metabolites, or degradation products in the environment. The proposed use of this substance falls within the categorical exclusion because chromium DL-methionine chelate completely dissociates into chromium and DL-methionine, both of which are naturally occurring compounds, and excretion of these compounds into the environment by cattle is not expected to significantly alter their concentration or distribution. The Agency is not aware of any extraordinary circumstances. Therefore, neither an environmental assessment nor an environmental impact statement is required.

V. Objections and Hearing Requests

If you will be adversely affected by one or more provisions of this regulation, you may file with the Dockets Management Staff (see **ADDRESSES**) either electronic or written objections. You must separately number each objection, and within each numbered objection you must specify with particularity the provision(s) to which you object, and the grounds for your objection. Within each numbered objection, you must specifically state whether you are requesting a hearing on the particular provision that you specify in that numbered objection. If you do not request a hearing for any particular objection, you waive the right to a hearing on that objection. If you request a hearing, your objection must include a detailed description and analysis of the specific factual information you intend to present in support of the objection in the event that a hearing is held. If you do not include such a description and analysis for any particular objection, you waive the right to a hearing on the objection.

List of Subjects in 21 CFR Part 573

Animal feeds, Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 573 is amended as follows:

PART 573—FOOD ADDITIVES PERMITTED IN FEED AND DRINKING WATER OF ANIMALS

■ 1. The authority citation for part 573 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348.

■ 2. Add § 573.302, to subpart B, to read as follows:

§ 573.302 Chromium DL-methionine chelate.

The food additive, chromium DL-methionine chelate may be safely used as a nutritional source of chromium in cattle feed in accordance with the following prescribed conditions:

(a) The additive is manufactured by the reaction of a chromium salt with excess DL-methionine, at an appropriate stoichiometric ratio, to produce a chelate, tris (DL-methioninato) chromium (III) hydrochloride, and with the empirical formula $Cr[(CH_3S(CH_2)_2CH(NH_2)COO)_3]{\cdot}HCl$.

(b) The additive is added to complete feed for cattle at a level not to exceed 0.5 milligrams (mg) of chromium from chromium DL-methionine chelate per kilogram (kg) feed.

(c) The additive meets the following specifications:

(1) Total chromium content, 5 to 6 percent.

(2) Chelated chromium content, not less than 98 percent of the total chromium.

(3) Total DL-Methionine content, 80 to 85 percent.

(4) Hexavalent chromium content, less than 20 parts per million (ppm).

(5) Arsenic, less than 0.1 ppm.

(6) Cadmium, less than 0.05 ppm.

(7) Lead, less than 0.1 ppm.

(8) Mercury, less than 0.05 ppm.

(d) The additive shall be incorporated into feed as follows:

(1) It shall be incorporated into each ton of complete feed by adding no less than one pound of a premix containing no more than 453.6 milligrams of added chromium from chromium DL-methionine chelate per pound.

(2) Chromium from all sources of supplemental chromium cannot exceed a level of 0.5 ppm in complete feed for cattle.

(e) To assure safe use of the additive in addition to the other information required by the Federal Food, Drug, and Cosmetic Act:

(1) The label and labeling of the additive, any feed premix, and feed shall contain the name of the additive.

(2) The label and labeling of the additive and any feed premix shall also contain:

(i) Minimum and maximum guarantees for added chromium content.

(ii) Adequate directions for use and cautions for use including this statement: ''Caution: Follow label directions'' and, consistent with the directions for use, the following: ''Chromium from all sources of supplemental chromium cannot exceed 0.5 parts per million intake of the complete feed for cattle.''

(iii) Appropriate warnings and safety precautions concerning the chromium DL-methionine chelate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–16942 Filed 8–18–26; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 260813–0186]

RIN 0648–BN60

Atlantic Highly Migratory Species; North Atlantic Swordfish, South Atlantic Swordfish, North Atlantic Albacore, and Atlantic Bluefin Tuna Quotas

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

ACTION: Final rule; temporary quota adjustment; temporary quota transfer.

SUMMARY: In this final rule, NMFS is implementing binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) on quotas for North Atlantic swordfish, South Atlantic swordfish, North Atlantic albacore tuna (northern albacore), and Atlantic bluefin tuna, including aspects of the management procedures for North Atlantic swordfish and northern albacore. For bluefin tuna, this action implements the increased U.S. baseline quota adopted by ICCAT in 2025, dividing it among the established regulatory domestic subquota categories, and implements changes to the bluefin tuna quota associated with pelagic longline bycatch adopted by ICCAT in 2025. Finally, this action transfers 30.8 metric tons (mt) of bluefin tuna quota from the Longline category to the Reserve category and temporarily adjusts the baseline quotas for U.S. North and South Atlantic swordfish, northern albacore, and the Atlantic bluefin tuna Reserve category for 2026 based on 2025 underharvests and applicable international quota transfers.

DATES: The final rule is effective August 19, 2026. The temporary quota adjustments and transfer are effective August 19, 2026, through December 31, 2026.

ADDRESSES: Additional information related to this final rule, including electronic copies of the supporting documents are available from the Highly Migratory Species (HMS) Management Division website at *https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species* or by contacting Carrie Soltanoff, Steve Durkee, or Larry Redd, Jr.

FOR FURTHER INFORMATION CONTACT: Carrie Soltanoff (*carrie.soltanoff@noaa.gov),* Steve Durkee (*steve.durkee@noaa.gov*), or Larry Redd, Jr., (*larry.redd@noaa.gov*) at 301–427–8503.

SUPPLEMENTARY INFORMATION: Federal Atlantic HMS fisheries (tunas, billfish, swordfish, and sharks) are managed under the 2006 Consolidated HMS Fishery Management Plan, as amended (HMS FMP) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA) (16 U.S.C. 971 *et seq.*). HMS are defined at section 3(21) of the Magnuson-Stevens Act (16 U.S.C. 1802(21)), and the provisions for their management are at section 304(g)(1) (16 U.S.C. 1854(g)(1)). ATCA is the implementing statute for binding recommendations of ICCAT. Regulations implementing the HMS FMP are at 50 CFR part 635. Section 635.15 implements the Individual Bluefin Tuna Quota (IBQ) program. Section 635.27(a) divides the U.S. bluefin tuna quota as recommended by ICCAT and implemented by the United States among domestic fishing categories as established under the HMS FMP, provides the annual bluefin tuna quota adjustment process, and implements an incidental catch quota for pelagic longline vessels. Section 635.27(c) implements the ICCAT-recommended U.S. North and South Atlantic swordfish quotas and provides the annual adjustment process. Section 635.27(e) implements the ICCAT-recommended U.S. northern albacore quota and provides the annual northern albacore quota adjustment process. NMFS is required under the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas established pursuant to relevant international fishery agreements such as the ICCAT Convention.

Through this action, NMFS implements various management measures, including quotas, consistent with measures adopted by ICCAT for North Atlantic swordfish, South Atlantic swordfish, northern albacore, and Atlantic bluefin tuna. Additionally, NMFS: (1) adjusts the 2026 baseline quotas for U.S. North and South Atlantic swordfish, northern albacore, and the Atlantic bluefin tuna Reserve category based on the 2025 underharvest and applicable international quota transfers; and (2) transfers 30.8 mt of bluefin tuna quota from the Longline category to the Reserve category. A brief summary of background information is provided below; additional information can be found in the proposed rule (91 FR 24789, May 7, 2026) and supporting documents (see **ADDRESSES** section). NMFS has prepared a comprehensive document that presents the alternatives considered for this final rule and analyzes their anticipated environmental, social, and economic impacts (''supporting document''). This supporting document consolidates the requirements of a number of Federal statutes and executive orders and includes, among other sections, an Environmental Assessment (EA), Regulatory Impact Review (RIR), and a Final Regulatory Flexibility Analysis (FRFA). A copy of the supporting document prepared for this final rule is available from NMFS (see **ADDRESSES** section).

Consistent with how the quotas are established at ICCAT, weight information for northern albacore and bluefin tuna is shown in mt whole weight (ww), and weight information for swordfish is shown in both dressed weight (dw) and ww. The conversion factor between dw and ww for swordfish is 1.33 and the conversion follows the following formula: dw * 1.33 = ww.

This final rule additionally includes two minor changes to the regulatory text to correct a regulatory reference (see Changes from the Proposed Rule section).

Statutory Authority

Under section 971d(c)(1)(A) of ATCA, NMFS must promulgate such regulations as may be necessary and appropriate to carry out binding recommendations of ICCAT (16 U.S.C. 971d(c)(1)(A)). Further, regulations promulgated shall, to the extent practicable, be consistent with FMPs prepared and implemented under the Magnuson-Stevens Act (see 16 U.S.C. 971d(c)(1)(C)).

The Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*) requires measures necessary for the conservation and management of the fishery to be consistent with the 10 National Standards set forth in section 301(a) (16 U.S.C. 1851(a)). The National Standards state, among other things, that conservation and management measures must: (1) prevent overfishing while achieving, on a continuing basis, optimum yield from the fishery (National Standard 1); (2) be based on the best scientific information available (National Standard 2); and (3) take into account and allow for variations among fisheries, fishery resources, and catches (National Standard 6). Furthermore, the Magnuson-Stevens Act authorizes measures to promote the long-term health and stability of the fisheries (§ 303(a)(1); 16 U.S.C. 1853(a)(1)) and to assess and specify the present and probable future condition of optimum yield and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield (§ 303(a)(3)–(4); 16 U.S.C. 1853(a)(3)–(4)). Measures such as annual adjustments of quotas for under- or overharvests are important in achieving these goals. Section 102 of the Magnuson-Stevens Act also provides for management actions to be coordinated through appropriate international organizations to promote conservation and achievement of optimum yield of such species throughout their range, both within and beyond the exclusive economic zone, and to take into account the traditional participation of U.S. fishermen (16 U.S.C. 1812(a) and (b)). Section 304(g)(1), among other things, provides NMFS the authority to implement fishery management plans and plan amendments that provide fishing vessels fishing for Atlantic HMS with a reasonable opportunity to harvest an allocation or quota authorized under an international fishing agreement, such as ICCAT's recommendations, and to ensure that conservation and management measures promote international conservation of HMS fisheries (16 U.S.C. 1845(g)(1)).

Background

On May 7, 2026, NMFS published a proposed rule (91 FR 24789) and released a draft of the supporting document, which included a Draft EA, RIR, and Initial Regulatory Flexibility Analysis (IRFA). The proposed rule and supporting document contain background information relevant to this action that is not fully repeated here. Details about the temporary quota adjustments and inseason transfers for 2026 are included below. The comment period for the proposed rule closed on June 6, 2026. NMFS received 39 written comments during the proposed rule public comment period, as well as verbal comments during a public hearing webinar and an HMS Advisory Panel meeting. The comments received, and the responses to those comments, are summarized in the Response to Comments section.

Overall Quota-Setting Process

Regulations at 50 CFR 635.27(c), (e), and (a) set forth the ICCAT-established U.S. baseline quotas for North and South Atlantic swordfish, northern albacore, and Atlantic bluefin tuna, respectively, as well as the requirements and processes for annual adjustments of the quotas for underharvest or overharvest required by ICCAT. The process for annually adjusting the baseline quotas for each stock is described in the proposed rule, with details for 2026 described below. When the current baseline quotas for each stock were originally implemented, NMFS took public comment on their respective adjustment processes and ultimately determined that the annual adjustments to those baseline quotas could be made through temporary final rules as long as the adjustments were consistent with the implementing regulations (87 FR 33049, June 1, 2022, for northern albacore and bluefin tuna; 81 FR 48719, July 26, 2016, for North and South Atlantic swordfish).

In this rulemaking, NMFS once again provided an opportunity for the public to comment on the annual quota adjustment processes for each stock. No comments were provided by the public on these processes. As a result, in the future NMFS will adjust the annual baseline quotas with temporary final rules as long as the adjustments are consistent with the implementing regulations as applied in the calculations detailed in the proposed rule and supporting document. This final rule includes temporary 2026 quota adjustments for North and South Atlantic swordfish, northern albacore, and Atlantic bluefin tuna as described below.

North Atlantic Swordfish Annual Quota and Adjustment Process

This final rule implements Recommendation 25–10, which describes the management procedure for North Atlantic swordfish, by adding a reference to that procedure in the swordfish quota regulations at § 635.27(c)(1) (see 91 FR at 24790–24791 (explaining management procedure in proposed rule)). The supporting document analyzes the range of total allowable catches (TACs) that might be derived from the new North Atlantic swordfish management procedure. NMFS is also temporarily adjusting the quota for 2026. In this rulemaking, NMFS is not making any changes to the current U.S. baseline quota, quota adjustment provisions, and domestic quota allocations. These processes are codified at § 635.27(c)(1)(i) and (c)(3) (77 FR 45273, July 31, 2012).

In the future, if ICCAT modifies the North Atlantic-wide swordfish TAC for the next 3-year management period consistent with the management procedure in Recommendation 25–10, NMFS may codify the resulting U.S. baseline quota up to a maximum of 3,446.1 mt dw through a final rulemaking if consistent with the analyses in this action's associated supporting document and if no new circumstances are present or management measures introduced that require additional analysis or opportunity for public comment. If a new TAC is adopted and resulting U.S. quota codified, NMFS could continue to annually adjust the new U.S. baseline quota through a temporary final rule reflecting underharvest carryover (up to a 3,963-mt dw maximum adjusted quota) or overharvest per the process discussed below if consistent with analyses in the supporting document and there are no new circumstances. NMFS would evaluate the need for any additional environmental analyses or proposed and final rulemaking when implementing any new management procedure-derived TAC and associated quotas adopted by ICCAT.

Consistent with the North Atlantic swordfish quota regulations at § 635.27(c), in this action, NMFS adjusts the 2026 U.S. annual North Atlantic swordfish quota for allowable underharvest from 2025. NMFS makes such adjustments consistent with ICCAT carryover limits and when complete catch information for the prior year is available and finalized. The U.S. North Atlantic swordfish baseline annual quota is 2,937.6 mt dw (3,907 mt ww).

As codified at § 635.27(c)(3), the maximum North Atlantic swordfish underharvest that may be carried forward from one year to the next is 15 percent of the baseline quota, which equates to 440.6 mt dw (586 mt ww). For 2025, the adjusted North Atlantic swordfish quota was 3,152.6 mt dw (90 FR 60017, December 23, 2025). In 2025, U.S. landings of North Atlantic swordfish, which include landings and dead discards, were 637.7 mt dw (2,514.9 mt dw less than the 2025 adjusted quota). This underharvest exceeds the 440.6-mt dw underharvest carryover limit allowed; therefore, only 440.6 mt dw may be carried forward to the 2025 fishing year.

Thus, the adjusted 2026 North Atlantic swordfish quota is 3,378.2 mt dw (2,937.6-mt dw baseline quota + 440.6-mt dw underharvest = 3,378.2 mt dw). From the adjusted quota and consistent with § 635.27(c)(1)(i): (1) 50 mt dw would be allocated to the Reserve category for inseason adjustments and research; (2) 300 mt dw would be allocated to the incidental category, which covers recreational landings and landings by incidental swordfish permit holders; and (3) the remainder of the adjusted quota (3,028.2 mt dw) would be allocated to the directed category, which will be split equally between two seasons in 2026 (January through June, and July through December) (table 1).

TABLE 1—2026 NORTH ATLANTIC SWORDFISH QUOTAS

North Atlantic swordfish quota (mt dw)	2025	2026
Baseline Quota	2,937.6	2,937.6
International Quota Transfers *	(−) 225.6	0
Underharvest from Previous Year	2,558.3	2,514.9
Underharvest Carryover from Previous Year †	(+) 440.6	(+) 440.6
Adjusted Quota (Baseline + Carryover − Transfer)	3,152.6	3,378.2
Quota Allocation		
Directed Category	2,802.6	3,028.2
Incidental Category	300	300
Reserve Category	50	50

* Under ICCAT Recommendation 24–10, the United States transferred 225.6 mt dw (300 mt ww) to Costa Rica in 2025.
† Allowable underharvest carryover is capped at 15 percent of the baseline quota (440.6 mt dw).

South Atlantic Swordfish Annual Quota and Adjustment Process

In this rulemaking, NMFS is not making any changes to the current South Atlantic swordfish quota or adjustment process for 2026 or for future years. This process is codified at § 635.27(c) (72 FR 56929, October, 5, 2007). However, consistent with the South Atlantic swordfish quota regulations at § 635.27(c), NMFS is taking action to temporarily adjust the U.S. annual South Atlantic swordfish quota. Specifically, the U.S. South Atlantic swordfish baseline annual quota is 75.2 mt dw (100 mt ww), and the amount of underharvest that the United States can carry forward from one year to the next is 75.2 mt dw (100 mt ww) (table 2). In 2025, there were no landings of South Atlantic swordfish by U.S. fishermen, which is an underharvest of 75.2 mt dw of the 2025 adjusted quota. Of that underharvest, 75.2 mt dw may be carried forward to the 2026 fishing year. Under Recommendations 17–03 and 22–04, the United States continues to transfer a total of 75.2 mt dw (100 mt ww) to other countries. These transfers are 37.6 mt dw (50 mt ww) to Namibia, 18.8 mt dw (25 mt ww) to Côte d'Ivoire, and 18.8 mt dw (25 mt ww) to Belize. Thus, the adjusted 2026 South Atlantic swordfish quota is 75.2 mt dw (table 2).

TABLE 2—2026 SOUTH ATLANTIC SWORDFISH QUOTAS

South Atlantic swordfish quota (mt dw)	2025	2026
Baseline Quota	75.2	75.2
International Quota Transfers *	(−)75.2	(−)75.2
Underharvest from Previous Year	75.2	75.2
Underharvest Carryover from Previous Year †	75.2	75.2
Adjusted quota (Baseline + Carryover + Transfers)	75.2	75.2

* Under ICCAT Recommendations 17–03 and 22–04, the United States transfers 75.2 mt dw (100 mt ww) annually as follows: Namibia (37.6 mt dw, 50 mt ww); Côte d'Ivoire (18.8 mt dw, 25 mt ww); and Belize (18.8 mt dw, 25 mt ww).

† Allowable underharvest carryover is capped at 75.2 dw (100 mt ww) for the South Atlantic.

Northern Albacore Annual Quota and Adjustment Process

In this rulemaking, no changes are being made regarding the U.S. baseline quota and quota adjustment provisions codified at § 635.27(e), as no regulatory changes are necessary for U.S. implementation of the current ICCAT recommendation on northern albacore. However, consistent with the regulations, NMFS is temporarily adjusting the U.S. annual northern albacore quota for 2026. Additionally, NMFS explains the range of adjusted quotas possible under the existing management procedure and provides updated analyses in the supporting document. Implementation of the management procedure and the current quota adjustment processes for northern albacore are codified at § 635.27(e)(2) (87 FR 33049, June 1, 2022).

Consistent with the northern albacore quota regulations at § 635.27(e), NMFS adjusts the U.S. annual northern albacore quota for allowable underharvest in the previous year. NMFS makes these adjustments consistent with ICCAT carryover limits, once complete catch information for the prior year is available and finalized. The baseline quota is 889.4 mt. The maximum underharvest that may be carried forward from one year to the next is 25 percent of its baseline quota (*i.e.,* 222.4 mt).

For 2025, the adjusted quota was 1,111.8 mt (90 FR 60017, December 23, 2025). In 2025, the United States landed 188.8 mt of northern albacore which is 923 mt less than the 2025 adjusted quota. This underharvest exceeds the 222.4-mt underharvest carryover limit allowed under Recommendation 23–05; therefore, only 222.4 mt may be carried forward to the 2026 fishing year. Thus, the adjusted 2026 northern albacore quota is 1,111.8 mt (889.4-mt baseline quota + 222.4-mt carryover = 1,111.8 mt) (table 3).

TABLE 3—2026 NORTHERN ALBACORE QUOTA

Northern albacore quota (mt ww)	2025	2026
Baseline Quota	889.4	889.4
Underharvest from Previous Year	838.9	923
Underharvest Carryover from Previous Year †	(+) 222.4	(+) 222.4
Adjusted Quota (Baseline + Underharvest)	1,111.8	1,111.8

† Allowable underharvest carryover is capped at 25 percent of the baseline quota allocation (222.4 mt ww).

Bluefin Tuna Annual Quota and Subquotas

In this rulemaking, NMFS implements a U.S. bluefin tuna baseline quota of 1,509.98 mt, reflecting adoption of the new quota by ICCAT in Recommendation 25–05. In implementing the new baseline quota, NMFS also modifies the codified quotas and subquotas at 635.27(a), using the currently codified percentages. NMFS also increases the pelagic longline bycatch set-aside quota from 25 mt to 62.5 mt, as well as modifies how it is accounted for, consistent with Recommendation 25–05. The current quota adjustment processes and domestic quota allocations for Atlantic bluefin tuna were codified in Amendment 13 to the HMS FMP (87 FR 59966, October 3, 2022) at § 635.27(a). NMFS is not making any changes to the current regulatory formula codified at § 635.27(a) that distributes the U.S. baseline quota among domestic quota categories or the quota adjustment process.

Section 635.27(a) details the current regulatory quota formulas for dividing the baseline bluefin tuna quota among domestic categories. The baseline category quotas and subquotas that result from applying the regulatory formulas under the quota increase are shown in table 4. The changes to the text of § 635.27(a) are to insert the new quota and resulting category and subquota amounts.

TABLE 4—NEW ANNUAL BASELINE BLUEFIN TUNA QUOTAS AND SUBQUOTAS

Category	Annual baseline quota (mt)	Subquotas	Subquota amounts (mt)
General	815.4		
		January–March	43.2
		June–August	407.7
		September	216.1
		October–November	106.0
		December	42.4
Harpoon	67.9		
Longline	240.1		
Trap	1.5		
Angling	341.3		
		School	157.2
		Reserve:	29.1
		North of 39°18′ N Lat	60.5
		South of 39°18′ N Lat	67.7
		Large School/Small Medium:	173.4
		North of 39°18′ N Lat	81.9
		South of 39°18′ N Lat	91.6
		Trophy:	10.6
		North of 42° N Lat	2.6
		North of 39°18′ N Lat	2.6
		South of 39°18′ N Lat	2.6
		Gulf of America	2.6
Reserve	43.8		
U.S. Baseline Quota			1,509.98
Bycatch set-aside (for use by Longline category)			62.5
Annual Total U.S. quota			1,572.48

Note: Totals subject to rounding.

As explained in the proposed rule, there is outdated language in § 635.27(a) that provides that NMFS may subtract the most recent, complete, and available estimate of dead discards from the annual U.S. quota, and make the remainder available to be retained, possessed, or landed by persons and vessels subject to U.S. jurisdiction. Amendments 7 and 13 to the HMS FMP changed the bluefin tuna quota category calculations so that the codified category percentages are applied directly to the baseline quota, but the dead discards text was inadvertently left in § 635.27(a). Accordingly, this final rule deletes that text.

Revisions and Adjustments Related to the 2026 Bluefin Tuna Quotas for the Harpoon, Longline, and Reserve Categories

NMFS recalculates the 2026 Harpoon, Longline, and Reserve category quotas based on the baseline bluefin tuna quota increase and inseason transfers that took place earlier in 2026. In July, NMFS transferred 6.4 mt of Reserve category quota to the Harpoon category resulting in an adjusted Harpoon category quota of 65.6 mt (91 FR 43571, July 16, 2026). With this final rule, the adjusted Harpoon category quota is revised to be 74.3 mt (67.9 mt new baseline Harpoon category quota + 6.4 mt transfer from July).

In February, NMFS transferred 30.8 mt of Reserve category quota to the Longline category resulting in an adjusted Longline category quota of 240.1 mt (91 FR 5855, February 10, 2026). Consistent with § 635.15(e)(1), NMFS provided each IBQ shareholder an equal amount of transferred quota. As discussed in the February **Federal Register** notice, NMFS transferred quota then to optimize fishing opportunities for longline vessels at a time bluefin tuna interactions are more likely in the areas they operate through increasing flexibility in the availability of IBQ quota for leasing amongst vessels as needed. With the new baseline quota in this final rule, the adjusted Longline category quota is 270.9 mt (240.1 mt new baseline Longline category quota + 30.8 mt from the February 2026 transfer). As described below, NMFS has decided to make a further adjustment to this quota.

Following the February and July quota transfers, the Reserve category quota was 1 mt. With the new baseline quota in this final rule, the adjusted Reserve category quota is 6.6 mt (43.8 mt new baseline Reserve category quota − 30.8 mt from the February 2026 transfer − 6.4 mt from the July 2026 transfer). At this time, NMFS is further transferring 30.8 mt of quota from the Longline category to the Reserve category, thus resulting in adjusted quotas of 240.1 mt (Longline) and 37.4 mt (Reserve). As this transfer adjusts the Longline category quota to be equal to the new baseline Longline category quota, NMFS will not be adjusting IBQ allocations as a result of this transfer or the new baseline quota. However, as described below, NMFS is making further adjustments to the IBQ allocations as a result of implementing the changes to the pelagic longline bycatch set-aside quota adopted by ICCAT in 2025.

Regulations at § 635.27(a)(8) authorize NMFS to transfer quota among fishing categories or subcategories after considering the determination criteria provided under § 635.27(a)(7) and other relevant factors. Per § 635.27(a)(6), quota from the Reserve category may be transferred to other fishing categories as needed throughout the year or utilized for the issuance of exempted fishing and other permitted research needs. A key consideration for this action is that an increased Reserve category quota would provide maximum flexibility for NMFS to transfer quota as needed to the various sectors of the bluefin tuna fishery and optimize fishing opportunities to harvest the increased U.S. bluefin tuna annual baseline quota (§ 635.27(a)(7)(x)) within the remainder of the 2026 fishing year. NMFS also considered catches over the last several years and landings to date this year among each quota category that may receive a future transfer from the Reserve category and the likelihood of closure of those fisheries if no adjustment is made later in the year (§ 635.27(a)(7)(ii)), as well as daily landing trends and the availability of bluefin tuna on fishing grounds (§ 635.27(a)(7)(ix)). As noted earlier, NMFS transferred 30.8 mt of quota to the Longline category in February to optimize fishing opportunities at a time when bluefin tuna interactions are more likely, and thus IBQ usage or leasing are more necessary, where those vessels operate. Historically, bluefin tuna landings within the General and Angling categories increase from June through December. In contrast, Longline category landings over this same time frame tend to decrease as there are fewer interactions with bluefin tuna compared to earlier in the year (*i.e.,* January through March). Adding quota availability to the Reserve category mitigates the risk that NMFS may need to close other fishing categories even though bluefin tuna remain available in the areas where General and Angling category permitted vessels operate, while still allowing for additional Longline category quota needs if bluefin tuna interactions happen to increase later in the year beyond the category's increased baseline quota. Similarly, this transfer considers variations in seasonal distribution, abundance, or migration patterns of bluefin tuna (§ 635.27(a)(7)(vii)). While the quota transfer to the Longline category earlier in the year optimized fishing opportunities for those vessels then, transferring quota from the Longline category to the Reserve category helps to address the diversity of the bluefin tuna fishery with respect to timing during the latter part of the year (*i.e.,* fishing when there tends to be more bluefin tuna available on fishing grounds).

Further, regarding the ability of the vessels fishing under each quota category that may receive a transfer from the Reserve category to harvest the additional amount of bluefin tuna quota that would become available before the end of the fishing year (§ 635.27(a)(7)(iii)), NMFS considered landings in each category over the last several years. Landings are highly variable and depend on access to commercial-sized bluefin tuna and fishing conditions, among other factors. Given the increase in bluefin tuna availability in recent years, a quota transfer to the Reserve quota provides the most likelihood that the quota amount will be harvested before the end of the fishing year, as it could be further transferred to other fishing categories as needed. Finally, NMFS is implementing this transfer with the objective of providing opportunities to harvest available quota without exceeding the annual quota, based on the objectives of the HMS FMP and its amendments, including to achieve optimum yield on a continuing basis and to allow all permit categories a reasonable opportunity to harvest available bluefin tuna quota allocations (§ 635.27(a)(7)(vi) and related to § 635.27(a)(7)(x)). In summary, this transfer results in an adjusted Longline category quota of 240.1 mt and an adjusted Reserve category quota of 37.4 mt.

Adjustment of the 2026 Bluefin Tuna Reserve Category Quota for 2025 Underharvest

Regulations at § 635.27(a)(9) regarding annual adjustments of category quotas provide that, if NMFS determines that catches from the previous year indicate that a bluefin tuna quota for any category or, as appropriate, subcategory has not been reached (underharvest), NMFS may add all or a portion of the underharvest to that quota category or subcategory and/or the Reserve category in the following year. The underharvest that is carried forward may not exceed 100 percent of each category's baseline allocation, and the total of the adjusted fishing category quotas and the Reserve category quota must be consistent with ICCAT recommendations. Consistent with these regulations, the annual adjusted quota is thus calculated as detailed in the proposed rule and supporting document. NMFS makes such temporary adjustments consistent with ICCAT quota adjustment provisions and when complete catch information for the prior year is available and finalized.

Consistent with Recommendation 25–05, the maximum underharvest that the United States can carry forward from one year to the next is 10 percent of its total annual quota, which equates to 134.1 mt for 2025. In 2025, the adjusted U.S. quota was 1,199.94 mt (including the 25-mt set-aside for the Northeast Distant gear restricted area (NED)) (90 FR 60017, December 23, 2025), and the U.S. catch, including landings and dead discards, totaled 1,125.1 mt. Thus, the 2025 underharvest was 74.8 mt. As such, the United States is carrying forward the allowable 74.8 mt underharvest to 2026. Per § 635.27(a)(9), NMFS is augmenting the 2026 Reserve category quota with this 2025 underharvest.

As described above, the transfer to the Reserve category from the Longline category, would result in an adjusted 2026 Reserve category quota of 37.4 mt. With the addition of the underharvest of 74.8 mt, the adjusted 2026 Reserve category quota as of the effective date of this action is 112.2 mt (37.4 mt + 74.8 mt (2025 underharvest carryover in this action)) (table 5).

TABLE 5—2026 BLUEFIN TUNA QUOTAS

Bluefin tuna quota (mt ww)	2025	2026
Baseline Quota	1,316.14	1,509.98
Total Quota (Baseline Quota + Bycatch Allocation) *	1,341.14	1,572.48
Under (+) or over (−) harvest from Previous Year †	−141.2	74.8
Adjusted Quota (Total quota + Carryover)	1,199.94	1,647.28
Baseline Reserve Category Quota	38.2	43.8
Adjusted Reserve Category Quota (Reserve Category Quota + Carryover)	NA	112.2

Values in this table are subject to rounding error.

* The United States is allocated an additional 25 mt in 2025 and 62.5 mt in 2026 to account for bycatch related to pelagic longline fisheries.

† Allowable underharvest carryover is capped at 10 percent of the total annual quota (134.1 mt ww in 2025).

Implementation of Pelagic Longline Bycatch Set-Aside Quota for Bluefin Tuna

Consistent with ICCAT Recommendation 25–05, in this rulemaking, NMFS increases the pelagic longline bycatch set-aside quota from 25 mt to 62.5 mt (table 4) and allocates this set-aside quota to pelagic longline IBQ shareholders with IBQ shares designated for the Atlantic region as defined at § 635.15(c)(3). That section defines the Gulf of America region as all waters of the U.S. exclusive economic zone west and north of the boundary stipulated at § 600.105(c) and the Atlantic region as all other waters of the Atlantic Ocean including the NED, a large area whose coordinates are set forth in § 635.2.

In this rule, NMFS also changes how this set-aside quota will be used and distributed. Specifically, NMFS will no longer account for bluefin tuna catch in the NED separately from bluefin tuna catch in the rest of the Atlantic region; instead, NMFS will allocate the pelagic longline bycatch set-aside quota to pelagic longline vessels that have fishing history in the Atlantic region and will annually distribute Atlantic allocation to each IBQ shareholder based on their IBQ share percentage. IBQ shareholders with shares designated for the Gulf region will not receive allocation from the set-aside quota, and Atlantic IBQ allocation cannot be used in the Gulf under existing regulations, which remain in place, the existing gear and bait requirements at § 635.21(c)(2) and (4) specific to pelagic longline vessels fishing in the NED also remain in place.

With this change, for the remainder of 2026, NMFS will distribute the 62.5 mt to 2026 IBQ shareholders that have been issued Atlantic IBQ. Consistent with § 635.15(e)(3), each applicable IBQ shareholder will receive their share percentage. Shareholders should receive this additional amount in their IBQ accounts shortly.

Response to Comments

NMFS received 39 written comments from individual members of the public. All written comments can be found at *https://www.regulations.gov/docket/NOAA-NMFS-2025-0053.* NMFS also received oral comments from the HMS Advisory Panel and during a public hearing webinar. Below, NMFS summarizes and responds to the written and oral comments made on the proposed rule during the comment period.

Comment 1: NMFS received multiple comments supporting the increased U.S. bluefin tuna baseline quota from 1,316.14 mt to 1,509.98 mt as preferred in Alternative C2.

Response: NMFS agrees that implementing the increased bluefin tuna baseline quota under Alternative C2 is appropriate and necessary to provide fishing opportunities consistent with the Magnuson-Stevens Act and ATCA.

Comment 2: NMFS received multiple comments regarding implementation of the pelagic longline bycatch set-aside quota, specifically the incorporation of that quota into the Atlantic IBQ shares for pelagic longline fishermen. Some comments supported preferred Alternative D3 to allocate the pelagic longline bycatch set-aside quota to IBQ shareholders with IBQ shares designated for the Atlantic region, although some other commenters suggested limiting the availability of the set-aside quota to Atlantic IBQ shareholders in only portions of the Atlantic. Some commenters requested that NMFS limit the allocation of this quota to certain IBQ shareholders such that it be used only in areas where bluefin tuna are caught, or creating an IBQ designation line separating the mainland east coast from the Caribbean; they indicate that there are no interactions with bluefin tuna in the Caribbean Sea. One commenter requested a proportional distribution of quota based on where vessels land bluefin tuna. Another commenter suggested that the agency consider the ICCAT bluefin tuna Management Strategy Evaluation (MSE) statistical map in place of the ICCAT bluefin tuna sampling areas map when describing in which areas this quota would apply.

Response: As discussed in Chapters 3 and 4 of the supporting document, research shows that more than 50 percent of commercial-sized bluefin tuna caught in U.S. fisheries are of eastern Atlantic and Mediterranean origin. Given this, NMFS agrees that incorporating the bluefin tuna pelagic longline set-aside quota into the Atlantic IBQ shares pool is appropriate and consistent with ICCAT Recommendation 25–05, paragraph 6, which refers to bycatch related to pelagic longline fisheries in the vicinity of the management area boundary and adjacent areas derived from the eastern Atlantic and Mediterranean bluefin tuna TAC. NMFS does not believe that limiting the use of the 62.5-mt bycatch set-aside quota to only certain portions of the Atlantic is appropriate at this time. Under Alternative D3, NMFS includes all of the areas in the vicinity of the management area boundary. Applying quota to all areas would be consistent with the Recommendation and with providing U.S. fishing opportunities, under the Magnuson-Stevens Act and ATCA. Additionally, Atlantic IBQ shares are applicable to pelagic longline fishing in all of the Atlantic outside the Gulf of America. Sub-dividing Atlantic IBQ use or shares on a geographic basis would require full rulemaking in support of an FMP Amendment and is outside the scope of this rulemaking.

NMFS acknowledges that there are not many pelagic longline interactions with bluefin tuna in the Caribbean Sea. However, pelagic longline effort historically has occurred in the Caribbean Sea for target species such as swordfish and yellowfin tuna. Under the current regulations, NMFS annually distributes IBQ based on fishing effort. This fishing effort is not dependent on bluefin tuna landings, rather it is dependent on the number of sets that individual vessels make in the relevant 36-month period. If pelagic longline vessels are making fishing sets, they are eligible for IBQ regardless of if the vessel's home port is in the Caribbean. As such, under the preferred alternative, NMFS would distribute the pelagic longline bycatch set-aside quota of 62.5 mt to pelagic longline IBQ shareholders with IBQ shares designated for the Atlantic region. There is no distinction in the IBQ program for different areas of the Atlantic region, outside the Gulf of America.

With respect to the suggestion to use the map of bluefin tuna MSE spatial areas, NMFS considered the MSE map to illustrate appropriate areas to apply the pelagic longline bluefin tuna bycatch set-aside quota. However, NMFS chose the ICCAT bluefin tuna sampling areas map to illustrate these alternatives, as a map that is generally more familiar to fishery participants and other stakeholders. The MSE spatial areas reinforce the underlying concept that the area adjacent to the management area boundary is the entire western Atlantic area extending to the shore, and that area is not further subdivided (other than differentiating between the Atlantic and the Gulf of America). As in the current regulations, usage of Atlantic IBQ would not be limited to any certain area under any of the possible maps (domestic or ICCAT) but would continue to apply in the entire Atlantic outside the Gulf of America.

Comment 3: NMFS received a comment requesting that the agency include economic analysis on private anglers for the bluefin tuna quota increase in the Regulatory Flexibility Act (RFA) section of the rule. This commenter noted that in the RFA section, economic information was presented only on the commercial and for-hire fleets.

Response: Under the RFA, small entities are defined as small businesses, small non-profit organizations, and small governmental jurisdictions. Since private anglers are individuals, they are not considered small entities under the RFA. Thus, analysis of the economic impacts to private anglers is not found in the RFA section of this rule. However, NMFS analyzed the social and economic impacts of implementing the ICCAT bluefin tuna quota increase (preferred Alternative C2) for private anglers in Chapter 4 (EA) and Chapter 5 (RIR) of the supporting document.

Comment 4: NMFS received multiple comments in support of implementing the North Atlantic swordfish management procedure.

Response: NMFS is finalizing the preferred alternative to implement the North Atlantic swordfish management procedure.

Comment 5: NMFS received multiple comments that are outside the scope of this rulemaking including suggestions to: (1) negotiate for a higher U.S. share of the western Atlantic bluefin tuna TAC at ICCAT; (2) change the bluefin tuna retention limits; (3) reconsider the separation of western and eastern Atlantic bluefin tuna stocks; (4) prohibit fishing; and (5) include ''seafood gleaning'' (which is defined as giving a fish that was landed but not sold at some point in the supply chain and providing it to those in need) in fishery management plans. One commenter suggested reimbursing (partially or wholly) anglers for the cost of an HMS Angling permit if the recreational bluefin tuna fishery closes before the end of the year. One commenter noted ICCAT's bluefin tuna management procedure, referencing potential future revisions. Other commenters provided suggestions related to the accounting of recreational landings of bluefin tuna under the U.S. quota.

Response: These comments are outside the scope of this rulemaking. The purpose of this action is to implement the ICCAT recommendations adopting management procedures and current TACs, quotas, transfers, and quota adjustment provisions for North and South Atlantic swordfish, northern albacore, and bluefin tuna (Recommendations 25–10, 22–04, 23–05, and 25–05, respectively), as necessary and appropriate pursuant to ATCA, and to achieve domestic management objectives under the Magnuson-Stevens Act. However, note that this final rule does not include any changes to recreational fishing mortality tracking and accounting, reporting or quotas. To the extent that these comments are suggesting development of U.S. proposals at ICCAT, U.S. proposals and priorities for ICCAT generally are discussed in the context of the U.S. ICCAT Advisory Committee meetings, which typically have at least one session per meeting open to the public. For more information on the ICCAT and the ICCAT Advisory Committee meetings, please refer to the website: *https://www.fisheries.noaa.gov/international-affairs/international-commission-conservation-atlantic-tunas.*

Changes From the Proposed Rule

This final rule includes two changes to the regulatory text from the proposed rule to correct a regulatory reference. The final regulatory text for § 635.15(d)(1) and (2) is corrected to reference § 635.15(e)(3) in addition to § 635.15(e)(2).

Classification

NMFS is issuing this final rule and temporary quota actions pursuant to the ATCA section 971d(c)(1)(A) (16 U.S.C. 971d(c)(1)(A), and sections 304(g)(1) and 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1854(g)(1) and 1855(d)). The NMFS Assistant Administrator has determined that this rule and quota actions are consistent with the HMS FMP and its amendments, ATCA, other provisions of the Magnuson-Stevens Act, and other applicable law.

A proposed rule was published on May 7, 2026, to provide prior notice and an opportunity for public comment on implementation of the new Atlantic bluefin tuna quota and pelagic longline bycatch set-aside quota, annual quota adjustment procedures for Atlantic bluefin tuna, swordfish, and albacore tuna and 2026 adjustments, and the North Atlantic swordfish and northern albacore management procedures (91 FR 24789). This final action also includes a temporary bluefin tuna quota transfer from the Longline category to the Reserve category.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice of, and opportunity for public comment on, the temporary quota transfer because it is contrary to the public interest for the following reasons. The regulations implementing the HMS FMP and amendments provide for inseason adjustments and quota transfers to respond to the unpredictable nature of bluefin tuna availability on the fishing grounds, the migratory nature of this species, and the regional variations in the bluefin tuna fishery. Providing prior notice and an opportunity for public comment is contrary to the public interest as various sectors of this fishery are currently underway. Delaying the transfer would decrease the ability to optimize fishing opportunities amongst fishing categories to utilize the new U.S. quota when bluefin tuna are available on fishing grounds and would not provide a comprehensive and transparent account of bluefin tuna quota management among fishing categories. This action does not raise conservation and management concerns and would support effective management of the bluefin tuna fishery. The quota transfer action itself does not affect the overall ICCAT-allocated U.S. bluefin tuna quota. As NMFS has stated previously, the public had an opportunity to comment on the underlying rulemakings that established the inseason adjustment criteria, as well as the new U.S. bluefin tuna quota in the proposed rule published in May 2026. Comments received on the underlying rulemakings were fully considered in the promulgation of those past final rules.

The 30-day delay in effective date requirement does not apply to this final rule because the final rule relieves restrictions on the level of bluefin tuna harvest allowed by the U.S. bluefin tuna fishery (5 U.S.C. 553(d)(1)) and because there is good cause for the rule and temporary quota actions to take effect upon publication in the **Federal Register**. (5 U.S.C. 553(d)(3)).

The fisheries for northern albacore, North and South Atlantic swordfish, and bluefin tuna began on January 1, 2026. Implementation of the increased U.S. bluefin tuna quota and pelagic longline set-aside quota needs to occur as soon as possible to prevent premature closure of bluefin tuna subcategory quotas and unnecessary loss of fishing opportunities.

With respect to the annual quota adjustments, NMFS monitors northern albacore, North and South Atlantic swordfish, and bluefin tuna annual catch and uses the previous year's catch data to calculate the legally allowable quotas for the current year. However, these adjustments to the 2026 quotas could not occur earlier in the year because the final 2025 landings data—which first must be collected, compiled and submitted in association with ICCAT reporting requirements—were not available until now.

Given that these fisheries are currently open and permit-holders are actively fishing, delaying the effective date of this rule's quota increases and adjustments would in turn lead to premature closure of one or more affected fisheries if the unadjusted quota limit is reached within the next 30 days. Such an event would negatively affect the regulated fisheries' reasonable opportunity to catch the available quotas, contrary to Magnuson-Stevens Act requirements and overall purpose of sound conservation and management of fisheries—including HMS—in a manner that achieves optimum yield. Therefore, this rule taking effect without a 30-day delay in effective date removes a restriction on the fishery and is not subject to the requirement.

Furthermore, delaying the effective date of this rule would delay the application of South Atlantic swordfish quota transfers pursuant to ICCAT obligations to U.S. quota limits, contrary to requirements under ATCA, and delay NMFS' ability to transfer quota inseason, as needed, among bluefin tuna subquota fishing categories to ensure fishing opportunities and avoid premature fishery closures. As with the quota adjustments, such a delay would be contrary to the Magnuson-Stevens Act requirement to allow U.S. vessels reasonable opportunity to harvest HMS allocations and quotas under relevant international fishery agreements such as the ICCAT Convention.

Finally, similar to the reasons noted above regarding a waiver of prior notice for the bluefin tuna quota transfer action, delaying the effective date of the bluefin tuna quota transfer to the Reserve category would decrease the ability to optimize fishing opportunities across the bluefin tuna fishery sectors when bluefin tuna are available on fishing grounds. Therefore, there is good cause for the rule to take effect without a 30-day delay in effective date.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

This final rule is an Executive Order 14192 deregulatory action.

NMFS has determined that this action would not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes; therefore, consultation with Tribal officials under Executive Order 13175 is not required, and the requirements of section (5)(b) and (c) of Executive Order 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and (c)(2) of Executive Order 13175 is not required and has not been prepared.

A FRFA was prepared for this final rule. The FRFA incorporates the IRFA, a summary of the significant issues raised by the public comments in response to the IRFA, NMFS' responses to those comments, and a summary of the analyses updated in response to the comments and completed to support the action. A copy of this analysis is available from NMFS (see **ADDRESSES** section). A summary is provided below.

Section 604(a)(1) of the Regulatory Flexibility Act (RFA) requires agencies to state the need for, and objective of, the final action. The need for this action is to implement the ICCAT recommendations adopting management procedures and current TACs, quotas, transfers, and carryforward provisions for North and South Atlantic swordfish, northern albacore, and bluefin tuna (Recommendations 25–10, 22–04, 23–05, and 25–05, respectively), as necessary and appropriate pursuant to ATCA, and to achieve domestic management objectives under the Magnuson-Stevens Act.

Section 604(a)(2) of the RFA requires a summary of significant issues raised by the public in response to the IRFA, a summary of the agency's assessment of such issues, and a statement of any changes made in the rule as a result of the comments. NMFS received 39 written comments and additional verbal comments following presentations at the 2026 Spring HMS Advisory Panel meeting and public webinar. Summarized public comments and NMFS' responses to them are included in the final rule associated with this FRFA. Only one comment referred to the IRFA impacts in this rule.

Comment: NMFS received a comment requesting that the agency include economic analysis on private anglers for the bluefin tuna quota increase in the RFA section of the rule. This commenter noted that in the RFA section, economic information was only presented on the commercial and for-hire fleets.

Response: Under the RFA, small entities are defined as small businesses, small non-profit organizations, and small governmental jurisdictions. Since private anglers are individuals, they are not considered small entities under the RFA. Thus, analysis of the economic impacts to private anglers is not found in the RFA section of this rule. However, NMFS analyzed the social and economic impacts of implementing the ICCAT bluefin tuna quota increase (preferred Alternative C2) for private anglers in chapter 4 (EA) and chapter 5 (RIR) of the supporting document.

Section 604(a)(3) of the RFA requires the agency to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA) in response to the proposed rule, and a detailed statement of any change made in the rule as a result of such comments. NMFS did not receive any comments from the Chief Counsel for Advocacy of the SBA in response to the proposed rule.

Section 604(a)(4) of the RFA requires agencies to provide descriptions of, and where feasible, an estimate of the number of small entities to which the rule would apply. The SBA has established size criteria for all major industry sectors in the United States, including fish harvesters. Provision is made under SBA's regulations for an agency to develop its own industry-specific size standards after consultation with SBA's Office of Advocacy and an opportunity for public comment (see 13 CFR 121.903(c)). Under this provision, NMFS may establish size standards that differ from those established by the SBA Office of Size Standards, but only for use by NMFS and only for the purpose of conducting an analysis of economic effects in fulfillment of the agency's obligations under the RFA. To utilize this provision, NMFS must publish such size standards in the **Federal Register**, which NMFS did on December 29, 2015 (80 FR 81194). In that final rule, effective on July 1, 2016, NMFS established a small business size standard of $11 million in annual gross receipts for all businesses in the commercial fishing industry (North American Industry Classification System (NAICS) 11411) for RFA compliance purposes. NMFS completed a review of the small business size standard on November 24, 2025 (90 FR 52917), that resulted in maintaining the existing size standard. NMFS considers all HMS permit holders to be small entities because they had average annual receipts of less than $11 million for commercial fishing. SBA has established size standards for all other major industry sectors in the United States, including the scenic and sightseeing transportation (water) sector (NAICS code 487210, for-hire), which includes charter/party boat entities. SBA has defined a small charter/party boat entity as one with average annual receipts (revenue) of less than $14 million.

NMFS considers all HMS permit holders, both commercial and for-hire, to be small entities because they had average annual receipts of less than their respective sector's standard of $11 million and $14 million. Regarding those entities that would be directly affected by the preferred alternatives, the average annual revenue per pelagic longline vessel that received IBQ shares is estimated to be $211,842, based on approximately 76 vessels that produced an estimated $16.1 million in revenue in 2024, which is well below the NMFS small business size standard for commercial fishing businesses of $11 million. No single pelagic longline vessel has exceeded $11 million in revenue in recent years, and all pelagic longline vessel owners have identified themselves as small entities on their permit renewal applications.

Other non-longline HMS commercial fishing vessels typically earn less revenue than pelagic longline vessels and, thus, would also be considered small entities. Based on 2025 permit information, NMFS predicts that the preferred alternatives would apply to the following numbers of non-pelagic longline permit holders that fish commercially or engage in commercial or for-hire activities: 2,420 Atlantic Tunas General category, 4,409 HMS Charter/Headboat, 37 Atlantic Tunas Harpoon category, 73 Swordfish Handgear, 616 Swordfish General Commercial, and 109 Commercial Caribbean Small Boat permits. This final rule would also impact HMS Angling permit holders, but those permit holders are considered individuals and not small entities under RFA.

This action would apply to all participants in the Atlantic swordfish and tuna fisheries. This final rule is expected to directly affect commercial and for-hire fishing vessels that possess an Atlantic Swordfish, Atlantic Tunas, Commercial Caribbean Small Boat, or Atlantic HMS Charter/Headboat permit. It is unknown what portion of HMS Charter/Headboat permit holders actively participate in the swordfish, bluefin tuna, and northern albacore fisheries or provide fishing services for recreational anglers. This constitutes the best available information regarding the universe of permits and permit holders recently analyzed.

NMFS has determined that the preferred alternatives would not likely directly affect any small organizations or small government jurisdictions defined under RFA, nor would there be disproportionate economic impacts between large and small entities.

Section 604(a)(5) of the RFA requires agencies to describe any new reporting, record-keeping, and other compliance requirements. The action does not contain any new collection of information, reporting, or record-keeping requirements.

Section 604(a)(6) of the RFA requires agencies to describe the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected. As described below, NMFS analyzed several different alternatives in this final rulemaking and provides rationales for identifying the preferred alternatives to achieve the desired objectives. The FRFA assumes that each vessel will have similar catch and gross revenues to show the relative impact of the final action on vessels.

North and South Atlantic Swordfish

Under Alternative A1, the no action alternative for North and South Atlantic swordfish, NMFS would not implement the ICCAT North Atlantic swordfish management procedure and would maintain implementation of relevant South Atlantic swordfish quota measures. NMFS has estimated the average impact maintaining the North Atlantic swordfish and South Atlantic swordfish quotas for all domestic quota categories would have on individual categories and the permit holders within those categories. For North Atlantic swordfish, the United States is unlikely to achieve 100-percent quota utilization in the short term. In the long term, however, the U.S. swordfish fishery could near 100-percent quota utilization. The maximum adjusted quota considered under Alternative A1 is 3,378.2 mt dw. Assuming the 2024 average ex-vessel price of $4.48 per pound and 100-percent quota utilization, total possible gross revenues across the domestic North Atlantic swordfish fishery would be estimated to be $33,365,000 under Alternative A1. In 2025, there were 150 swordfish directed permit holders, 56 swordfish incidental permit holders, 73 swordfish handgear permit holders, 616 swordfish general commercial permit holders, and 65 incidental squid trawl permit holders. Due to quota tracking complexities, NMFS does not have a proportional breakdown of the total landings by permit type, however, the average annual ex-vessel revenue across all swordfish permit types is $34,755 per vessel ($33,365,000/960 permit holders). Since retention limits are higher for directed permit holders than incidental permit holders, actual per vessel revenue would likely be higher for directed permit holders and lower for incidental permit holders. There would be no change in economic impacts on vessels in the short term under this no action alternative.

For South Atlantic swordfish, the United States is unlikely to achieve 100-percent quota utilization in the short term. In the long term, however, the U.S. swordfish fishery could near 100-percent quota utilization. The maximum adjusted quota considered under Alternative A1 is 75.2 mt dw. There are no recent landings of South Atlantic swordfish and, thus, no recent ex-vessel prices for the stock, but North Atlantic swordfish prices can be used as a proxy. Assuming the 2024 average ex-vessel price of $4.48 per pound for North Atlantic swordfish and 100-percent quota utilization, total possible gross revenues across the domestic South Atlantic swordfish fishery would be estimated to be $743,000 under Alternative A1. Due to the distance from the U.S. mainland, only pelagic longline vessels operating under a swordfish directed permit are likely to fish for South Atlantic swordfish and, in 2025, there were 150 swordfish directed permits. The long-term estimated potential average annual ex-vessel revenue from South Atlantic swordfish across all swordfish directed permit holders is $4,953 per vessel ($743,000/150 swordfish directed permit holders). Similar to North Atlantic swordfish, there would be no change in economic impacts on vessels in the short term under this no- action alternative.

Under preferred Alternative A2, NMFS would implement the ICCAT North Atlantic swordfish management procedure and would not make changes to implementation of relevant South Atlantic swordfish quota measures. NMFS has estimated the average impact of the North Atlantic swordfish and South Atlantic swordfish quotas under the most recent ICCAT recommendations for all domestic quota categories on individual categories and the permit holders within those categories. For North Atlantic swordfish, the United States is unlikely to achieve 100-percent quota utilization in the short term. In the long term, however, the U.S. swordfish fishery could near 100-percent quota utilization. The maximum adjusted quota considered under Alternative A2 is 3,963.0 mt dw. Assuming the 2024 average ex-vessel price of $4.48 per pound and 100-percent quota utilization, total possible gross revenues across the domestic North Atlantic swordfish fishery would be estimated to be $39,141,000 under Alternative A2. In 2025, there were 150 swordfish directed permit holders, 56 swordfish incidental permit holders, 73 swordfish handgear permit holders, 616 swordfish general commercial permit holders, and 65 incidental squid trawl permit holders. Due to quota tracking complexities, NMFS does not have a proportional breakdown of the total landings by permit type, however, the average annual ex-vessel revenue across all swordfish permit types is $40,772 per vessel ($39,141,000/960 permit holders). This would be a gain of an estimated $6,017 per vessel in revenue as compared to the no action alternative, A1. Since retention limits are higher for directed permit holders than incidental permit holders, actual per vessel revenue would likely be higher for directed permit holders and lower for incidental permit holders.

Since there is no change in the South Atlantic quota under Alternative A2, there would be no change in impacts on small entities associated with the South Atlantic swordfish quota under Alternative A2 as compared to the status quo under Alternative A1.

Northern Albacore

Under Alternative B1, the no action alternative for northern albacore, NMFS would maintain implementation of the ICCAT northern albacore management procedure. NMFS has estimated the average impact of maintaining the northern albacore quota for all permit holders. For northern albacore, the United States is unlikely to achieve 100-percent quota utilization in the short term. In the long term, however, the U.S. northern albacore fishery could near 100-percent quota utilization. The maximum adjusted quota considered under Alternative B1 is 1,111.8 mt. Assuming the 2024 average ex-vessel price of $2.12 per pound and 100-percent quota utilization, total possible gross revenues across the domestic northern albacore fishery would be estimated to be $4,519,000 (1,111.8 mt/1.15 dw conversion factor * $2.12) under Alternative B1. The total number of permit holders that would potentially land northern albacore is 2,662 (2,420 in the Atlantic Tunas General category; 37 in the Atlantic Tunas Harpoon category; 205 in the Atlantic Tunas Longline category). If the entire quota is harvested under this No Action alternative, average annual revenue across all permit holders would be $1,698 ($4,519,000/2,662 permit holders). Under this no action alternative, there would be no short-term economic impact on these vessel owners.

Under preferred Alternative B2, NMFS would maintain implementation of the ICCAT northern albacore management procedure, including a maximum adjusted quota. NMFS has estimated the average impact of the northern albacore quota under the most recent ICCAT recommendation for all permit holders. For northern albacore, the United States is unlikely to achieve 100-percent quota utilization in the short term. In the long term, however, the U.S. northern albacore fishery could near 100-percent quota utilization. The maximum adjusted quota considered under Alternative B2 is 1,187.5 mt. Assuming the 2024 average ex-vessel price of $2.12 per pound and 100-percent quota utilization, total possible gross revenues across the domestic northern albacore fishery would be estimated to be $4,826,000 (1,187.5 mt/1.15 dw conversion factor * $2.12) under Alternative B2. The total number of permit holders that would potentially land northern albacore is 2,662 (2,420 in the Atlantic Tunas General category; 37 in the Atlantic Tunas Harpoon category; 205 in the Atlantic Tunas Longline category). If the entire quota is harvested under this No Action alternative, average annual revenue across all permit holders would be $1,813 ($4,826,000/2,662 permit holders). This is an increase of $115 per vessel in average annual revenue as compared to the no action alternative, B1.

Bluefin Tuna Quota

Under Alternative C1, the no action alternative for bluefin tuna, NMFS would not implement the increased bluefin tuna quota adopted under Recommendation 25–05. NMFS has estimated the average impact maintaining the bluefin tuna quota for all domestic quota categories would have on individual categories and the permit holders within those categories. For bluefin tuna, to calculate the average ex-vessel bluefin tuna revenues under Alternative C1, NMFS first estimated potential category-wide revenues. The calculated 2024 average ex-vessel price for each commercial quota category is used to estimate potential ex-vessel gross revenues under the current subquotas. The current baseline subquotas could result in estimated gross revenues of $11.1 million annually, if fully utilized, broken out by quota category. NMFS notes that these prices are presented in dw. Revenues in each category are as follows: General category: $7.4 million (710.7 mt ww/1.25 dw conversion factor * $5.92/lb dw); Harpoon category: $602,445 (59.2 mt ww/1.25 dw conversion factor * $5.77/lb dw); Longline category: $2.8 million (209.3 mt ww/1.25 dw conversion factor * $7.46/lb dw); the pelagic longline bycatch set-aside: $328,926 (25 mt ww/1.25 dw conversion factor * $7.46/lb dw); and the Trap category: $14,032 (1.3 mt ww/1.25 dw conversion factor * $6.12/lb dw). Note that these revenues are likely an underestimation for the General and Harpoon categories, which typically receive additional quota from the Reserve category (*i.e.,* from the baseline Reserve subquota, and from the up to 10 percent of the U.S. baseline quota that could be carried forward from the previous year's underharvest). These revenues are likely an overestimation for the Longline and Trap categories, which do not typically land their entire quotas allocated for incidental bluefin tuna catch. Additionally, there has been substantial interannual variability in ex-vessel revenues in each category in recent years, due to recent changes in bluefin tuna availability and other factors.

To estimate the potential average ex-vessel revenues for each permit holder that could result from Alternative C1, NMFS divided the potential annual gross revenues for the General, Harpoon, and Trap category by the number of permit holders. For the Longline category, NMFS divided the potential annual gross revenues by the number of permit holders that received IBQ shares in 2026. This is an appropriate approach for bluefin tuna fisheries, because available landings data (weight and ex-vessel value of the fish in price-per-pound) allow NMFS to calculate the gross revenue earned by a permit holder on a successful trip. The available data (particularly from non-Longline permit holders) do not, however, allow NMFS to calculate the effort and cost associated with each successful trip (*e.g.,* the cost of gas, bait, ice), so net revenue for each permit holder cannot be calculated. As a result, NMFS analyzes the average impact of the alternatives among all permit holders in each category using gross revenues.

Success rates for catching and landing bluefin tuna vary widely across permit holders in each category (due to extent of vessel effort and availability of commercial-sized bluefin tuna to permit holders where they fish), but for the sake of estimating potential revenues per permit holder, category-wide revenues can be divided by the number of permits in each category. In 2025, there were 2,420 Atlantic Tunas General category permits, 37 Atlantic Tunas Harpoon category permit, and no Atlantic Tunas Trap category permits. For the longline fishery, category-wide revenue is divided by the number of permit holders who received IBQ shares in 2026 to determine potential revenue per the 76 permit holders, as indicated below. Actual vessel level revenues would depend, in part, on each permit holder's effort. It is unknown what portion of HMS Charter/Headboat permit holders actively participate in the bluefin tuna fishery. HMS Charter/Headboat vessels may fish commercially under the General category quota and retention limits. Therefore, NMFS is estimating potential General category ex-vessel revenue changes using the number of General category permit holders only.

Estimated potential bluefin tuna revenues on a per permit holder basis under Alternative C1, the no action alternative, considering the number of permit holders and estimated gross revenues listed above, under the current subquotas, could be $3,066 for the General category permit holders; $16,282 for the Harpoon category permit holders; and $40,562 for the Longline category, including the pelagic longline bycatch-set aside quota (using 76 permit holders). Under this no action alternative, there would be no short-term economic impact on these vessel owners.

Under preferred Alternative C2, NMFS would implement the U.S. bluefin tuna quota and distribute it to domestic categories in accordance with ICCAT Recommendation 25–05 and currently codified quota regulations. NMFS has estimated the average impact of the bluefin tuna quota under the most recent ICCAT recommendations for all domestic quota categories on individual categories and the permit holders within those categories. For bluefin tuna, to calculate the average ex-vessel bluefin tuna revenues under Alternative C2, NMFS first estimated potential category-wide revenues under the maximum potential baseline subquotas. The calculated 2024 average ex-vessel price for each commercial quota category is used to estimate potential ex-vessel gross revenues under the subquotas. The baseline subquotas could result in estimated gross revenues of $13.2 million annually, broken out by quota category. Revenues in each category are as follows: General category: $8.5 million (815.4 mt ww/1.25 dw conversion factor * $5.92/lb dw); Harpoon category: $690,980 (67.9 mt ww/1.25 dw conversion factor * $5.77/lb dw); Longline category: $3.2 million (240.1 mt ww/1.25 dw conversion factor * $7.46/lb dw); pelagic longline bycatch set-aside: $822,315 (62.5 mt/1.25 dw conversion factor * $7.46/lb dw); and Trap category: $16,191 (1.5 mt/1.25 dw conversion factor * $6.12/lb dw). Note that these revenues are likely an underestimation for the General and Harpoon categories, which typically receive additional quota from the Reserve category (*i.e.,* from the baseline Reserve subquota, and from the up to 10 percent of the U.S. baseline quota that could be carried forward from the previous year's underharvest). These revenues are likely an overestimation for the Longline and Trap categories, which do not typically land their entire quotas allocated for incidental bluefin tuna catch. Additionally, there has been substantial interannual variability in ex-vessel revenues in each category in recent years, due to recent changes in bluefin tuna availability and other factors.

To estimate the potential average ex-vessel revenues for each permit holder that could result from this action for bluefin tuna, NMFS divided the potential annual gross revenues for the General, Harpoon, and Trap category by the number of permit holders. For the Longline category, NMFS divided the potential annual gross revenues by the number of permit holders that received IBQ shares in 2026. This is an appropriate approach for bluefin tuna fisheries, in particular, because available landings data (weight and ex-vessel value of the fish in price-per-pound) allow NMFS to calculate the gross revenue earned by a permit holder on a successful trip (*e.g.,* the cost of gas, bait, ice, *etc.*), so net revenue for each permit holder cannot be calculated. As a result, NMFS analyzes the average impact of the alternatives among all permit holders in each category using gross revenues.

Success rates for catching and landing bluefin tuna vary widely across permit holders in each category (due to extent of vessel effort and availability of commercial-sized bluefin tuna to permit holders where they fish), but for the sake of estimating potential revenues per permit holder, category-wide revenues can be divided by the number of permits in each category. In 2025, there were 2,420 Atlantic Tunas General category permits, 37 Atlantic Tunas Harpoon category permits, and no Atlantic Tunas Trap category permits. For the Longline fishery, category-wide revenue is divided by the number of permit holders who received IBQ shares in 2026 to determine potential revenue per the 76 permit holders, as indicated below, and actual revenues would depend, in part, on each permit holder's effort. It is unknown what portion of HMS Charter/Headboat permit holders actively participate in the bluefin tuna fishery. HMS Charter/Headboat vessels may fish commercially under the General category quota and retention limits. Therefore, NMFS is estimating potential General category ex-vessel revenue changes using the number of General category permit holders only.

Estimated potential 2026 bluefin tuna revenues on a per permit holder basis under Alternative C2, the preferred alternative, considering the number of permit holders and estimated gross revenues listed above, under the maximum potential subquotas, could be $3,518 for the General category permit holders; $18,675 for the Harpoon category permit holders; and $52,386 for the Longline category, including the pelagic longline bycatch-set aside quota (using 76 permit holders). If the entire quota was harvested under Alternative C2, permit holders could expect an increase in gross revenues when compared to the no action alternative. For instance, General category permit holders could experience an increase of $452; $2,393 for the Harpoon category permit holders; and $11,824 for the Longline category, including the pelagic longline bycatch set-aside quota (using 76 permit holders).

Bluefin Tuna Longline Bycatch Area

Under Alternative D1, NMFS would maintain the area status quo (*i.e.,* the NED) and allocate the pelagic longline bycatch set-aside quota for use by pelagic longline vessels fishing specifically in the NED. This alternative would likely result in neutral economic impacts as few vessels currently fish in the NED and catch bluefin tuna. NMFS does not anticipate a change in fishing effort and thus economic impacts under this alternative.

Under Alternative D2, NMFS would allocate the pelagic longline bycatch set-aside quota for use by pelagic longline vessels fishing in the existing NED area, as well as the adjacent pelagic longline statistical reporting areas of the NEC, NCA, and SAR. Within these areas, pelagic longline vessels would not have to use IBQ allocation to account for bluefin tuna catch until the ICCAT-designated pelagic longline bycatch set-aside quota has been caught. Alternative D2 allows pelagic longline vessels greater flexibility to catch bluefin tuna incidentally without using IBQ allocation in areas with more frequent fishing effort and lower transit costs. NMFS expects this alternative would have neutral to minor beneficial economic impacts dependent on fishing activities. For instance, pelagic longline fishermen that have access to these areas would be able to land target species and bluefin tuna without needing to use or lease IBQ. Furthermore, these vessels would have additional opportunities to generate revenue as they could potentially catch and sell additional bluefin tuna, and catch and sell additional target species, due to the flexibility for more fishing effort. However, pelagic longline fishermen that could not access these areas and utilize the set-aside quota, due to the set-aside quota being reached, or due to being located prohibitively far from these areas, would likely have neutral impacts as they would have to use their annual IBQ allocations for catches of bluefin tuna. There could be some potential for derby fishing for this set-aside quota if this quota is frequently reached early in the season. Derby fishing could result in reduced profitability and safety at sea concerns if fishing occurs at suboptimal times and at increased intensity in a shorter period.

Under preferred Alternative D3, NMFS would allocate the pelagic longline bycatch set-aside quota to pelagic longline IBQ shareholders with IBQ shares designated for the Atlantic region as defined at § 635.15(c)(3). Under this alternative, NMFS will no longer account for bluefin tuna catch in the NED separately from bluefin tuna catch in the rest of the Atlantic. Instead, NMFS will allocate the pelagic longline bycatch set-aside quota to pelagic longline vessels that have fishing history in the Atlantic and annually distribute Atlantic allocation to each IBQ shareholder based on their IBQ share percentage to account for bluefin tuna catches. Atlantic and Gulf pelagic longline vessels with Atlantic IBQ shares may be more willing to fish for target species and catch additional bluefin tuna incidentally compared to current levels. Furthermore, these vessels may be more willing to lease IBQ to other vessels through the IBQ system. Thus, NMFS expects minor beneficial economic impacts for those vessels in the short term and long term. Pelagic longline vessels that only fish in the Gulf of America are expected to have neutral economic impacts as they would not receive an increase to their IBQ shares designated for the Gulf region. However, these vessels may see a minor beneficial economic impact in future years if they fish in the Atlantic region as they would then qualify to receive a share of the 62.5-mt pelagic longline bycatch set-aside quota. The use of individual quotas to allocate this set-aside quota would eliminate the risk of potential derby fishing (and the associated profitability and safety at sea impacts) that might arise under Alternative D2.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121) states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule and shall designate such publications as ''small entity compliance guides'' (5 U.S.C. 601). The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, NMFS prepared a web page that also serves as a small entity compliance guide. Copies of this final rule and compliance guide are available on the HMS Management Division website (*https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species*).

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels, Foreign relations, Imports, Penalties, Reporting and recordkeeping requirements, Statistics, Treaties.

Dated: August 13, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS amends 50 CFR part 635 as follows:

PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES

■ 1. The authority citation for part 635 continues to read as follows:

Authority: 16 U.S.C. 971 *et seq.;* 16 U.S.C. 1801 *et seq.*

■ 2. In § 635.15, revise paragraphs (d) and (f)(3)(i), and remove paragraph (f)(6) to read as follows:

§ 635.15 Individual bluefin tuna quotas (IBQs).

* * * * *

(d) *Annual IBQ allocations*—(1) *Annual IBQ allocation from the baseline Longline category quota.* An annual IBQ allocation is the amount of BFT (whole weight) in metric tons corresponding to an IBQ shareholder's share percentage, distributed to their vessel to account for incidental landings and dead discards of BFT during a specified calendar year. NMFS will distribute IBQ allocations only when there is a valid Atlantic Tunas Longline category LAP associated with a vessel. Unless otherwise required under paragraph (f)(4) of this section, an IBQ allocation is derived by multiplying the IBQ share percentage (calculated under paragraph (c)(1) of this section) by the baseline Longline category quota for that year. If the baseline quota is adjusted during the fishing year, the annual IBQ allocation may also be adjusted as specified in paragraph (e)(2) or (e)(3) of this section, as appropriate.

(2) *The IBQ Program and the pelagic longline bycatch set-aside quota.* In addition to the annual IBQ allocation described in paragraph (d)(1) of this section, NMFS will annually allocate the pelagic longline bycatch set-aside quota under § 635.27(a)(3) to IBQ shareholders with ATL shares. The allocation of the pelagic longline bycatch set-aside quota will be derived by multiplying the IBQ share percentage (calculated under paragraph (c)(1) of this section) by the pelagic longline bycatch set-aside quota. The IBQ shares and resultant allocations of the pelagic longline bycatch set-aside quota will be designated as only ATL shares. If the pelagic longline bycatch set-aside quota is adjusted during the fishing year, the annual IBQ allocation may also be adjusted as specified under paragraph (e)(2) or (e)(3) of this section, as appropriate. The BFT accounting requirement of paragraph (f)(3) of this section is applicable.

* * * * *

(f) * * *

(3) * * *

(i) *Catch deduction from IBQ allocations.* All BFT landings must be deducted from the vessel's IBQ allocation at the end of each trip by providing information to and coordinating with the dealer. Dead discards will be deducted from the vessel's IBQ allocation by the Catch Shares Online System when the vessel operator reports dead discards through VMS as required under § 635.69(e)(4)(i).

* * * * *

■ 3. In § 635.27, revise paragraphs (a) introductory text, (a)(1)(i) introductory text, (a)(2) introductory text, (a)(2)(ii), (a)(3) through (5), (a)(6)(i), and (c)(1) introductory text to read as follows:

§ 635.27 Quotas.

(a) *BFT.* Consistent with ICCAT recommendations, the baseline annual U.S. BFT quota will be allocated among the General, Angling, Harpoon, Longline, Trap, and Reserve categories, as described in this section. BFT quotas are specified in whole weight. The baseline annual U.S. BFT quota is 1,509.98 mt, not including an additional annual 62.5-mt pelagic longline bycatch set-aside quota provided in paragraph (a)(3) of this section. This baseline BFT quota is divided among the categories according to the following percentages: General—54 percent (815.4 mt); Angling—22.6 percent (341.3 mt), which includes the school BFT held in reserve as described under paragraph (a)(6)(ii) of this section; Longline—15.9 percent (240.1 mt) (total not including the 62.5-mt pelagic longline bycatch set-aside quota from paragraph (a)(3) of this section); Harpoon—4.5 percent (67.9 mt); Trap—0.1 percent (1.5 mt); and Reserve—2.9 percent (43.8 mt). NMFS may make inseason and annual adjustments to quotas as specified in paragraphs (a)(8) and (9) of this section.

(1) * * *

(i) Catches from vessels for which Atlantic Tunas General category permits have been issued and certain catches from vessels for which an HMS Charter/Headboat permit has been issued are counted against the General category quota in accordance with § 635.23(c)(3). Pursuant to paragraph (a) of this section, the amount of large medium and giant BFT that may be caught, retained, possessed, landed, or sold under the General category quota is 815.4 mt, and is apportioned as follows, unless modified as described under paragraph (a)(1)(ii) of this section:

* * * * *

(2) *Angling category quota.* In accordance with the framework procedures as described under § 635.34, prior to each fishing year, or as early as feasible, NMFS will establish the Angling category daily retention limits. In accordance with paragraph (a) of this section, the total amount of BFT that may be caught, retained, possessed, and landed by anglers aboard vessels for which an HMS Angling permit or an HMS Charter/Headboat permit has been issued is 341.3 mt. No more than 3.1 percent of the annual Angling category quota may be large medium or giant BFT. In addition, no more than 10 percent of the baseline annual U.S. BFT quota, inclusive of the allocation specified in paragraph (a)(3) of this section, may be school BFT. The Angling category quota includes the amount of school BFT held in reserve under paragraph (a)(6)(ii) of this section. The size class subquotas for BFT are further subdivided as follows:

* * * * *

(ii) After adjustment (Angling category quota minus school and large medium/giant subquotas), resulting in a large school/small medium subquota of 173.4 mt, an amount equal to 52.8 percent may be caught, retained, possessed, or landed south of 39°18′ N lat. The remaining large school/small medium BFT Angling category quota may be caught, retained, possessed, or landed north of 39°18′ N lat.

* * * * *

(3) *Longline category quota.* Pursuant to paragraph (a) of this section, the total amount of large medium and giant BFT that may be caught, discarded dead, or retained, possessed, or landed by vessels that possess Atlantic Tunas Longline category permits is 240.1 mt. In addition, pelagic longline vessels with ATL IBQ are allocated, as described in § 635.15(d)(2), a pelagic longline bycatch set-aside quota of 62.5 mt. For purposes of the closure authority under § 635.28(a)(1), regional IBQ allocations under § 635.15(c)(3) and the BFT catch cap for fishing in the Gulf of America (§ 635.15(c)(3)(iii)) are considered quotas.

(4) *Harpoon category quota.* The total amount of large medium and giant BFT that may be caught, retained, possessed, landed, or sold by vessels that possess Atlantic Tunas Harpoon category permits is 67.9 mt. The Harpoon category fishery commences on June 1 of each year and closes on November 15 of each year.

(5) *Trap.* The total amount of large medium and giant BFT, that may be caught, retained, possessed, or landed by vessels that possess Atlantic Tunas Trap category permits is 1.5 mt.

(6) * * *

(i) The total amount of BFT that is held in reserve is 43.8 mt, which may be augmented by allowable underharvest from the previous year. Consistent with paragraphs (a)(7) through (9) of this section, NMFS may allocate any portion of the Reserve category quota for inseason or annual adjustments to any fishing category quota. NMFS may also use any portion of the Reserve category quota for adjustments to, or appeals of, IBQ allocations (see § 635.15(e)(1)(i)) and research using quota or subquotas (see § 635.32).

* * * * *

(c) * * *

(1) *Categories.* Consistent with ICCAT recommendations, the ICCAT North Atlantic swordfish management procedure, and domestic management objectives, the fishing year's total amount of swordfish that may be caught, retained, possessed, or landed by persons and vessels subject to U.S. jurisdiction is divided into quotas for the North Atlantic swordfish stock and the South Atlantic swordfish stock. The quota for the North Atlantic swordfish stock is further divided into equal semi-annual directed fishery quotas, an annual incidental catch quota for fishermen targeting other species or taking swordfish recreationally, and a reserve category.

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