

any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1–A620, 445 12th Street SW, Washington, DC 20554. Please include the OMB Control Number, 3060–1224, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received emergency approval from OMB on January 17, 2017, for the information collection requirements contained in 47 CFR 1.2209.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1224.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060–1224.

*OMB Approval Date:* January 17, 2017.

*OMB Expiration Date:* July 31, 2017.

*Title:* Reverse Auction (Auction 1001) Incentive Payment Instructions from Reverse Auction Winning Bidder.

*Form Number:* FCC Form 1875.

*Respondents:* Business or other for-profit, Not-for-profit institutions and State, Local or Tribal government.

*Number of Respondents and Responses:* 750 respondents; 1,500 responses.

*Estimated Time per Response:* 2.5 hours.

*Frequency of Response:* One-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this information collection is contained in the Middle Class Tax

Relief and Job Creation Act of 2012, Public Law 112–96 (Spectrum Act) § 6403(a)(1).

*Total Annual Burden:* 3,750 hours.

*Total Annual Cost:* No Cost.

*Nature and Extent of Confidentiality:*

The information collection includes information identifying bank accounts and providing account and routing numbers to access those accounts. FCC considers that information to be records not routinely available for public inspection under 47 CFR 0.457, and exempt from disclosure under FOIA exemption 4 (5 U.S.C. 552(b)(4)).

*Privacy Act Impact Assessment:* No impact(s).

*Needs and Uses:* The collection was submitted to OMB and approved, on an emergency basis, for the information collection requirements contained in the Commission's *Incentive Auction Order*, FCC 14–50, which adopted rules for holding an Incentive Auction as required by the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act).

The Spectrum Act mandates “a reverse auction to determine the amount of compensation that each broadcast television licensee would accept in return for voluntarily relinquishing some or all of its broadcast television spectrum usage rights in order to make spectrum available for assignment through a system of competitive bidding”.<sup>1</sup>

The Commission conducted notice-and-comment rulemaking to implement the Spectrum Act, and ruled in the Incentive Auction Report and Order that:

“we adopt the Commission’s proposal to require successful bidders in the reverse auction to submit additional information to facilitate incentive payments. As mentioned in the NPRM, we envision that the information would be submitted on standardized incentive payment forms similar to the Automated Clearing House (“ACH”) forms unsuccessful bidders in typical spectrum license auctions use to request refunds of their deposits and upfront payments. This information collection is necessary to facilitate incentive payments and should not be burdensome to successful bidders. Specifically, without further instruction and bank account information from successful bidders, the Commission would not know where to send the incentive payments.” [footnotes omitted]<sup>2</sup>

<sup>1</sup> Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112–96 (Spectrum Act) § 6403(a)(1).

<sup>2</sup> Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive

The information collection for which we are requesting approval is the standardized incentive payment form referred to in the paragraph above.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2018–23349 Filed 10–24–18; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 130312235–3658–02]

RIN 0648–XG569

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Vermilion Snapper Trip Limit Reduction

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

**ACTION:** Temporary rule; trip limit reduction.

**SUMMARY:** NMFS reduces the commercial trip limit for vermilion snapper in or from the exclusive economic zone (EEZ) of the South Atlantic to 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight. This trip limit reduction is necessary to protect the South Atlantic vermilion snapper resource.

**DATES:** This rule is effective 12:01 a.m., local time, October 26, 2018, until 12:01 a.m., local time, January 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, email: [mary.vara@noaa.gov](mailto:mary.vara@noaa.gov).

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

Auctions, GN Docket No. 12–268, Report and Order, 29 FCC Rcd 6567 (2014) (“Incentive Auction R&O”) at 537.

The commercial ACL (commercial quota) for vermilion snapper in the South Atlantic is divided into two 6-month time periods, January through June, and July through December. For the July 1 through December 31, 2018, fishing season, the commercial quota is 388,703 lb (176,313 kg), gutted weight, 431,460 lb (195,707 kg), round weight (50 CFR 622.190(a)(4)(ii)(D)). As specified in 50 CFR 622.190(a)(4)(iii), any unused portion of the commercial quota from the January through June 2018, fishing season would be added to the commercial quota for the July through December 2018, fishing season. The unused portion of the quota that was not harvested during the January through June fishing season, totaled 32,534 lb (14,757 kg) gutted weight, 36,113 lb (16,381 kg), round weight, and was added to the July through December 2018 quota. This resulted in a 2018 adjusted commercial quota, for the July through December fishing season of 421,237 lb (191,070 kg), gutted weight, 467,573 lb (212,088 kg), round weight.

Under 50 CFR 622.191(a)(6)(ii), NMFS is required to reduce the commercial trip limit for vermilion snapper from 1,000 lb (454 kg), gutted weight, 1,110 lb (503 kg), round weight, when 75 percent of the fishing season commercial quota is reached or projected to be reached, by filing a notification to that effect with the Office of the Federal Register. The reduced commercial trip limit is 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight. Based on current information, NMFS has determined that 75 percent of the available commercial quota for the July through December 2018 fishing season for vermilion snapper will be reached by October 26, 2018. Accordingly, NMFS is reducing the commercial trip limit for vermilion snapper to 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight, in or from the South Atlantic EEZ at 12:01 a.m., local time, on October 26, 2018. This reduced commercial trip limit will remain in effect until the start of the next commercial fishing season on January 1, 2019, or until the commercial quota is reached and the commercial sector closes, whichever occurs first.

#### Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic vermilion snapper and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.191(a)(6)(ii) 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. The Assistant Administrator for NOAA Fisheries (AA) finds that the need to immediately implement this commercial trip limit reduction 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), because prior notice and opportunity for public comment on this temporary rule is unnecessary and contrary to the public interest. Such procedures are unnecessary, because the rule establishing the trip limit has already been subject to notice and comment, and all that remains is to notify the public of the trip limit reduction. Prior notice and opportunity for public comment is contrary to the public interest, because any delay in reducing the commercial trip limit could result in the commercial quota being exceeded. There is a need to immediately implement this action to protect the vermilion snapper resource, since the capacity of the fishing fleet allows for rapid harvest of the commercial quota. Prior notice and opportunity for public comment on this action would require time and increase the probability that the commercial sector could exceed its quota.

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: October 19, 2018.

**Karen H. Abrams,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No: 151215999-6960-02]

RIN 0648-XG512

#### Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2018 Management Area 1B Directed Fishery Closure

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

**ACTION:** Temporary rule; directed fishery closure.

**SUMMARY:** Effective October 24, 2018, NMFS is closing the directed herring fishery in management Area 1B, based on a projection that a prescribed trigger for that area has been reached. Federally permitted vessels may not fish for, possess, transfer, receive, land, or sell more than 2,000 lb (907.2 kg) of Atlantic herring per trip or calendar day in or from Area 1B through December 31, 2018. Federally permitted dealers may not purchase more than 2,000 lb (907.2 kg) of herring from federally permitted vessels for the duration of this action. This action is necessary to comply with the regulations implementing the Atlantic Herring Fishery Management Plan and is intended to prevent overharvest of herring in Area 1B.

**DATES:** Effective 0001 hr local time, October 24, 2018, through December 31, 2018.

**FOR FURTHER INFORMATION CONTACT:** Daniel Luers, Fishery Management Specialist, (978) 282-8457.

**SUPPLEMENTARY INFORMATION:** The reader can find regulations governing the herring fishery at 50 CFR part 648.

NMFS originally set the 2018 Area 1B sub-annual catch limit (ACL) at 3,552 mt, based on an initial 2018 sub-ACL allocation of 4,500 mt, minus a deduction for research set-aside catch and a reduction due to an overage of the Area 1B sub-ACL in 2016. In August, 2018, NMFS further reduced the Area 1B sub-ACL from 3,552 mt to 2,639 mt (83 FR 42450, August 22, 2018). This reduction (along with reductions in herring Management Areas 1A, 2, and 3) was based on the findings of the 2018 Atlantic Herring Stock Assessment Report, which concluded that herring stocks have suffered historic lows in recruitment of juveniles into the population since 2013. The Stock Assessment Review Committee Panel