

taking for certain subsistence uses (referred to here as “mitigation”). NMFS must also prescribe requirements pertaining to the monitoring and reporting of such takings. The definitions of key terms, such as “take,” “harassment,” and “negligible impact,” can be found in the MMPA and the NMFS’ implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On February 26, 2026, a notice of NMFS’ proposal to issue an IHA to the U.S. Navy for take of marine mammals incidental to construction activities during the demolition of Pier 10 and construction of a crane weight test area project at U.S. Naval Submarine Base New London in Groton, Connecticut was published in the **Federal Register** (91 FR 9574). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS’ preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review, as well as other supporting documents.

No substantive comments were received during the public comment period. There are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published, and therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the

human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensures that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is proposed for authorization or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to the U.S. Navy for authorization to take marine mammals incidental to construction activities during the demolition of Pier 10 and construction of a crane weight test area project at U.S. Naval Submarine Base New London in Groton, Connecticut.

Dated: April 13, 2026.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF666]

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 an exempted fishing permit (EFP) application for U.S.

West Coast highly migratory species (HMS) fisheries that warrants further consideration at this time. The EFP applicant requests 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 applicant proposes to test the effects and efficacy of using monofilament rings as an alternative form of terminal tackle (herein referred to as “ring tackle”) used to harvest swordfish and other HMS off of the U.S. West Coast. During the March 2026 Pacific Fishery Management Council (Council) meeting, the Council reviewed and endorsed the EFP application and recommended that NMFS approve it. NMFS has determined that this application warrants further consideration and is requesting public comment on it.

DATES: Comments must be submitted in writing by May 18, 2026.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2026–1090, 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–2026–1090 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–2026–1090” 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: At its March 2026 meeting, the Council considered an EFP application¹ from the Pflieger Institute of Environmental

Research that was first received by the Council in November 2025. At the November 2025 meeting, the Council requested that the Highly Migratory Species Management Team (HMSMT) return in March with additional information regarding the gear configuration and species bycatch in other parts of the world where the gear type has been used. The March 2026 report from the HMSMT² provides bycatch data and other information from available studies on ring tackle in other parts of the world. The EFP applicant also attended the March meeting to answer questions from the Council.

The Council recommended that NMFS approve the EFP application and expressed support for testing the use of ring tackle in a variety of EFP gear configurations. The Council also recommended that NMFS prioritize flexibility in the operative terms and conditions of existing, approved, HMS EFPs, to build on lessons learned, and to support continued participation in fishery innovations (including consideration of more vessels), provided that such flexibilities can be accommodated within effort limits considered in the environmental review processes and analyses underpinning the issuance of EFPs for those configuration types.

If issued, the EFP would exempt the permitted vessels from the Commercial fishing gear definitions at 50 CFR 660.702, which specify that Deep-set buoy gear (DSBG) includes “gangions with hooks attached,” and from gear specifications at 50 CFR 660.715(b)(3), which require the use of circle hooks in DSBG. The EFP would allow use of monofilament rings as a substitute for one of the three hooks currently permitted on each vertical mainline of standard DSBG, and each section of linked DSBG. That is, the maximum of three pieces of terminal tackle per buoy would not be modified under this EFP, only the requirement that circle hooks must be used.

At this time, NMFS is requesting public comment on the ring tackle EFP application. NMFS will take the Council’s comments into consideration along with public comments on whether to issue this EFP. 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: April 13, 2026.

Kelly Denit,

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

Endnotes

¹ <https://www.pcouncil.org/documents/2026/02/g-3-attachment-1-draft-efp-pier-hookless-gear.pdf/>.

² <https://www.pcouncil.org/documents/2026/03/g-3-a-supplemental-hmsmt-report-1-highly-migratory-species-management-team-report-on-exempted-fishing-permits-preliminary-or-final.pdf/>.

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2021–0019]

Termination of the Fast-Track for COVID–19-Related Appeals Pilot Program

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) is terminating the Fast-Track for COVID–19-Related Appeals Pilot Program.

DATES: This notice serves as the formal termination of the Fast-Track for COVID–19-Related Appeals Pilot Program. Petitions to participate in the program filed after midnight ET on April 16, 2026, will not be granted.

FOR FURTHER INFORMATION CONTACT: Megan Carlson, Patent Trial and Appeal Board, by telephone at 571–272–9797, or by email at fasttrackappeals@uspto.gov.

SUPPLEMENTARY INFORMATION: In 2021, the USPTO published a notice implementing the Fast-Track for COVID–19-Related Appeals Pilot Program. *See Fast-Track Pilot Program for Appeals Related to COVID–19*, 86 FR

19877 (April 15, 2021) (2021 Notice). The 2021 Notice provided for the advancement of applications related to COVID–19 out of turn in *ex parte* appeals before the Patent Trial and Appeal Board (PTAB). An appellant who filed an *ex parte* appeal of an application with claim(s) that covered a product or process related to COVID–19 (such product or process must be subject to an applicable U.S. Food and Drug Administration (FDA) approval for COVID–19 use) and received a notice that the appeal had been docketed could file a petition at no cost to expedite the review of his or her appeal without paying a petition fee.

Pursuant to this notice, the USPTO is now formally terminating the Fast-Track for COVID–19-Related Appeals Pilot Program. Terminating the program allows the USPTO to dedicate resources to other priorities, such as reducing pendency in *ex parte* appeals across all technology areas. Notwithstanding, the program was not widely used, with only one petition having been granted. This action is consistent with the 2021 Notice, in which the USPTO reserved the discretion to terminate the program depending on factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. *See* 86 FR 19877 at 19878.

Any petition to participate in the Fast-Track for COVID–19-Related Appeals Pilot Program filed after midnight ET on April 16, 2026, will not be granted.

At that time, the USPTO will remove petition form PTO/SB/454, titled “Petition Fast-Track for COVID–19-Related Appeals Pilot Program” from the USPTO’s website. Applicants should not submit stored copies of form PTO/SB/454.

The USPTO will continue to process petitions for the Fast-Track for COVID–19-Related Appeals Pilot Program filed by midnight ET on April 16, 2026, as set forth in the “Conduct of Fast-Track Pilot Program for Appeals Related to COVID–19” section of the 2021 Notice. *See* 86 FR at 19878. *Ex parte* appeals accorded fast-track status due to the filing of a grantable petition by midnight ET on April 16, 2026, will not lose that status merely because the appeal is still pending after that deadline. Any such appeal will retain fast-track status until the PTAB’s jurisdiction ends under 37 CFR 41.35(b).

Patent applicants interested in expediting an *ex parte* appeal before the PTAB may instead request fast-track status under the Fast-Track Appeals Pilot Program, which provides for the advancement of applications out of turn in *ex parte* appeals before the PTAB. An