

Number of full-time students in the enrollment cohort who completed the program within 150% of the length of the program

Number of full-time students in the enrollment cohort

■ 9. On page 65018, in the left-hand column, revise § 668.413(c)(2) by removing the phrase “, in each case during the cohort period”.

■ 10. On page 65033, in the right-hand column, add footnotes 259 and 260 to read as follows:

<sup>259</sup> NCES, “Transferability of Postsecondary Credit Following Student Transfer or Coenrollment,” NCES 2014–163. Available at: <http://nces.ed.gov/pubsearch/pubinfo.asp?pubid=2014163>.

<sup>260</sup> NCES, “Transferability of Postsecondary Credit Following Student Transfer or Coenrollment,” NCES 2014–163, table 3.

**Program Authority:** 20 U.S.C. 1001, 1002, 1088.

Dated: November 25, 2014.

**Arne Duncan,**

*Secretary of Education.*

[FR Doc. 2014–28284 Filed 12–3–14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 101206604–1758–02]

RIN 0648–XD601

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2014 Commercial Accountability Measure and Closure for Atlantic Migratory Group Cobia

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS implements accountability measures (AMs) for commercial Atlantic migratory group cobia in the exclusive economic zone (EEZ) of the South Atlantic. Commercial landings for Atlantic migratory group cobia, as estimated by the Science Research Director (SRD), are projected to reach the commercial annual catch

limit (ACL) on December 11, 2014.

Therefore, NMFS closes the commercial sector for Atlantic migratory group cobia on December 11, 2014, and it will remain closed throughout the remainder of the fishing year, through December 31, 2014. This closure is necessary to protect the resource of Atlantic migratory group cobia.

**DATES:** This rule is effective 12:01 a.m., local time, December 11, 2014, until 12:01 a.m., local time, January 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Britni LaVine, telephone: 727–824–5305, email: [britni.lavine@noaa.gov](mailto:britni.lavine@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, and cobia) is managed under the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Separate migratory groups of cobia were established in Amendment 18 to the FMP. The southern boundary for Atlantic migratory group cobia occurs at the division between Gulf of Mexico and Atlantic migratory groups, which is set at the intercouncil jurisdictional boundary, off the Florida Keys. As specified in 50 CFR 600.105(c), the South Atlantic and Gulf of Mexico intercouncil boundary coincides with the line of demarcation between the Atlantic Ocean and the Gulf of Mexico, which begins at the intersection of the outer boundary of the EEZ, as specified in the Magnuson-Stevens Act, and 83°00' W. longitude, proceeds northward along that meridian to 24°35' N. latitude, (near the Dry Tortugas Islands), then eastward along that parallel, through Rebecca Shoal and the Quicksand Shoal, to the Marquesas Keys, and then through the Florida Keys to the mainland at the eastern end of Florida Bay, the line so running that the narrow waters within the Dry Tortugas Islands, the Marquesas Keys and the

Florida Keys, and between the Florida Keys and the mainland, are within the Gulf of Mexico. The northern boundary for Atlantic migratory group cobia is at the jurisdictional boundary between the Mid-Atlantic and New England Councils. As specified in 50 CFR 600.105(a), the northern boundary begins at the intersection point of Connecticut, Rhode Island, and New York at 41°18'16.249" N. latitude and 71°54'28.477" W. longitude and proceeds south along 37°22'32.75" E. longitude to the point of intersection with the outward boundary of the EEZ as specified in the Magnuson-Stevens Act.

The commercial ACL or commercial quota (quota) for Atlantic migratory group cobia is 125,712 lb (57,022 kg), round weight, for the current fishing year, January 1 through December 31, 2014, as specified in 50 CFR 622.384(d)(2).

The AMs specified at 50 CFR 622.388(f)(1)(i) require NMFS to close the commercial sector for Atlantic migratory group cobia when its quota is reached or is projected to be reached, by filing a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. NMFS has determined that the quota for Atlantic migratory group cobia will have been reached by December 11, 2014. Accordingly, the commercial sector for Atlantic migratory group cobia is closed effective 12:01 a.m., local time, December 11, 2014, until 12:01 a.m., local time, January 1, 2015.

The possession limit for cobia located at 50 CFR 622.383(b), specifies that no person may possess more than two cobia per day in or from the EEZ in the Gulf of Mexico, Mid-Atlantic, or South Atlantic, regardless of the number of trips or duration of a trip. In addition, a person who fishes in the EEZ may not combine this harvest limitation with a harvest limitation applicable to state waters. Atlantic migratory group cobia taken in the EEZ may not be transferred at sea, regardless of where such transfer takes place, and may not be transferred in the EEZ.

During the closure, the possession limit for cobia remains in effect, however, in accordance with regulations at 50 CFR 622.384(e)(3), the sale or purchase of Atlantic migratory group cobia taken under the possession limit is prohibited. The prohibition on sale and purchase does not apply to the sale or purchase of Atlantic migratory group cobia that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, December 11, 2014, and were held in cold storage by a dealer or processor.

#### Classification

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

This action is taken under 50 CFR 622.8(b) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirements to provide prior notice and opportunity for public comment, pursuant to the authority set forth at 5 U.S.C. 553(b)(B), as such prior notice and opportunity for public comment is unnecessary and contrary to the public interest. Such procedures are unnecessary and contrary to the public interest because the AMs for Atlantic migratory group cobia established by Amendment 18 to the FMP (76 FR 82058, December 29, 2011), and located at 50 CFR 622.388(f)(1)(i), have already been subject to notice and comment, and all that remains is to notify the public of the commercial closure for the remainder of the 2014 fishing year. Additionally, there is a need to immediately implement the closure to prevent further commercial harvest and prevent the ACL from being exceeded, which will protect the cobia resource. Prior notice and opportunity for public comment on this action would be contrary to the public interest, because those affected by the closure need as much advance notice as NMFS is able to provide.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: November 28, 2014.

**Alan D. Risenhoover,**

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

[FR Doc. 2014-28468 Filed 12-3-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 140221166-4963-02]

RIN 0648-BE01

#### Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 3

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

**ACTION:** Final rule.

**SUMMARY:** NMFS implements final regulations to establish a process for setting river herring (alewife and blueback) and shad (American and hickory) catch caps for the herring fishery. This action also sets these catch caps for the 2014 and 2015 fishing years. The river herring and shad caps in the herring fishery will limit how much of these species will be caught in the herring fishery. This action will allow the New England Fishery Management Council to set river herring and shad catch caps and associated measures in future years through specifications or frameworks, whichever is appropriate. The measures in this action are a positive step in conservation efforts for river herring and shad.

**DATES:** Effective December 4, 2014.

**ADDRESSES:** The New England Fishery Management Council developed an environmental assessment (EA) for this action that describes the action and other considered alternatives and provides a thorough analysis of the impacts of these final measures and alternatives. Copies of the framework, the EA, and the Regulatory Impact Review (RIR)/Initial Regulatory Flexibility Analysis (IRFA), are available upon request from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. The EA/RIR/IRFA is accessible via the Internet at <http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/atlherring/index.html>.

Copies of the small entity compliance guide are available from John K. Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930-2298, or available on the Internet at <http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/atlherring/index.html>.

**FOR FURTHER INFORMATION CONTACT:** Carrie Nordeen, Fishery Policy Analyst, 978-281-9272, fax 978-281-9135.

#### SUPPLEMENTARY INFORMATION:

##### Background

The New England Fishery Management Council adopted Framework Adjustment 3 to the Atlantic Herring Fishery Management Plan (FMP) at its September 24, 2013, meeting. The Council submitted Framework 3 to NMFS for review on January 3, 2014, and resubmitted it to NMFS on March 26, 2014. The Council reviewed the Framework 3 proposed rule regulations as drafted by NMFS, and deemed them to be necessary and appropriate as specified in section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed rule for Framework 3 published in the **Federal Register** on June 13, 2014 (79 FR 33879), with a 30-day public comment period that ended July 14, 2014. NMFS received four comments on the proposed measures.

Framework 3 establishes a process for setting and modifying catch caps for river herring (alewife and blueback) and shad (American and hickory) catch caps in the Atlantic herring fishery (herring fishery), and sets specific river herring and shad catch caps for the 2014 and 2015 fishing years. Catch of river herring and shad for 2014 will count against the cap in 2014 after the effective date of this final rule.

River herring and shad are anadromous species that may co-occur seasonally with Atlantic herring and are harvested as a non-target species in the fishery. When river herring are encountered in the herring fishery, they are either discarded at sea (bycatch) or, because they closely resemble herring, they are retained and sold as part of the herring catch (incidental catch). According to the most recent river herring stock assessment (May 2012) conducted by the Atlantic States Marine Fisheries Commission (ASMFC), river herring populations have declined from historic levels and many factors will need to be addressed to allow their recovery, including: Fishing in both state and Federal waters; improvement of river passageways and water quality;