DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 260813–0186; RTID 0648–XG170]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category December Quota Transfer

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

ACTION: Temporary rule; quota transfer and adjustment.

SUMMARY: NMFS is adjusting the Atlantic bluefin tuna (BFT) General category December 2026 time period subquota by transferring 26 metric tons (mt) of quota from the Reserve category. This action results in a total adjusted General category December time period subquota of 42.4 mt and an adjusted Reserve category of 1 mt. This action would affect Atlantic Tunas General category (commercial) permitted vessels and Highly Migratory Species (HMS) Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT.

DATES: The quota transfer is effective December 1, 2026, through December 31, 2026.

FOR FURTHER INFORMATION CONTACT: Becky Curtis, *becky.curtis@noaa.gov,* or Larry Redd, Jr., *larry.redd@noaa.gov,* by email or phone at 301–427–8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments, 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 implementing regulations are at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by the International Commission for the Conservation of Atlantic Tunas (ICCAT), and as implemented by the United States among the various domestic fishing categories, per the allocations established in the HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

NMFS recently published a final rule to implement the 2025 ICCAT Recommendation 25–05 (91 FR 53526, August 19, 2026). As described in § 635.27(a), the current baseline U.S. BFT quota is 1,509.98 mt (not including the 62.5 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the vicinity of the management area boundary and adjacent areas per § 635.27(a)(3)). The baseline quotas for the General and Reserve categories are 815.4 mt and 43.8 mt, respectively. The General category baseline quota is suballocated to different time periods. Specific to this action, the baseline subquota for the December time period is 42.4 mt. To date, NMFS has published one action that have adjusted the December time period quota (91 FR 1094, January 12, 2026) and several actions that adjusted the Reserve category quota (91 FR 5855, February 10, 2026; 91 FR 43571, July 16, 2026; 91 FR 53526, August 19, 2026; 91 FR 64302, October 8, 2026). As a result of these adjustments, the adjusted General category December subquota and Reserve category quota are 16.4 mt and 27 mt, respectively.

Quota Transfer

Additionally, under § 635.27(a)(8), NMFS has the authority to transfer quota among fishing categories or subcategories after considering the determination criteria provided under § 635.27(a)(7). This section focuses on the calculations involved in transferring quota from the Reserve category to the General category December subquota time period. The consideration of the determination criteria can be found below after this section.

As stated above, the adjusted December subquota and adjusted Reserve category quotas are 16.4 mt and 27 mt, respectively. Transferring 26 mt from the Reserve category to the General category would result in an adjusted December subquota and Reserve category quotas of 42.4 mt (16.4 mt + 26 mt = 42.4 mt) and 1 mt (27 mt − 26 mt = 1 mt), respectively. The General category quota is available for use by Atlantic Tunas General category (commercial) permitted vessels and HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT.

In summary, these actions result in an adjusted General category December time period subquota of 42.4 mt and an adjusted Reserve quota of 1 mt. The General category fishery will remain open until December 31, 2026, or until the adjusted General category December subquota is reached, whichever comes first.

Consideration of the Relevant Determination Criteria

NMFS has considered all of the relevant determination criteria and their applicability to this inseason quota transfer (§ 635.27(a)(7)). These criteria include, but are not limited to, the following:

Regarding the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(7)(i)), biological samples collected from BFT landed by General category fishermen and provided by tuna dealers continue provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Additional opportunity to land BFT in the General category would support the continued collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS also considered the catches of the General category quota to date and the likelihood of closure of that segment of the fishery if no adjustment is made (§ 635.27(a)(7)(ii) and (ix)). Without taking action at this time, the General category would very likely reach the available subquota well before the end of the December time period and NMFS would have to stop BFT fishing activities even though commercial-sized BFT remain available in the areas where General category permitted vessels operate. A quota transfer at this time provides limited additional opportunities to harvest the U.S. BFT quota while avoiding exceeding it.

Regarding the projected ability of the vessels fishing under the General category quota to harvest the additional amount of BFT quota before the end of the fishing year (§ 635.27(a)(7)(iii)), NMFS considered General category landings over the last several years and landings to date this year. Landings are highly variable and depend on access to commercial-sized BFT and fishing conditions, among other factors. By allowing for the current quota transfer, NMFS anticipates that the General category quota would be used before the end of the fishing year. Additionally this quota transfer and would allow fishermen to take advantage of the availability of BFT on the fishing grounds and provide a reasonable

opportunity to harvest available U.S. BFT quota.

NMFS also considered the estimated amounts by which quotas for other gear categories of the BFT fishery might be exceeded (§ 635.27(a)(7)(iv)) and the ability to account for all 2026 landings and dead discards (§ 635.27(a)(7)(xii) and (a)(7)(xi)). In most of the past several years, total U.S. BFT landings have been below the available U.S. quota such that the United States has carried forward the maximum amount of underharvest allowed by ICCAT from one year to the next. When total U.S. BFT landings are above the available U.S. quota, the United States reduces the next year's quota by the overharvest amount (including reducing the various fishing category quotas and subquotas by their respective overharvest amounts), as was necessary in 2025 to account for the 2024 adjusted U.S. quota, consistent with ICCAT recommendations. NMFS will need to account for 2026 landings and dead discards within the adjusted U.S. quota, consistent with ICCAT recommendations, and anticipates having sufficient quota to do so.

NMFS also considered the effects of the transfer and quota adjustment on the BFT stock and on accomplishing the objectives of the HMS FMP (§ 635.27(a)(7)(v) and (vi)). This action would be consistent with ICCAT Recommendations, ATCA, and the objectives of the HMS FMP and amendments. In establishing these quotas and subquotas and associated management measures, ICCAT and NMFS considered the best scientific information available, objectives for stock management and status, and effects on the stock. This action is in line with the established management measures and stock status determinations. Another principal consideration is the objective of providing opportunities to harvest the available General category quota without exceeding the annual quota. This consideration is based on the objectives of the HMS FMP and its amendments, and it includes achieving optimum yield on a continuing basis and optimizing the ability of all permit categories to harvest available BFT quota allocations (related to § 635.27(a)(7)(x)). Specific to the General category, this includes providing opportunities equitably across all time periods. Finally, we note that the amount remaining in the Reserve category is sufficient for anticipated needs.

In summary, this action adjusts the General category December subquota and Reserve category quota to 42.4 mt and 1 mt, respectively. This action provides additional fishing opportunities to harvest the General category quota and subquotas, without exceeding them, while maintaining equitable fishing opportunities for General category fishermen.

Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Per § 635.5(b)(2)(i)(A), dealers are required to submit landing reports within 24 hours of receiving BFT. Late reporting by dealers compromises NMFS' ability to timely implement actions such as quota and retention limit adjustments, as well as closures, and may result in enforcement actions. Additionally, and separate from the dealer reporting requirement, General and HMS Charter/Headboat category vessel owners are required per § 635.5(a)(4) to report their own catch of all BFT retained or discarded dead within 24 hours of the landing(s) or end of each trip, by accessing *https://hmspermits.noaa.gov,* using the HMS Catch Reporting app, or calling 888–872–8862 (Monday through Friday from 8 a.m. until 4:30 p.m. E.T.).

Depending on catch rates of BFT and any updated landings information at that time, and after consideration of all the criteria specified at § 635.27(a)(7), NMFS may determine that additional adjustments are necessary to ensure available subquotas are not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may access *https://hmspermits.noaa.gov,* for updates on quota monitoring and inseason adjustments.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635, and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 533(b)(B), there is good cause to waive prior notice of, and opportunity for public comment on, this action because it is impracticable and contrary to the public interest for the following reasons. Specifically, the regulations implementing the HMS FMP and amendments provide for inseason retention limit adjustments to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing prior notice and an opportunity for public comment is impracticable and contrary to the public interest. Based on the most recent landings information, and historical landings trends, NMFS anticipates that the 2026 General category December subquota would likely be reached very soon after the time period opens. For instance, in 2025, NMFS closed the General category December time period on December 5, 2025, as the subquota of 16.5 mt was reached and exceeded (90 FR 56695). Similar to 2025, delaying this action could also result in BFT landings that exceed the General category December subquota shortly after the fishery opened. Additionally, a delay in implementing this action would preclude the fishery from harvesting BFT that are currently available on the fishing grounds and that might otherwise become unavailable. This action does not raise conservation and management concerns and would support effective management of the BFT fishery. This action does not affect the overall ICCAT-allocated U.S. BFT quota. NMFS notes that the public had an opportunity to comment on the underlying rulemakings that established the U.S. BFT quota and the inseason adjustment criteria.

For all of the above reasons, the AA finds that pursuant to 5 U.S.C. 553(d)(3), there is good cause to waive the 30-day delay in effective date.

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

Dated: November 16, 2026.

Shannon Bettridge,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 260910–0004]

RTID 0648–XG151

Pacific Island Fisheries; Longline Retention Prohibition; Striped Marlin in the Western and Central Pacific Ocean North of the Equator

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