2. Congressional Review Act

11. The Commission will not submit this Report and Order pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A) because the Commission has not yet defined the specific requirements associated with the standard adopted in this Report and Order. The Commission anticipates that when it does adopt the specific requirements applying the standard in this Report and Order, it will make all submissions required by the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

IV. Ordering Clause

12. Accordingly, *it is ordered* that, pursuant to sections 1, 4(i), 5(c), 201(b), 214, and 254 of the Communications Act of 1934, as amended, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. 151, 154(i), 155(c), 201(b), 214, 254, 1302, sections 0.91 and 0.291 of the Commission's rules, 47 CFR 0.91, 0.291, and the delegations of authority in paragraph 113 of the *USF/ICC Transformation Order,* FCC 11–161, this Report and Order *is adopted,* effective thirty (30) days after publication of the text or summary thereof in the **Federal Register**.

Federal Communications Commission.

Alexander A. Minard,

Deputy Chief, Telecommunications Access Policy Division Wireline Competition Bureau.

[FR Doc. 2014–27883 Filed 11–24–14; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. NHTSA–2014–0082]

Final Theft Data; Motor Vehicle Theft Prevention Standard

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Publication of 2012 final theft data.

SUMMARY: This document publishes the final data on thefts of model year (MY) 2012 passenger motor vehicles that occurred in calendar year (CY) 2012. The final 2012 theft data indicated an increase in the vehicle theft rate experienced in CY/MY 2012. The final theft rate for MY 2012 passenger vehicles stolen in calendar year 2012 is 1.1294 thefts per thousand vehicles, an increase of 14.21 percent from the rate of 0.9889 thefts per thousand in 2011. Publication of these data fulfills NHTSA's statutory obligation to periodically obtain accurate and timely theft data and publish the information for review and comment.

DATES: *Effective date:* November 25, 2014.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366–4139. Her fax number is (202) 493–2990.

SUPPLEMENTARY INFORMATION: NHTSA administers a program for reducing motor vehicle theft. The central feature of this program is the Federal Motor Vehicle Theft Prevention Standard, 49 CFR Part 541. The standard specifies performance requirements for inscribing and affixing vehicle identification numbers (VINs) onto certain major original equipment and replacement parts of high-theft lines of passenger motor vehicles.

The agency is required by 49 U.S.C. 33104(b)(4) to periodically obtain, from the most reliable source, accurate and timely theft data and publish the data for review and comment. To fulfill this statutory mandate, NHTSA has published theft data annually beginning with MYs 1983/84. Continuing to fulfill the section 33104(b)(4) mandate, this document reports the final theft data for CY 2012, the most recent calendar year for which data are available.

In calculating the 2012 theft rates, NHTSA followed the same procedures it used in calculating the MY 2011 theft rates. (For 2011 theft data calculations, see 79 FR 7090.) As in all previous reports, NHTSA's data were based on information provided to NHTSA by the National Crime Information Center (NCIC) of the Federal Bureau of Investigation. The NCIC is a government system that receives vehicle theft information from nearly 23,000 criminal justice agencies and other law enforcement authorities throughout the United States. The NCIC data also include reported thefts of self-insured and uninsured vehicles, not all of which are reported to other data sources.

The 2012 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 2012 vehicles of that line stolen during calendar year 2012 by the total number of vehicles in that line manufactured for MY 2012, as reported to the Environmental Protection Agency (EPA).

The final 2012 theft data show a slight increase in the vehicle theft rate when compared to the theft rate experienced in CY/MY 2011. The final theft rate for MY 2012 passenger vehicles stolen in calendar year 2012 increased to 1.1294 thefts per thousand vehicles produced, an increase of 14.21 percent from the rate of 0.9889 thefts per thousand vehicles experienced by MY 2011 vehicles in CY 2011. A similar increasing trend in vehicle thefts was reported in the Federal Bureau of Investigation's (FBI) 2012 Uniform Crime Report showing a 0.6% increase in motor vehicle thefts (automobiles, trucks, buses and other vehicles) from 2011 to 2012. Historically, the data has shown an overall decreasing trend in theft rates since CY 1993, with periods of increase from one year to the next. The agency welcomed public comment on the cause for the slight increase, but none were received.

For MY 2012 vehicles, out of a total of 211 vehicle lines, nine lines had a theft rate higher than 3.5826 per thousand vehicles, the established median theft rate for MYs 1990/1991. (See 59 FR 12400, March 16, 1994). Of the nine vehicle lines with a theft rate higher than 3.5826, eight are passenger car lines, one is a multipurpose passenger vehicle line, and none are light-duty truck lines.

Figure 1: Theft Rate Data Trend (1993-2012)
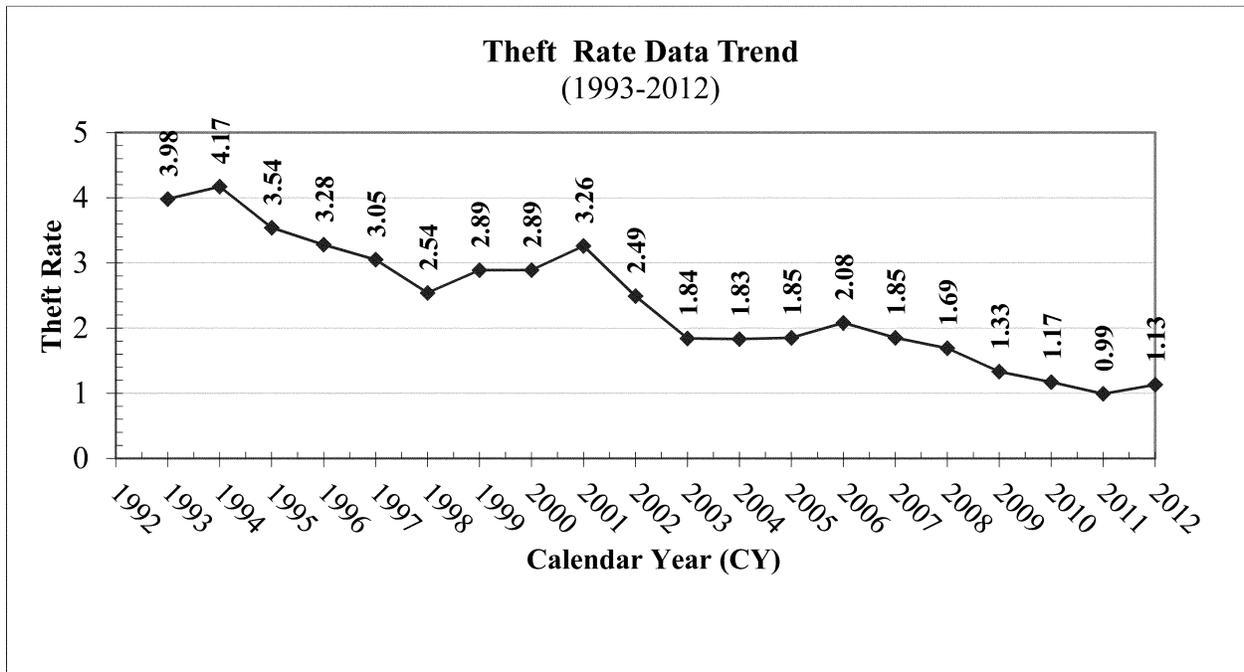
Theft rate per thousand vehicles produced

On Tuesday, August 5, 2014, NHTSA published the preliminary theft rates for CY 2012 passenger motor vehicles in the **Federal Register** (79 FR 45412). The agency tentatively ranked each of the MY 2012 vehicle lines in descending order of theft rate. The public was requested to comment on the accuracy of the data and to provide final production figures for individual vehicle lines. The agency did not receive any comments from the public that would make adjustments to its data.

As a result, the final theft rates and rankings of vehicle lines did not change from those published in the August 2014 notice.

Subsequent to the August 5, 2014, publication of preliminary theft data, BYD Motors, Inc. (BYD) submitted its EPA production data for the e6 vehicle line. NHTSA has corrected the final theft data to include an entry for the BYD e6 vehicle line. As a result of this correction, the final theft list has been revised accordingly. The BYD e6,

previously omitted, is ranked No. 211 with a theft rate of 0.0000.

The following list represents NHTSA's final calculation of theft rates for all 2012 passenger motor vehicle lines. This list is intended to inform the public of calendar year 2012 motor vehicle thefts of model year 2012 vehicles and does not have any effect on the obligations of regulated parties under 49 U.S.C. Chapter 331, Theft Prevention.

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2012 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2012

	Manufacturer	Make/model (line)	Thefts 2012	Production (Mfr's) 2012	2012 Theft rate (per 1,000 vehicles produced)
1	MERCEDES-BENZ	CL–CLASS	17	827	20.5562
2	MITSUBISHI	ECLIPSE	34	6,186	5.4963
3	MAZDA	6	202	40,004	5.0495
4	CHRYSLER	DODGE CHARGER	316	66,432	4.7567
5	NISSAN	INFINITI FX35/FX50	35	8,902	3.9317
6	CHRYSLER	DODGE AVENGER	329	85,365	3.8540
7	CHRYSLER	300	232	60,287	3.8483
8	GENERAL MOTORS	CHEVROLET IMPALA	604	165,986	3.6389
9	MITSUBISHI	GALANT	67	18,600	3.6022
10	GENERAL MOTORS	CHEVROLET CAPTIVA	112	31,797	3.5223
11	BMW	6	19	5,609	3.3874
12	CHRYSLER	DODGE CHALLENGER	143	43,080	3.3194
13	GENERAL MOTORS	CHEVROLET CAMARO	249	80,707	3.0852
14	TOYOTA	YARIS	166	54,886	3.0245
15	NISSAN	PATHFINDER	47	15,765	2.9813
16	CHRYSLER	200	352	121,175	2.9049

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2012 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2012—Continued

	Manufacturer	Make/model (line)	Thefts 2012	Production (Mfr's) 2012	2012 Theft rate (per 1,000 vehicles produced)
17	MERCEDES-BENZ	S–CLASS	29	11,443	2.5343
18	NISSAN	ALTIMA	760	313,956	2.4207
19	GENERAL MOTORS	CHEVROLET MALIBU	509	225,791	2.2543
20	FORD MOTOR CO	MUSTANG	178	80,487	2.2115
21	AUDI	AUDI A8	10	4,538	2.2036
22	VOLVO	XC90	3	1,377	2.1786
23	NISSAN	INFINITI M35H/M37/M56	28	13,731	2.0392
24	BMW	B7	1	492	2.0325
25	NISSAN	MAXIMA	129	65,150	1.9800
26	MAZDA	2	32	16,169	1.9791
27	PORSCHE	PANAMERA	13	7,056	1.8424
28	NISSAN	VERSA	272	149,418	1.8204
29	HONDA	ACURA ZDX	2	1,122	1.7825
30	FORD MOTOR CO	TAURUS	69	39,314	1.7551
31	MERCEDES-BENZ	GLK–CLASS	45	26,554	1.6947
32	BMW	7	23	13,696	1.6793
33	NISSAN	SENTRA	229	139,585	1.6406
34	GENERAL MOTORS	GMC CANYON PICKUP	22	13,690	1.6070
35	MASERATI	GRANTURISMO	3	1,953	1.5361
36	GENERAL MOTORS	CHEVROLET CORVETTE	17	11,144	1.5255
37	JAGUAR LAND ROVER	XK/XKR	2	1,323	1.5117
38	NISSAN	INFINITI G25/G37	85	56,585	1.5022
39	KIA	FORTE	106	72,284	1.4664
40	VOLVO	C70	7	4,787	1.4623
41	TOYOTA	COROLLA	304	197,973	1.4257
42	MAZDA	CX–7	11	7,945	1.3845
43	CHRYSLER	DODGE CALIBER	15	10,953	1.3695
44	JAGUAR LAND ROVER	XJ	7	5,158	1.3571
45	KIA	RIO	34	25,441	1.3364
46	FORD MOTOR CO	FOCUS	413	318,556	1.2965
47	SUZUKI	SX4	20	15,617	1.2807
48	AUDI	AUDI A7	15	11,768	1.2746
49	KIA	OPTIMA	132	106,747	1.2366
50	AUDI	AUDI A3	9	7,287	1.2351
51	BMW	5	53	43,103	1.2296
52	FORD MOTOR CO	FUSION	371	308,520	1.2025
53	CHRYSLER	JEEP LIBERTY	124	104,184	1.1902
54	SUZUKI	GRAND VITARA	8	6,923	1.1556
55	HYUNDAI	SONATA	264	230,381	1.1459
56	TOYOTA	SCION TC	24	21,188	1.1327
57	VOLKSWAGEN	PASSAT	107	95,583	1.1194
58	GENERAL MOTORS	CHEVROLET CRUZE	297	270,622	1.0975
59	MERCEDES-BENZ	C–CLASS	84	76,638	1.0961
60	HYUNDAI	ACCENT	80	73,458	1.0891
61	HYUNDAI	GENESIS	41	37,741	1.0864
62	VOLVO	S80	4	3,748	1.0672
63	VOLVO	C30	3	2,841	1.0560
64	TOYOTA	CAMRY	547	523,846	1.0442
65	GENERAL MOTORS	BUICK REGAL	26	26,003	0.9999
66	VOLKSWAGEN	JETTA	176	178,153	0.9879
67	TOYOTA	LEXUS LS	8	8,102	0.9874
68	FIAT	500	60	60,935	0.9847
69	HONDA	PILOT	42	42,657	0.9846
70	BENTLEY MOTORS	CONTINENTAL	2	2,060	0.9709
71	GENERAL MOTORS	CADILLAC CTS	51	52,531	0.9709
72	MAZDA	5	31	32,530	0.9530
73	NISSAN	QUEST VAN	20	21,388	0.9351
74	KIA	SOUL	94	100,672	0.9337
75	MAZDA	3	129	142,875	0.9029
76	VOLKSWAGEN	CC	26	29,350	0.8859
77	TOYOTA	AVALON	18	20,938	0.8597
78	HONDA	ACCORD	275	325,034	0.8461
79	FORD MOTOR CO	FIESTA	50	59,978	0.8336
80	FORD MOTOR CO	ESCAPE	199	238,713	0.8336
81	HYUNDAI	SANTA FE	49	59,411	0.8248
82	GENERAL MOTORS	CHEVROLET SONIC	69	83,979	0.8216
83	GENERAL MOTORS	BUICK LACROSSE	50	60,891	0.8211
84	CHRYSLER	DODGE JOURNEY	62	77,471	0.8003

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2012 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2012—Continued

Manufacturer	Make/model (line)	Thefts 2012	Production (Mfr's) 2012	2012 Theft rate (per 1,000 vehicles produced)
85 NISSAN	370Z	5	6,271	0.7973
86 JAGUAR LAND ROVER	XF	5	6,288	0.7952
87 KIA	SPORTAGE	33	41,590	0.7935
88 VOLKSWAGEN	GTI	14	18,586	0.7533
89 MERCEDES-BENZ	E–CLASS	38	50,591	0.7511
90 FORD MOTOR CO	LINCOLN MKZ	28	37,676	0.7432
91 HYUNDAI	ELANTRA	125	169,256	0.7385
92 FORD MOTOR CO	EDGE	56	75,972	0.7371
93 TOYOTA	VENZA	17	23,128	0.7350
94 HONDA	CIVIC	333	455,627	0.7309
95 FORD MOTOR CO	LINCOLN MKS	5	6,890	0.7257
96 KIA	SEDONA VAN	24	33,319	0.7203
97 HONDA	CR–Z	4	5,609	0.7131
98 GENERAL MOTORS	CHEVROLET COLORADO PICKUP	36	50,765	0.7092
99 HONDA	CROSSTOUR	19	26,934	0.7054
100 MITSUBISHI	I–MIEV	1	1,435	0.6969
101 CHRYSLER	JEEP COMPASS	30	43,360	0.6919
102 AUDI	AUDI Q7	6	8,951	0.6703
103 BMW	3	29	43,714	0.6634
104 MITSUBISHI	OUTLANDER	14	21,288	0.6576
105 HONDA	ACURA TSX	24	36,921	0.6500
106 MITSUBISHI	LANCER	11	16,958	0.6487
107 HYUNDAI	VELOSTER	20	30,980	0.6456
108 VOLVO	S60	22	34,378	0.6399
109 PORSCHE	911	5	8,114	0.6162
110 MAZDA	CX–9	20	32,980	0.6064
111 TOYOTA	SCION XB	27	44,722	0.6037
112 SUBARU	LEGACY	23	39,094	0.5883
113 FORD MOTOR CO	LINCOLN MKX	10	17,121	0.5841
114 HONDA	ACURA RDX	5	8,786	0.5691
115 CHRYSLER	JEEP PATRIOT	34	59,849	0.5681
116 KIA	SORENTO	60	107,269	0.5593
117 JAGUAR LAND ROVER	LAND ROVER EVOQUE	5	9,075	0.5510
118 BMW	X3	8	14,543	0.5501
119 NISSAN	FRONTIER PICKUP	39	71,502	0.5454
120 VOLVO	XC70	3	5,507	0.5448
121 NISSAN	ROGUE	76	140,561	0.5407
122 TOYOTA	LEXUS IS	17	31,725	0.5359
123 VOLKSWAGEN	TIGUAN	16	29,862	0.5358
124 SUBARU	IMPREZA	35	67,058	0.5219
125 AUDI	AUDI S4/S5	4	7,710	0.5188
126 TOYOTA	HIGHLANDER	68	132,822	0.5120
127 TOYOTA	TACOMA PICKUP	65	127,812	0.5086
128 NISSAN	XTERRA	11	22,343	0.4923
129 TOYOTA	SIENNA VAN	55	112,906	0.4871
130 SUBARU	TRIBECA	1	2,085	0.4796
131 AUDI	AUDI A4/A5	18	37,744	0.4769
132 HONDA	ACURA MDX	24	50,568	0.4746
133 HYUNDAI	TUCSON	27	57,218	0.4719
134 MAZDA	MX–5 MIATA	3	6,501	0.4615
135 BMW	M3	1	2,170	0.4608
136 TOYOTA	LEXUS RX	30	65,554	0.4576
137 BMW	1	4	8,770	0.4561
138 CHRYSLER	JEEP WRANGLER	64	141,387	0.4527
139 HONDA	ACURA TL	24	53,260	0.4506
140 HONDA	INSIGHT	3	6,723	0.4462
141 FORD MOTOR CO	FLEX	9	20,181	0.4460
142 GENERAL MOTORS	GMC TERRAIN	44	100,103	0.4395
143 SUBARU	FORESTER	27	64,142	0.4209
144 TOYOTA	FJ CRUISER	6	14,852	0.4040
145 MERCEDES-BENZ	SLK–CLASS	2	4,953	0.4038
146 MERCEDES-BENZ	SMART FORTWO	2	5,035	0.3972
147 VOLKSWAGEN	GOLF	10	25,207	0.3967
148 NISSAN	MURANO	23	58,188	0.3953
149 GENERAL MOTORS	CHEVROLET EQUINOX	87	220,965	0.3937
150 VOLKSWAGEN	BEETLE	12	30,622	0.3919
151 TOYOTA	RAV4	62	170,414	0.3638
152 AUDI	AUDI Q5	12	33,880	0.3542

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2012 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2012—Continued

	Manufacturer	Make/model (line)	Thefts 2012	Production (Mfr's) 2012	2012 Theft rate (per 1,000 vehicles produced)
153	HYUNDAI	EQUUS	1	2,848	0.3511
154	NISSAN	JUKE	13	37,933	0.3427
155	JAGUAR LAND ROVER	LAND ROVER LR2	1	2,921	0.3423
156	BMW	MINI COOPER	24	70,328	0.3413
157	TOYOTA	LEXUS ES	11	32,739	0.3360
158	NISSAN	CUBE	2	6,021	0.3322
159	AUDI	AUDI A6	6	18,374	0.3265
160	SUZUKI	KIZASHI	2	6,331	0.3159
161	VOLVO	XC60	5	16,144	0.3097
162	TOYOTA	SCION IQ	3	9,744	0.3079
163	TOYOTA	PRIUS	67	220,571	0.3038
164	SUBARU	OUTBACK WAGON	29	97,633	0.2970
165	HONDA	CR–V	68	230,293	0.2953
166	TOYOTA	LEXUS CT	6	21,668	0.2769
167	NISSAN	INFINITI EX35	1	3,734	0.2678
168	GENERAL MOTORS	CADILLAC SRX	18	67,705	0.2659
169	GENERAL MOTORS	BUICK VERANO	8	32,639	0.2451
170	HYUNDAI	VERACRUZ	2	8,560	0.2336
171	HONDA	FIT	11	50,757	0.2167
172	VOLKSWAGEN	EOS	2	11,140	0.1795
173	FORD MOTOR CO	TRANSIT CONNECT VAN	7	43,125	0.1623
174	HYUNDAI	AZERA	1	7,745	0.1291
175	GENERAL MOTORS	CHEVROLET VOLT	2	18,355	0.1090
176	ASTON MARTIN	DB9	0	47	0.0000
177	ASTON MARTIN	DBS	0	106	0.0000
178	ASTON MARTIN	RAPIDE	0	210	0.0000
179	ASTON MARTIN	V12 VANTAGE	0	85	0.0000
180	ASTON MARTIN	V8 VANTAGE	0	306	0.0000
181	ASTON MARTIN	VIRAGE	0	302	0.0000
182	BMW	M6	0	252	0.0000
183	BMW	Z4	0	2,203	0.0000
184	ROLLS ROYCE	GHOST	0	764	0.0000
185	ROLLS ROYCE	PHANTOM	0	53	0.0000
186	FERRARI	458	0	685	0.0000
187	FERRARI	CALIFORNIA	0	566	0.0000
188	FERRARI	FF	0	259	0.0000
189	MASERATI	QUATTROPORTE	0	519	0.0000
190	CODA AUTOMOTIVE	CODA	0	115	0.0000
191	SAAB	9–4X	0	26	0.0000
192	HONDA	ACURA RL	0	398	0.0000
193	LOTUS	EVORA	0	146	0.0000
194	MCLAREN	MP4–12C	0	697	0.0000
195	MERCEDES-BENZ	B–CLASS	0	25	0.0000
196	MERCEDES-BENZ	SL–CLASS	0	928	0.0000
197	MERCEDES-BENZ	SLS–CLASS	0	1,275	0.0000
198	NISSAN	GT–R	0	1,228	0.0000
199	NISSAN	LEAF	0	11,460	0.0000
200	PORSCHE	BOXSTER	0	754	0.0000
201	PORSCHE	CAYMAN	0	1,022	0.0000
202	SUZUKI	EQUATOR PICKUP	0	2,392	0.0000
203	TESLA	MODEL S	0	2,952	0.0000
204	TOYOTA	LEXUS HS	0	503	0.0000
205	AUDI	AUDI R8	0	1,272	0.0000
206	AUDI	AUDI TT	0	2,259	0.0000
207	BENTLEY MOTORS	MULSANNE	0	233	0.0000
208	BUGATTI	VEYRON	0	5	0.0000
209	LAMBORGHINI	AVENTADOR COUPE	0	252	0.0000
210	LAMBORGHINI	GALLARDO	0	285	0.0000
211	BYD	E6	0	11	0.0000
Theft rate per 1,000 vehicles produced = Total theft ÷ Total production × 1000			12,172	10,777,418	1.1294

Under authority delegated in 49 CFR part 1.95.

R. Ryan Posten

Associate Administrator for Rulemaking.

[FR Doc. 2014–27885 Filed 11–24–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 120815345–3525–02]

RIN 0648–XD628

Snapper-Grouper Fishery of the South Atlantic; 2014 Recreational Accountability Measure and Closure for Gray Triggerfish in the South Atlantic

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements accountability measures (AMs) for recreational gray triggerfish in the exclusive economic zone (EEZ) of the South Atlantic. Because recreational landings for gray triggerfish in the 2013 fishing year exceeded the recreational annual catch limit (ACL) for the stock, NMFS monitored recreational landings in 2014 for a persistence in increased landings. Through this temporary rule, NMFS now closes the recreational sector for gray triggerfish in the South Atlantic EEZ on November 26, 2014, as NMFS has projected the recreational ACL to have been met for the 2014 fishing year. This closure is necessary to protect the gray triggerfish resource.

DATES: This rule is effective 12:01 a.m., local time, November 26, 2014, until 12:01 a.m., local time, January 1, 2015.

FOR FURTHER INFORMATION CONTACT: Catherine Hayslip, telephone: 727–824–5305, or email: *catherine.hayslip@noaa.gov.*

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic, which includes gray triggerfish, is managed under the Fishery Management Plan for Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The recreational ACL for gray triggerfish is 353,638 lb (160,407 kg), round weight. In accordance with regulations at 50 CFR 622.193(q)(2), if the recreational ACL is exceeded, the Assistant Administrator, NMFS (AA), will file a notification with the Office of the Federal Register to reduce the length of the following fishing season by the amount necessary to ensure landings do not exceed the recreational ACL in the following fishing year. In the 2013 fishing year, recreational landings were 373,983 lb (169,636 kg), round weight, and therefore, exceeded the recreational ACL by 20,345 lb (9,228 kg), round weight. NMFS received landings projections on November 12, 2014, that indicated the fishery has likely met the recreational ACL. Therefore, this temporary rule closes the recreational sector for gray triggerfish within the snapper-grouper fishery in 2014, effective 12:01 a.m., local time, November 26, 2014.

During the closure, the bag and possession limit for gray triggerfish in or from the South Atlantic EEZ is zero. The recreational sector for gray triggerfish will reopen on January 1, 2015, the beginning of the 2015 recreational fishing season. Upon reaching the commercial ACL, NMFS closed the commercial sector for gray triggerfish effective May 12, 2014 (79 FR 26375, May 8, 2014). Therefore, on November 26, 2014, no commercial or recreational harvest of gray triggerfish from the South Atlantic EEZ is permitted until January 1, 2015.

Classification

The Assistant Administrator (AA), Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic gray triggerfish within the South Atlantic snapper-grouper fishery and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.193(q)(2) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available recently obtained from the fishery. The AA finds that the need to immediately implement this action to close the recreational sector for gray triggerfish constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), as such procedures are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule itself has been subject to notice and comment, and all that remains is to notify the public of the closure. Additionally, such procedures are contrary to the public interest because there is a need to immediately notify the public of the recreational closure for gray triggerfish for the 2014 fishing year, to prevent recreational harvest of gray triggerfish from further exceeding the ACL, which will help protect this resource in the South Atlantic.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: November 20, 2014.

Alan D. Risenhoover,

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

[FR Doc. 2014–27943 Filed 11–21–14; 11:15 am]

BILLING CODE 3510–22–P