to follow these policies and procedures in their use of spectrum. Part 300 of title 47 of the Code of Federal Regulations (CFR) provides information about the process by which NTIA regularly revises the NTIA Manual and makes public this document and all revisions. Federal agencies are required to comply with the specifications in the NTIA Manual when requesting frequency assignments. See 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR, 1978 Comp., p. 158. This rule updates § 300.1 of title 47 of the Code of Federal Regulations to specify the edition of the NTIA Manual with which Federal agencies must comply when requesting frequency assignments. This rule amends the section by incorporating by reference the 2023 edition of the NTIA Manual. Upon the effective date of this rule, Federal agencies must comply with the requirements set forth in the 2023 edition of the NTIA Manual. The NTIA Manual is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, by referring to Catalog Number 903-008-00000-8, and online at <https://ntia.gov/publications/redbook-manual>. The material is available from: Commerce Department, National Telecommunications and Information Administration, Office of Spectrum Management, 1401 Constitution Avenue NW, Washington, DC 20230, <https://ntia.gov/publications/redbook-manual>; and Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, <https://bookstore.gpo.gov/> (reference Catalog Number 903-008-00000-8).

**II. Paperwork Reduction Act**

This action does not contain collection of information requirements subject to the Paperwork Reduction Act (PRA). Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the Paperwork Reduction Act unless that collection displays a currently valid Office of Management and Budget (OMB) Control Number.

**III. Executive Order 12866**

This rule has been determined to be not significant for purposes of Executive Order 12866.

**IV. Administrative Procedure Act and Regulatory Flexibility Act**

NTIA finds good cause under 5 U.S.C. 553(b)(3)(B) to waive prior notice and opportunity for public comment as it is unnecessary. This action merely amends the regulations to include the date of the most current edition of the NTIA Manual. These changes do not impact the rights or obligations to the public. The NTIA Manual applies only to Federal agencies. Because these changes impact only Federal agencies, and has no other substantive impact, NTIA finds it unnecessary to provide for the notice and comment requirements of 5 U.S.C. 553. NTIA finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness for the same reasons provided above. Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

**V. Executive Order 13132**

This rule does not contain policies having federalism implications as that term is defined in Executive Order 13132.

**List of Subjects in 47 CFR Part 300**

Communications, Incorporation by reference, Radio.

For the reasons set forth in the preamble, NTIA amends 47 CFR part 300 as follows:

**PART 300—MANUAL OF REGULATIONS AND PROCEDURES FOR FEDERAL RADIO FREQUENCY MANAGEMENT**

- 1. The authority citation for part 300 continues to read as follows:

**Authority:** 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR 1978 Comp., p. 158.

■ 2. Revise § 300.1(b) to read as follows:

**§ 300.1 Incorporation by reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management.**

\* \* \* \* \*

(b) The material listed in this paragraph (b) is incorporated by reference into this section with approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at National Telecommunications and Information Administration (NTIA) and the National Archives and Records Administration (NARA). Contact NTIA at: National Telecommunications and Information Administration, Office of Spectrum Management, 1401 Constitution Avenue NW, Room 1087, Washington, DC 20230, telephone: (202) 482-1670. For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov). The material is available from: Commerce Department, National Telecommunications and Information Administration, Office of Spectrum Management, 1401 Constitution Avenue NW, Washington, DC 20230, <https://ntia.gov/publications/redbook-manual>; and Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, <https://bookstore.gpo.gov/> (reference Catalog Number 903-008-00000-8).

(1) Manual of Regulations and Procedures for Federal Radio Frequency Management, January 2023 Revisions to the January 2021 Edition, approved September 7, 2023.

(2) [Reserved]

**Stephanie Weiner,**

*Chief Counsel, National Telecommunications and Information Administration.*

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**BILLING CODE P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[Docket No. 1206013412-2517-02; RTID 0648-XD526]

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2024 Commercial Accountability Measure for Gulf of Mexico Greater Amberjack**

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

**ACTION:** Temporary rule; commercial accountability measure.

**SUMMARY:** NMFS implements an accountability measure (AM) for commercial greater amberjack in the Gulf of Mexico (Gulf) exclusive economic zone (EEZ) reef fish fishery for the 2024 fishing year through this temporary rule. NMFS has determined that Gulf greater amberjack landings in 2023 exceeded the commercial annual catch limit (ACL). Therefore, NMFS reduces both the commercial ACL and commercial annual catch target (ACT) for greater amberjack in the Gulf EEZ during the 2024 fishing year. This commercial ACL and ACT reduction is necessary to protect the Gulf greater amberjack resource.

**DATES:** This rule is effective 12:01 a.m., local time, January 1, 2024, until 12:01 a.m., local time, January 1, 2025.

**FOR FURTHER INFORMATION CONTACT:** Kelli O'Donnell, NMFS Southeast Regional Office, telephone: 727-824-5305, or email: [Kelli.ODonnell@noaa.gov](mailto:Kelli.ODonnell@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS manages the reef fish fishery of the Gulf, which includes greater amberjack, under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The Gulf of Mexico Fishery Management Council (Council) prepared the FMP and NMFS approved and implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

All greater amberjack weights described in this temporary rule are in round weight.

The 2024 commercial ACL for Gulf greater amberjack is 101,000 lb (45,813 kg), as specified in 50 CFR 622.41(a)(1)(iii). The 2024 commercial quota (equivalent to the commercial ACT) is 93,930 lb (42,606 kg), as

specified in 50 CFR 622.39(a)(1)(v). However, NMFS has determined that in 2023, the commercial harvest of greater amberjack exceeded the 2023 commercial ACL of 101,000 lb (45,813 kg) by 35,280 lb (16,003 kg). As described in 50 CFR 622.41(a)(1)(ii), NMFS is required to reduce both the commercial ACL and the commercial ACT for greater amberjack in the year following an overage of the commercial ACL, by the amount of any commercial ACL overage. Consistent with the commercial AM, for the 2024 fishing year, NMFS reduces both the commercial ACL and the commercial ACT to 65,720 lb (29,810 kg) and 58,650 lb (26,603 kg), respectively.

**Classification**

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.41(a)(1)(ii), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the commercial AM and the commercial ACL and ACT reductions have already been subject to notice and public comment, and all that remains is to notify the public of the updated commercial ACL and ACT for the 2024 fishing year. Prior notice and opportunity for public comment are contrary to the public interest because there is a need to immediately implement this action to protect the greater amberjack stock. Prior notice and opportunity for public comment would require time and could result in a harvest well in excess of the reduced commercial ACL and ACT.

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

Dated: November 15, 2023.

**Kelly Denit,**

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

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