

(1) Evaluate whether the information collection is necessary for the proper performance of our agency's functions, including whether the information will have practical utility.

(2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used.

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses).

Estimate of burden: Public reporting burden for this collection of information is estimated to average 20 hours per response.

Respondents: Private Sector.

Estimated annual number of respondents: 20.

Estimated annual number of responses per respondent: 2.

Estimated annual number of responses: 40.

Estimated total annual burden on respondents: 800.

(Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

Copies of this information collection can be obtained from Emily Davis, Director for Public Affairs, 202-482-3809, Emily.Davis@trade.gov.

Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid OMB Control Number.

William Kimmitt,

*Under Secretary for International Trade,
United States Department of Commerce.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF399]

Magnuson-Stevens Fishery Conservation and Management Act; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: NMFS received two exempted fishing permit (EFP) applications for U.S. West Coast highly migratory species (HMS) fisheries that warrant further consideration at this time. Both EFP applicants request exemptions from regulatory provisions pertaining to the use of authorized gear types under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). The applicants propose to test the effects and efficacy of using alternative fishing practices to harvest swordfish and other HMS off of the U.S. West Coast. During the November 2025 Pacific Fishery Management Council (Council) meeting, the Council reviewed and endorsed these two EFP applications and recommended that NMFS approve them. NMFS has determined that these applications warrant further consideration and is requesting public comment on them, as well as the Council's recommendations on them.

DATES: Comments must be submitted in writing by March 4, 2026.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2026-0133, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2026-0133 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Chris Fanning, NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier "NOAA-NMFS-2026-0133" in the comments.

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, and will generally be posted for public viewing on <https://www.regulations.gov> without change. 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).

FOR FURTHER INFORMATION CONTACT:

Chris Fanning, NMFS, West Coast Region, 562-980-4198, Chris.Fanning@noaa.gov.

SUPPLEMENTARY INFORMATION:

On November 17, 2025, the Council reviewed and was supportive of three applications for HMS EFPs. The Council recommended that NMFS approve the night-set buoy gear (NSBG) and multi-species extended linked buoy gear (MSXLBG) applications and that the proponents of the third application bring it back for additional discussion and consideration at the Council's March 2026 meeting. The Council further recommended that NMFS build in flexibility when considering EFP applications to allow for variations in the fishing configurations within environmental review processes and analyses. When making its recommendations for flexibility, the Council considered the utility of allowing for a greater range of target depths and time for gear deployment, as well as modifications to monofilament configurations, bait type, and light placement.

The MSXLBG EFP application from the Pflieger Institute of Environmental Research¹ requests flexibility on hook depth, set time and bait type to allow for both deep and shallow setting to occur, including on the same sets, to target the highly migratory species complex. If issued, this EFP would modify a current extended linked buoy gear (XLBG) EFP that exempts the permitted vessels from regulations at 50 CFR 660.712(a)(1) prohibiting use of longline-type gear in federal waters off the U.S. West Coast. The terms and conditions for the current XLBG EFP restrict target depths to below 100 meters. Based on the new application, and taking into account Council recommendations, NMFS is considering modifications to the current terms and conditions to allow for targeting depths shallower than 100 meters and testing a broader range of gear options and deployment strategies, including timing of sets, large circle

¹ <https://www.pccouncil.org/documents/2025/10/i-3-attachment-2-draft-efp-application-multi-species-extended-link-buoy-gear.pdf/>.

hook size, bait type, and light placement.

The NSBG EFP application from Andrew Hemstreet² requests an exemption from the prohibition on deploying deep-set buoy gear (DSBG) until local sunrise and retrieving the gear no later than 3 hours after local sunset, which would otherwise be prohibited by 50 CFR 660.715(c)(3). In addition, the applicant has conveyed his interest in also having more flexibility to use a standard or linked buoy gear configuration at night to target a broader range of depths (*i.e.*, including depths shallower than 90 meters) than is currently authorized in regulations for DSBG at 50 CFR 660.715(a)(1) and (2). NMFS is therefore considering his application to be requesting exemptions under § 660.715(a)(1) and (2), and (c)(3).

At this time, NMFS is requesting public comment on the NSBG EFP and MSXLBG applications and Council recommendations discussed above. NMFS will take the Council's comments into consideration along with public comments on whether to issue these EFPs. Aside from regulatory exemptions to conduct the proposed EFP activities, vessels fishing under an EFP would be subject to all other regulations implemented at 50 CFR part 660, subpart K and 50 CFR part 300, subpart C, including measures to protect sea turtles, marine mammals, sharks, and seabirds.

NMFS will consider all public comments submitted in response to this **Federal Register** notice prior to issuance of any EFP. Additionally, NMFS will analyze the effects of issuing EFPs in accordance with the National Environmental Policy Act and NOAA's Administrative Order 216-6A, as well as for compliance with other applicable laws, including section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*), which requires the agency to consider whether the proposed action is likely to jeopardize the continued existence and recovery of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

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

Dated: January 28, 2026.

Kelly Denit,

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

[FR Doc. 2026-02065 Filed 1-30-26; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Renew Collection 3038-0013: Position Limits

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission ("CFTC" or "Commission") is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act ("PRA"), 44 U.S.C. 3501 *et seq.*, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on collections of information related to the Commission's position limits rule under part 150 of the Commission's regulations and related Commission Regulation 19.02.

DATES: Comments must be submitted on or before April 3, 2026.

ADDRESSES: You may submit comments, identified by "Position Limits," or "OMB Control No. 3038-0013," by any of the following methods:

- The Agency's website, at <http://comments.cftc.gov/>. Follow the instructions for submitting comments through the website.

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to www.cftc.gov.

FOR FURTHER INFORMATION CONTACT:

Andrew Stein, Assistant Chief Counsel, Division of Market Oversight, (202) 418-6054, email: astein@cftc.gov.

SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501 *et seq.*, Federal agencies must obtain approval from the Office of Management and Budget ("OMB") for each collection of information they conduct or sponsor. "Collection of Information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or

requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing this notice of the proposed collection of information listed below. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Title: Position Limits (OMB Control No. 3038-0013). This is a request for extension of a currently approved information collection.

Abstract: Commodity Exchange Act ("CEA") section 4a directs the Commission to establish limits on speculative positions, as the Commission determines to be necessary, to prevent the harms caused by excessive speculation. This collection includes collections of information required under both the Final Rule and the Aggregation Rule (as each is defined below).

In 2021, the Commission issued a final rule on position limits that implemented CEA section 4a and established the Commission's new position limits regime found in part 150 of the Commission's Regulations ("Final Rule").¹ The Final Rule, among other things, includes: new and amended Federal spot-month limits for the 25 core referenced futures contracts; (2) amended Federal non-spot limits for the nine legacy agricultural contracts subject to existing Federal position limits; (3) amended rules governing exchange-set limit levels and grants of exemptions therefrom; (4) an amended process for requesting certain spread exemptions and non-enumerated bona fide hedge recognitions for purposes of Federal position limits directly from the Commission; (5) a new streamlined process for recognizing non-enumerated bona fide hedge positions from Federal limit requirements; and (6) amendments to part 19 of the Commission's Regulations and related provisions that eliminated certain reporting obligations that require traders to submit a Form 204 and Parts I and II of Form 304.

Separately, in 2016 the Commission issued a final rule amending Commission Regulation 150.4, which sets forth requirements regarding the

² <https://www.pcouncil.org/documents/2025/10/i-3-attachment-1-efp-application-hemstreet.pdf/>.

¹ See "Position Limits for Derivatives," 86 FR 3236 (January 24, 2021).