

from the 4.3-mile radius to 5.9 miles west of the airport reference point, excluding that airspace within the Miami, FL, Class B airspace area. Also, this action proposes to amend the Miami Class E5 airspace, updating QEZZY Initial Approach Fix (IAF) to LAYDN IAF, extending from the 7-mile radius to 7 miles west of the IAF, and within a 6.5-mile radius of Fort Lauderdale Executive Airport, Pompano Beach Airpark and North Perry Airport.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and FAA Order 1050.1G, “FAA National Environmental Policy Act Implementing Procedures” prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation

Administration Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows: ..

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Paragraph 5000 Class D Airspace.

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ASO FL D Miami, FL [Amended]

Miami Executive Airport, FL
(Lat. 25°38'51" N, long. 80°26'00" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of the Miami Executive Airport, and within 1.2 miles each side of the 267° bearing from the airport reference point extending from the 4.3-mile radius to 5.9 miles west of the airport reference point, excluding that airspace within the Miami, FL, Class B airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

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ASO FL E2 Miami, FL [Amended]

Miami Executive Airport, FL
(Lat. 25°38'51" N, long. 80°26'00" W)

Within a 5-mile radius of Miami Executive Airport. This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6005 Class E Airspace.

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ASO FL E5 Miami, FL [Amended]

Miami International Airport, FL
(Lat. 25°47'43" N, long. 80°17'24" W)
Homestead ARB

(Lat. 25°29'19" N, long. 80°23'01" W)

Miami Opa-Locka Executive Airport

(Lat. 25°54'27" N, long. 80°16'42" W)

Fort Lauderdale-Hollywood International

Airport
(Lat. 26°04'18" N, long. 80°08'59" W)

Miami Executive Airport

(Lat. 25°38'51" N, long. 80°26'00" W)

LAYDN IAF

(Lat. 25°38'22" N, long. 80°30'28" W)

Fort Lauderdale Executive Airport

(Lat. 26°11'50" N, long. 80°10'15" W)

Pompano Beach Airpark

(Lat. 26°14'51" N, long. 80°06'40" W)

North Perry Airport

(Lat. 26°00'04" N, long. 80°14'27" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Miami International Airport, Homestead ARB, Miami Opa-Locka Executive Airport, Fort Lauderdale-Hollywood International Airport, and Miami Executive Airport, and within 2.4 miles each side of the 267° bearing

from the LAYDN IAF extending from the 7-mile radius to 7 miles west of the IAF, and within a 6.5-mile radius of Fort Lauderdale Executive Airport, Pompano Beach Airpark and North Perry Airport.

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Issued in College Park, Georgia, on December 3, 2025

Patrick Young,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

42 CFR Part 1001

Solicitation of Proposals for New and Modified Safe Harbors and Special Fraud Alerts

AGENCY: Office of Inspector General (OIG), Department of Health and Human Services (HHS or the Department).

ACTION: Notification of intent to develop regulations.

SUMMARY: In accordance with section 205 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), this annual notification solicits proposals and recommendations for developing new, or modifying existing, safe harbor provisions under section 1128B(b) of the Social Security Act (the Act), the Federal anti-kickback statute, as well as developing new OIG Special Fraud Alerts.

DATES: To ensure consideration, public comments must be received no later than 5 p.m. on February 9, 2026.

ADDRESSES: In commenting, please refer to file code OIG–1125–N. Because of staff and resource limitations, we cannot accept comments by fax transmission. You may submit comments in one of two ways (no duplicates, please):

1. *Electronically.* You may submit comments electronically at <https://www.regulations.gov>. Follow the instructions and refer to file code OIG–1125–N.

2. *By regular, express, or overnight mail.* You may send written comments to the following address: OIG, Regulatory Affairs, HHS, Attention: OIG–1125–N, Room 5628, Cohen Building, 330 Independence Avenue SW, Washington, DC 20201. Please allow sufficient time for mailed comments to be received before the close of the comment period.

For information on viewing public comments, please see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Tiana Korley, (240) 935-0776.

SUPPLEMENTARY INFORMATION: Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following website as soon as possible after they have been received: <https://www.regulations.gov>.

I. Background

A. *OIG Safe Harbor Provisions*

Section 1128B(b) of the Act (42 U.S.C. 1320a-7b(b)), the Federal anti-kickback statute, provides for criminal penalties for whoever knowingly and willfully offers, pays, solicits, or receives remuneration to induce or reward, among other things, referrals for or purchases of items or services reimbursable under any of the Federal health care programs, as defined in section 1128B(f) of the Act (42 U.S.C. 1320a-7b(f)). The offense is classified as a felony and is punishable by a fine of up to \$100,000 and imprisonment for up to 10 years. Violations of the Federal anti-kickback statute also may result in the imposition of civil monetary penalties under section 1128A(a)(7) of the Act (42 U.S.C. 1320a-7a(a)(7)), program exclusion under section 1128(b)(7) of the Act (42 U.S.C. 1320a-7(b)(7)), and liability under the False Claims Act (31 U.S.C. 3729-33).

Because of the broad reach of the statute, stakeholders expressed concern that some relatively innocuous business arrangements were covered by the statute and, therefore, potentially subject to criminal prosecution. In response, Congress enacted section 14 of the Medicare and Medicaid Patient and Program Protection Act of 1987, Public Law 100-93 (note to section 1128B of the Act; 42 U.S.C. 1320a-7b), which requires the development and promulgation of regulations, the so-called safe harbor provisions, that would specify various payment and business practices that would not be subject to sanctions under the Federal anti-kickback statute, even though they potentially may be capable of inducing referrals of business for which payment may be made under a Federal health care program. Since July 29, 1991, there has been a series of final regulations published in the **Federal Register**

establishing safe harbors to protect various payment and business practices.¹ These safe harbor provisions have been developed “to limit the reach of the statute somewhat by permitting certain non-abusive arrangements, while encouraging beneficial and innocuous arrangements.”² Health care providers and others may voluntarily seek to comply with the conditions of an applicable safe harbor so that they have the assurance that their payment or business practice will not be subject to sanctions under the Federal anti-kickback statute. The safe harbor regulations promulgated by OIG are found at 42 CFR part 1001.

B. *OIG Special Fraud Alerts*

OIG periodically issues Special Fraud Alerts to give continuing guidance to health care industry stakeholders about practices that OIG considers to be suspect or of particular concern.³ Special Fraud Alerts encourage industry compliance by giving stakeholders guidance that can be applied to their own practices. OIG Special Fraud Alerts are published in the **Federal Register**, on OIG’s website, or both, and are intended for extensive distribution.

In developing Special Fraud Alerts, OIG relies on several sources and consults directly with experts in the subject field including those within OIG, other agencies of HHS, other Federal and State agencies, and those in the health care industry.

C. *Section 205 of the Health Insurance Portability and Accountability Act of 1996*

Section 205 of HIPAA, Public Law 104-191, and section 1128D of the Act (42 U.S.C. 1320a-7d), requires the Department to develop and publish an annual notification in the **Federal Register** formally soliciting proposals for developing additional or modifying existing safe harbors to the Federal anti-kickback statute and for issuing Special Fraud Alerts.

In developing or modifying safe harbors under the Federal anti-kickback statute, and in consultation with the Department of Justice, OIG thoroughly reviews the range of factual

circumstances that may receive protection by the proposed or modified safe harbor. In doing so, OIG seeks to identify and develop safe harbors that protect beneficial and innocuous arrangements and safeguard Federal health care programs and their beneficiaries from the harms caused by fraud and abuse.

II. Solicitation of New and Modified Safe Harbor Recommendations and Special Fraud Alert Proposals

OIG seeks recommendations regarding the development of additional or modified safe harbor regulations and the issuance of new Special Fraud Alerts. A detailed explanation of justifications for, or empirical data supporting, a suggestion for a new or modified safe harbor or for the issuance of a new Special Fraud Alert would be helpful and should, if possible, be included in any response to this solicitation.

A. *Criteria for Modifying and Establishing Safe Harbor Provisions*

In accordance with section 205 of HIPAA, we will consider various factors in reviewing proposals for additional or modified safe harbor provisions, such as the extent to which the proposals may result in an increase or decrease in:

- access to health care services,
- the quality of health care services,
- patient freedom of choice among health care providers,
- competition among health care providers,
- the cost to Federal health care programs,
- the potential overutilization of health care services, and
- the ability of health care facilities to provide services in medically underserved areas or to medically underserved populations.

In addition, we will consider other factors including, for example, the existence (or nonexistence) of any potential financial benefit to health care professionals or providers that may influence their decision whether to: (1) order a health care item or service or (2) arrange for a referral of health care items or services to a particular practitioner or provider.

B. *Criteria for Developing Special Fraud Alerts*

In determining whether to issue additional Special Fraud Alerts, we will consider whether and to what extent the practices that would be identified in a new Special Fraud Alert may result in any of the consequences set forth above, as well as the volume and frequency of the conduct that would be identified in the Special Fraud Alert.

¹ See, e.g., Medicare and State Health Care Programs: Fraud and Abuse; Revisions to Safe Harbors Under the Anti-Kickback Statute, and Civil Monetary Penalty Rules Regarding Beneficiary Inducements, 85 FR 77684 (Dec. 2, 2020).

² Medicare and State Health Care Programs: Fraud and Abuse; OIG Anti-Kickback Provisions, 56 FR 35952, 35958 (July 29, 1991).

³ See, e.g., Special Fraud Alert: OIG Alerts Practitioners To Exercise Caution When Entering Into Arrangements With Purported Telemedicine Companies (July 20, 2022), <https://oig.hhs.gov/documents/root/1045/sfa-telefraud.pdf>.

Dated: December 4, 2025.

Juliet T. Hodgkins,

Acting Inspector General.

[FR Doc. 2025–22327 Filed 12–8–25; 8:45 am]

BILLING CODE 4152–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 251204–0177]

RIN 0648–BO09

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Proposed 2026 and Projected 2027 Specifications for the Summer Flounder, Scup, Black Sea Bass, and Bluefish Fisheries

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes 2026 and projects 2027 specifications for the summer flounder, scup, black sea bass, and bluefish fisheries. The implementing regulations for the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and the Bluefish FMP require us to publish specifications for the upcoming fishing year for each of these species and to provide an opportunity for public comment. The proposed specifications establish allowable harvest levels for these species that will prevent overfishing, consistent with the most recent scientific information.

DATES: Comments must be received on or before December 24, 2025.

ADDRESSES: A plain language summary of this proposed rule is available at <https://www.regulations.gov/docket/NOAA-NMFS-2025-0735>. You may submit comments on this document, identified by NOAA–NMFS–2025–0735, by the following method:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and type NOAA–NMFS–2025–0735 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your 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).

An Environmental Assessment (EA) was prepared for the 2026–2027 summer flounder, scup, and black sea bass specifications, and a Supplemental Information Report (SIR) was prepared for the 2026–2027 bluefish specifications. Copies of the EA and SIR are available on request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. They are also accessible via the internet at: <https://www.mafmc.org/supporting-documents>.

FOR FURTHER INFORMATION CONTACT: Laura Deighan, Fishery Policy Analyst, (978) 281–9184, or laura.deighan@noaa.gov.

SUPPLEMENTARY INFORMATION:

General Background

The Mid-Atlantic Fishery Management Council (Council), in cooperation with the Atlantic States Marine Fisheries Commission (Commission), develops management measures for the summer flounder, scup, black sea bass, and bluefish fisheries. The Council, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), develops recommendations regarding fisheries in Federal waters seaward of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. The Commission, pursuant to the Atlantic Coastal Fisheries Cooperative Management Act, addresses fisheries in State waters from Florida to Maine. These bodies work together in the development of complementary FMPs for species including summer flounder, scup, black sea bass, and bluefish that are harvested in both Federal and State waters, and each year these bodies work together to develop specifications for these fisheries. The Council provides its recommendations to NMFS. Under the provisions of the Magnuson-Stevens Act, on behalf of the Secretary of Commerce, the Greater Atlantic Regional Fisheries Office’s Regional

Administrator reviews proposed specifications for consistency with the FMP, plan amendments, the Magnuson-Stevens Act and other applicable law. The Regional Administrator is required to publish proposed regulations, consistent with the Council’s recommendations, with such technical changes as may be necessary for clarity and an explanation of those changes for public comment (section 304(b)(1)(A) of the Magnuson-Stevens Act). After public comment, the Regional Administrator may publish revisions to the proposed regulations along with an explanation of any differences between the proposed and final regulations (section 304(b)(3) of the Magnuson-Stevens Act; 50 CFR 648.90(a)).

Specifications in these fisheries include stock-wide overfishing limits (OFL) and acceptable biological catches (ABC), as well as various catch and landing subdivisions, such as the commercial and recreational sector annual catch limits (ACL), annual catch targets (ACT), and sector-specific landing limits (i.e., the commercial fishery quota and recreational harvest limit) established for 1 to 3 years at a time. Adjustments to commercial management measures for all four species and the recreational management measures for bluefish (i.e., minimum fish sizes, seasonal closures, and possession restrictions) are also considered in the specifications process. The process for measures used to manage the recreational summer flounder, scup, and black sea bass fisheries occurs separately and is not discussed further in this rule.

The Summer Flounder, Scup, and Black Sea Bass FMP and the Bluefish FMP and their implementing regulations establish the process for setting specifications for each of those four species. All requirements of the Magnuson-Stevens Act, including the 10 National Standards, also apply to specifications. The FMPs also contain formulas to divide the specification catch limits into commercial and recreational fishery allocations, State-by-State quotas, and quota periods, depending on the species in question. This proposed rule outlines the application of the existing allocation provisions for each species and provides the resulting allocations, by State and sector, as appropriate, for each species.

At a joint meeting in August 2025, the Commission’s Summer Flounder, Scup, and Black Sea Bass Boards and its Bluefish Board and the Council recommended 2026 and projected 2027 summer flounder, scup, black sea bass, and bluefish specifications. While the Boards’ actions were finalized at the